

**Application Number:** DA/2020/0001

**Location:** Land to east of Kettering Road, Overstone

**Development:** Outline application for an urban extension consisting of circa 1600 dwellings; works to accommodate a new section of A43 dual carriageway road; up to 5.73ha of commercial land, including: a local centre (use Classes A1/A3/A5/D1), assisted living/residential care home (Class C2), conversion of former agricultural buildings to a community hub (Classes D1/A3) and employment (Classes B1/B2/B8); a new 2-form entry primary school; public open space, including allotments and children's' play space; structural landscape planting; and associated infrastructure including drainage features, footway/cycleways and access (part access unreserved for the roundabout access into the site off the A43).

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**Applicant:** Davidsons Developments Ltd. & L&Q Estates

**Agent:** Pegasus Planning Group

**Case Officer:** Bob Ham

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**Ward:** Moulton

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**Reason for Referral:** Major Development

**Committee Date:** 23/03/2021

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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 PLANNING CONDITIONS AND SUBJECT TO THE SATISFACTORY CONCLUSION OF A LEGAL AGREEMENT UNDER S106 OF THE TOWN AND COUNTRY PLANNING ACT 1990.**

### **Proposal**

This application seeks outline planning permission for the undeveloped northern section of the North Northampton Sustainable Urban Extension (SUE), within the parish of Overstone. Policy N3 of the adopted West Northamptonshire Joint Core Strategy allocates this site for residential-led development, and together with the Overstone Leys development to the immediate south (already approved and under construction) this outline proposal for Overstone Green would complete the Northampton North SUE.

The application is for 1600 dwellings plus commercial land, a local centre and community hub, employment land, primary school, public open space, landscaping, and drainage infrastructure. The application is submitted in outline with all matters, save for details of the access into the site from the A43, being reserved. The proposal has been designed to facilitate a new section of A43 dual carriageway along the western boundary but does not include the provision of this, which will be provided separately by West Northamptonshire Council. An Environmental Impact Assessment was submitted in support of the application. It was submitted to the former Daventry District Council in December 2019.

### **Consultations**

There have been three principal rounds of consultation due to the submission of various revisions to the proposed plans, in order to address issues raised by consultees or otherwise arising during the consideration of the application.

#### First round of consultation:

The following consultees raised **objections** or expressed concerns regarding the application:

- WNC Highways, Overstone Parish Council, Moulton Parish Council, Holcot Parish Council, Sywell Parish Council, Northamptonshire Police Crime Prevention Design Advisor, Sport England, Sywell Aerodrome, former Borough Council of Wellingborough.

The following consultees raised **no objections**, subject to conditions/comments:

- WNC: Developer Contributions, Archaeology, Minerals, Surface Water Drainage Assessment Team, Environmental Health (Daventry Area); Environment Agency, Highways England, Northamptonshire Clinical Commissioning Groups, Health and Safety Executive, Cadent Gas, Ramblers Association, Wildlife Trust for Bedfordshire, Cambridgeshire & Northamptonshire, Northamptonshire Badger Group, former Northamptonshire Borough Council, former Kettering Borough Council.

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

- WNC Local Strategy Service (Daventry Area).

Fifty-six letters of objection and no letters of support were received.

#### Second round of consultation:

The following consultees raised concerns regarding the application:

- Overstone Parish Council, Moulton Parish Council, Holcot Parish Council

The following consultees raised **no objections**, subject to conditions/comments:

- WNC: Developer Contributions, Archaeology, Surface Water Drainage Assessment Team; Health and Safety Executive, Sport England, Ramblers Association, Wildlife Trust for Bedfordshire, Cambridgeshire & Northamptonshire, former Kettering Borough Council, former Borough Council of Wellingborough.

Three letters of **objection** were received.

#### Third round of consultation:

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

- Overstone Parish Council; North Northamptonshire Council;

The following consultees raised concerns regarding the application:

- WNC Highways Development Management

The following consultees raised **no objections**, subject to conditions/comments:

- Moulton Parish Council; Sywell Parish Council; Holcot Parish Council; WNC Environmental Health.

Twenty-six letters of **objection** were received plus one not objecting but making comments.

## **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:

- The Environmental Statement
- Principle and Scale of Development
- Access and impacts on the Highway Network
- Scheme Design and Urban Design principles
- Affordable Housing
- Education
- Healthcare
- Open Space and Recreation
- Trees, Landscape and Visual Impact
- Local Centre
- Cultural Heritage and Archaeology
- Ecology and Biodiversity
- Drainage and Flood Risk
- Noise impacts
- Air Quality
- Ground Conditions
- Minerals
- Sustainability
- Socio-Economic Impact
- Impacts on existing local residents
- Infrastructure and Developer Contributions
- Overall scheme viability.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and subject to a S106 agreement, which will include outstanding issues around off-site highways works. Further discussions are still underway with the applicants at the time of writing this report relating to highways matters and to the overall scheme viability, in particular, the level of affordable housing that the scheme could deliver, and a further update will be provided at the committee meeting. In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that, on balance, the proposal would result in sustainable development. The application accords with the Development Plan for West Northamptonshire Council. It will deliver a balanced and sustainable development of up to 1600 new homes and associated community infrastructure in an attractive well-designed, pleasant landscaped environment.

**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 circa. 1,600 dwellings, which is part of the total figure 'in the region of' 3,500 dwellings' identified in the adopted West Northamptonshire Joint Core Strategy (WNJCS) forming the Northampton North Sustainable Urban Extension (NN SUE) under Policy N3. Initial versions of the allocation only identified the southern element of the site, comprising 2,000 dwellings, however subsequent modifications to the emerging development plan resulted in the allocation being increased by a further 1500 dwellings to the immediate north, which forms the subject of this outline planning application. Overstone Green comprises the northern segment of the Northampton North SUE, the initial southern phase (Overstone Leys) being largely approved and now under construction, with some residential areas now occupied. The recently completed A43 Moulton by-pass, to the south of the current application site in between the Round Spinney roundabout and the rebuilt Moulton/Overtone roundabout, forms part of the earlier consented phases.
- 1.2 The Overstone Leys development constituted the initial phases of the North Northampton SUE and outline planning permission was granted in August of 2015 for up to 2,000 dwellings along with a new local centre, a foodstore, a new section of dual carriageway on the A43, and other supporting development – see section 4 below (application no: DA/2013/0850).
- 1.3 The site for Overstone Green lies within open countryside to the immediate north of the emerging Overstone Leys development, on land within the parish of Overstone between the villages of Overstone and Moulton, and to the east of the A43 Northampton – Kettering road. The Northampton North SUE is located at the eastern extremity of the West Northamptonshire Council area (formerly Daventry District), close to the previous boundary with the former Northampton Borough to the south. The administrative boundary with North Northamptonshire Council (the former Borough Council of Wellingborough) runs along the eastern-most edge of the site boundary for some 270m.
- 1.4 The development site is predominantly in agricultural use and comprises some 86.2ha of land extending north and eastwards from the northern edge of the Overstone Leys development up to the top (northern) extent of Cowpasture Spinney Local Wildlife Site which forms the eastern boundary of the site, with the A43 forming the western boundary. Apart from the eastern edge at Cowpasture Spinney, which forms an irregular wooded belt 20m–60m deep along the eastern fringe of the site, it consists of 8no. roughly rectangular arable fields. The boundaries of the fields are mostly characterised by hedges interspersed with mature trees.
- 1.5 An established 33kv overhead power line bisects the site south to north, roughly dividing it into two halves; the applicant intends to underground the line within the site, as has now been done within Overstone Leys. Several lesser 11kv overhead lines also cross the upper (northern) part of the site. An underground high-pressure gas pipeline crosses beneath the site from its south-western corner to the north-east corner; this will remain in-situ and will require a no-build zone along its length for 15m either side of the centreline. The only existing buildings within the site are a small range of traditional stone and brick barns sited at the junction of four fields within the northern part of the site.

- 1.6 The land slopes gently up from south to north, rising by some 8.0m overall, with the central north-south field boundary forming a ridge of higher ground that falls away to the west towards the A43, and to the east towards Cowpasture Spinney. A large part of the site towards the south and west is underlain by sand and gravel deposits, which continue southwards under the approved Overstone Leys development.
- 1.7 The applicants also have control over two additional fields immediately to the north of the application boundary; however, these are not included within the current application and are partly within the administrative boundary of North Northamptonshire Council.
- 1.8 Overstone village runs parallel to the application site to the south and east at a separation of some 500m, with agricultural fields separating the site from the village. Overstone village is continuous with Sywell village at its eastern end. The fields separating it from the application site are classified as Green Wedge in the adopted Local Plan (Part 2), which aims to prevent coalescence (Policy ENV3). The site can be directly accessed from Overstone village via two public rights of way (PROW's). DG1 runs along the southern boundary of the application site, just within Overstone Leys, and links up with DG4 on the northern side of the A43; DG2 runs through the upper (northern) part of the site, running directly past the farm buildings sited there. Beyond the A43, both paths link up with various other PROWs that provide connections to Moulton and Holcot, and further afield.
- 1.9 The closest existing residential properties to the east of the site towards Overstone are at Lavender Hill Farm, some 330m from the site boundary; other existing properties along the western edge of Sywell Road in Overstone are approximately 440m-500m away. To the west of the site, on the far side of the A43, is a loose cluster of agricultural buildings and freestanding dwellings or cottages, one of which (Overstone Grange) is the residence of the landowner. These are between 40m and 420m beyond the western edge of the application site. To the north and east of the site is a group of former traditional farm buildings converted to business uses (Sywell Lodge Farm), which are sited within the North Northamptonshire area. Rectory Farm, which includes a small-certified caravan site, lies some 250m from the north-eastern corner of the site, also within the NNC area. Further afield, the boundary of Sywell Aerodrome is approximately 1000m to the north and east of the application site, again within the North Northamptonshire Council administrative area.
- 1.10 There are no designated heritage assets located within or immediately adjacent to the site, however there are a number of listed buildings located nearby, principally within Overstone and Sywell parishes along the Overstone/Sywell Road. Additionally, three of the scattered buildings centred on Overstone Old Rectory on the far/western side of the A43 (approximately 300m away) are grade II listed. Sywell and Moulton village conservation areas are both located in excess of 1000m from the site boundaries, to the east and west respectively.
- 1.11 The Northamptonshire Current Landscape Character Assessment classifies the southern-most three-quarters of the site, together with the area of the adjoining Overstone Leys and Overstone/Sywell/Moulton villages and their hinterlands, as coming within the landscape sub-designation of 'Rolling Ironstone Valley Slopes – 4b Moulton Slopes'. The two fields comprising the northernmost part of the application site, together with all of the open land immediately beyond, comes within the sub-designation of 'Clay Plateau – 5b Sywell Plateau'. In reality, the differences between the two landscape character designations are subtle and not readily apparent across the site, however generally the landscape gradually becomes flatter moving away to the north and east, with less tree cover.

1.12 In terms of wildlife and ecology the bulk of the site is of relatively low ecological value, being established cultivated arable fields, however these are divided by established hedgerow, including many mature hedgerow trees, particularly along the central north-south spine and within the eastern part of the site, where many trees have potential as bat roosts. Cowpasture Spinney and its watercourse, which forms the lowest part of the site along its eastern edge, is designated as a Local Wildlife Site (LWS). The closest statutory designation is Crowfields Common Local Nature Reserve (LNR), located approximately 1.5km to the west and adjoining Moulton village. Within the application site, Cowpasture Spinney and a number of individual hedgerow trees nearby are covered by Tree Preservation Orders (TPO). There is also a short length of non-native coniferous planting along part of one of the east-west field boundaries within the south-western segment of the site.

## **2. CONSTRAINTS**

2.1 The identified planning constraints affecting the application site are:

- The application site comprises agricultural land within the open countryside
- Several public footpaths run through or alongside the site
- Much of the site is underlain by mineral deposits
- Cowpasture Spinney is a Local Wildlife Site
- The wider locality is home to active populations of badgers
- Cowpasture Spinney plus some hedgerow trees within the site are subject to Tree Preservation Orders
- Areas of archaeological interest are present within the site (Iron-Age and Roman) and adjacent to it (Saxon period)
- There are a small number of listed buildings beyond the site boundaries, including those to the west on the opposite side of the A43
- The site sits between Sywell and Moulton village conservation areas but is remote from both
- There are a small number of residential properties relatively close to the western boundary of the site; Overstone and Sywell villages are 440-500m away to the east
- The site is bisected by an underground gas pipeline (east-west) and by overhead electricity cables (southwest-northeast)
- The site is bordered by the main A43 Northampton to Kettering road along its western fringe, which is subject to heavy traffic flows during peak travel times
- Most of the site lies within Flood Zone 1 with watercourses along the eastern and western boundaries; and
- The site is within 1000m of the perimeter of Sywell Aerodrome and sits under the flying circuit pattern for the aerodrome.

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

3.1 There have been several iterations of plans and supporting material for this application, which reflects the evolution of the proposed scheme in response to comments received from third parties, including WNC and the former DDC, during the consideration of the application. Whilst the proposed scheme and the overall development parameters remain essentially the same as the version submitted initially in December of 2019, the most recent and significant change (submitted in December 2021) relates principally to the scale and design of the A43 access. The key stages in the evolution of the scheme are itemised in chronological order below.

Original submission, December 2019

3.2 This outline application was submitted to the former Daventry District Council just prior to Christmas 2019, with all matters except for access to/from the A43 being reserved for later approval. The application site boundary covers some 86.2 hectares of principally arable farmland and (as originally proposed) comprises the following development:

- Circa. 1600 dwellings
- A new section of dual carriageway on the A43 alongside the site
- Up to 5.95ha of commercial land to include a local centre (retail and community uses); an assisted living/residential care home (Class D2); conversion of the agricultural buildings to form a community hub; and employment (uses classes B1/B2/B8)
- As new 2-form entry primary school
- Public open space, including allotments and children' play space
- Structural landscape planting; and
- Associated infrastructure including drainage features and two permanent accesses off the A43 (details part unreserved) for the main site (via a new roundabout) and for the employment site, plus a temporary construction access further south along the A43 frontage.

3.3 In addition to the outline planning application form, land ownership certificates, and site location plan, the submission also included the following documentation:

- Illustrative Masterplan
- Parameter Plan
- A43 access drawings (access is not reserved for later approval)
- Planning Statement
- Consultation Statement
- Design & Access Statement
- Arboricultural Impact Statement
- Minerals Assessment Report
- Environmental Statement, incorporating the following chapters –
  - Introduction
  - Assessment Scope and Methodology
  - The Application Site
  - The Proposed Development and Alternatives
  - Planning Policy
  - Socio-Economic issues
  - Landscape and Visual Impacts
  - Ecology and Nature Conservation
  - Cultural Heritage
  - Agriculture and Soils
  - Transport
  - Noise and Vibration
  - Air Quality
  - Drainage
  - Ground Conditions
  - Non-Technical Summary
  - Statement of Competence
  - Glossary and Acronyms
  - References.
- A Design Code for Overstone Green.

- 3.4 The Illustrative Masterplan and the accompanying Parameter Plan both indicated the proposed distribution and general arrangement of different development elements throughout the whole site. The Parameters Plan does this in a broad-brush diagrammatic format, emphasising key elements such as the locations of different land uses and of built form and open space with retained vegetation, plus external access points and the high-level internal circulation (spine roads). The Illustrative Masterplan shows this in relative detail, in particular showing the following:
- Internal circulation (vehicular, pedestrian & cycle routes) including primary streets and illustrative street hierarchy below primary street level
  - Key access points, including links through to the adjacent Overstone Leys development, and accompanying dualling of A43 adjacent to site
  - Illustrative distribution of land uses
  - Public Open Space, including approximate locations of surface water drainage basins
  - Retained trees and hedgerows
  - Potential new planting
  - Retention/incorporation of Public Rights of Way including A43 crossings
  - Illustrative Formal Play Spaces; and
  - Potential locations of utilities (substations etc.).
- 3.5 The form of the proposed development overall is designed around development parcels within the eight existing roughly-rectangular fields, with a loop-format spine road superimposed over this, and an access to/from the A43 towards the north-western end of the site. A link through to the Overstone Leys development midway along the southern boundary is also indicated. This broadly reflects the pattern of development now approved within the adjoining Overstone Leys development. The retained field boundaries form a green-grid across the site, with an additional element provided by the 'no-development' corridor of the retained underground gas pipeline running from the western to eastern corners of the site. Cowpasture Spinney is shown retained in its entirety along the eastern fringe of the site. A wide area of continuous linear public open space is also indicated along the eastern and part-southern edges of the proposed residential development, acting as a buffer between built development and Cowpasture Spinney. This area also accommodates proposed surface water drainage basins, and would be roughly 60-100m from side-to-side.
- 3.6 The proposed community, retail, and employment uses are located towards the northern corner of the site, adjacent to the two principal points of access as initially shown, for the residential development and for the employment area respectively. The whole of the northernmost field parcel is given over to the employment/commercial area and the proposed primary school adjacent, with the existing traditional farm buildings retained, restored and extended to form a 'community hub' facility with a separate care home indicated adjacent. The initial illustrative masterplan shows the primary school as having its own dedicated access off a roundabout some 100m in from the principal roundabout with the A43, with a separate drop-off point for the primary school also indicated adjacent to the proposed community centre.
- 3.7 The illustrative masterplan does not show any definitive detail of the proposed housing, other than to indicate dwellings arranged in perimeter blocks (which are groups of buildings arranged to all face outwards onto public streets or other public spaces, with private spaces/gardens in the middle of the block). These are interspersed with small areas of public open space or larger linear features such as greenways and path/cycleways with retained hedges and trees.

- 3.8 The Parameter Plan also indicates indicative building height thresholds, with the majority of the proposed development blocks having a maximum building height of 11.5m (3-storeys) and the development fringes along the northern, eastern and southern boundaries having a maximum development height of 10.0m (2-storeys). It also confirms that the development is to be delivered at an average residential density of 35 dwellings per hectare (DPH) but that this will vary across the site with lower densities along the edge closest to Cowpasture Spinney and correspondingly higher densities at key central nodes and where the development approaches the edge of the A43.
- 3.9 The applicant has developed proposed street typologies, together with an illustrative strategy for the distribution of these around the site – these are articulated in more detail in the applicant’s Design and Access Statement (DAS) and in the accompanying set of proposed Design Codes; further commentary on both of these is provided below.
- 3.10 The proposed illustrative scheme allows for pedestrian and cycle routes to link through the development and beyond, utilising existing public footpaths and augmenting these. The initial submission proposed two separate permanent vehicular accesses from/to the A43 as follows (in addition to a temporary access for construction traffic):
- a) a new 3-arm roundabout on the A43 comprising the main vehicular access, leading to a secondary and smaller 4-arm roundabout 100m within the site, adjacent to a local centre; and
  - b) a separate access serving the proposed employment area at the northern end of the site, from the A43 southbound carriageway via a left-in, left-out arrangement.
- 3.11 With reference to the ‘additional’ 100 dwellings over and above the 3,500 total as allowed for in WNJCS Policy N3 for the whole Northampton North Sustainable Urban Extension, the applicant’s Planning Statement states at section 5.8 that:
- ‘The Overstone Green application proposes 1,600 dwellings, which alongside the Overstone Leys development to the south (with permission for up to 2,000 dwellings), will ensure that the SUE meets the policy requirement of ‘in the region of’ 3,500 dwellings contained in criterion a) of the Northampton North SUE allocation. It is often the case that once reserved matters applications are progressed, the actual number of dwellings built falls short of the outline consent dwelling numbers. A further material consideration is the fact that there is, has been and will continue to be in the foreseeable future a significant shortfall in the 5-year supply requirement within the Northampton Related Development Area (NRDA), within which this site falls. The ability to deliver a potentially modest increase in the number of dwellings from this SUE will help to reduce the shortfall in providing much needed housing. This modest increase is of significant benefit as it will not result in the loss of any further greenfield land.’*
- 3.12 The Environmental Statement (ES) accompanying this application is predicated on the provision of 1,600 residential properties, so all projected impacts on the locality have been assessed this basis. No details of phasing were submitted with the initial proposals, but were subsequently submitted as detailed below.

Revised submission, October 2020

- 3.13 Following the initial period of consultation, the applicants submitted a small number of minor revisions to the proposed development in the autumn 2020, in order to address comments received from planning officers and from consultees, and in response to additional site investigations. These comprised a revised Illustrative Masterplan and Parameters Assessment Plan, which better reflected the alignment of the buried high-

pressure gas pipeline, plus revisions to the extent of the proposed drainage balancing areas, and to the site entrance. The Design Code was also revised and extended to provide further guidance in relation to the Local Centre, the Employment Area, and the A43 frontage. The changes did not alter the description of the development or the key parameters of the original Environmental Statement (ES).

- 3.14 The October 2020 revision to the illustrative masterplan very closely resembles the original submission but with a slight realignment of the east-west greenway to more accurately reflect the line of the underground high-pressure gas pipeline, with consequent minor revisions to the illustrative boundaries of the associated public open spaces. There is no overall reduction in the quantum of this POS. The amendments to the eastern edge of the site containing the POS/ponds are minor, and are supported by additional cross-sections and landscaping detail to provide more clarity over how this sector of the site will be modelled. The most noticeable changes were around the site entrance from the A43, and showed the provision of a more significant 'gateway' at the initial internal roundabout within the site, with more greenspace indicated bordered by inward-facing development and a greater use of natural stone walls.
- 3.15 A revised illustrative layout for the local centre was also provided, superseding the previous version, illustrating a simplified arrangement of development blocks comprising commercial units of varying size and areas for pedestrians, parking, and deliveries/servicing more clearly defined.

Revised details July 2021

- 3.16 An initial iteration of the phasing plan was submitted in July 2021, based on the April 2021 layout, and indicated three broad phases of development moving broadly from north to south, with the first phase being larger than subsequent phases due to the level of infrastructure required initially. Phase 1 comprised three of the four fields at the centre of the site, including the A43 accesses, the local centre, the primary school, and community centre. Phase 2 covered the remaining central field plus that at the north-eastern end of the site; and Phase 3 covered the remaining two fields adjoining Overstone Leys. The employment area at the north-western end is shown as a separate phase in itself, but with no indication of its delivery relative to the other phases.

Revised details, December 2021

- 3.17 Detailed discussions were undertaken between the applicants and the Council's Highways Development Management section during September and October 2021, principally regarding the need to incorporate or allow for the planned dualling of the section of the A43 from the Overstone Leys roundabout to the Holcot/Sywell roundabout. In the light of this, further revisions to the application, principally involving the access to/from the A43, were submitted in December 2021. This last round of amendments includes a revised and enlarged access roundabout onto the A43, in place of the previous separate accesses, with the new arrangement being designed to accommodate the existing single-carriageway A43 initially and then the upgraded dualled road once this has been carried out (by WNC). This will accommodate all traffic to and from the site, including employment traffic and construction traffic, with a revised internal access to the employment area now being incorporated into the illustrative masterplan.
- 3.18 Consequent revisions have also been made to the proposed surface water drainage infrastructure alongside the A43, with the previously proposed continuous swale being replaced with a shorted swale feature at the top/northern end of the site, plus a new pond within an area of public amenity space at the western end of the central green spine. The

areas taken up by the local centre and by the employment area have reduced slightly due to the greater scale of the access roundabout. The revised material comprises:

- Environmental Statement Addendum, ES Non-Technical summary plus supporting figures & appendices
- Revised drawings – Illustrative Masterplan, Revised Parameter Plan, and access drawing
- Design & Access Statement Addendum
- Revised Design Code
- Revised Health Impact Assessment; and
- Revised Development Description and covering letter.

3.19 Shortly after receipt of the revised details in December 2021, a revised phasing plan was received in January 2022, incorporating more, smaller development phases, but with development still starting in the north-eastern corner around the access and local centre, with subsequent phases moving further south and west, towards Overstone Leys.

### **Technical Documents submitted with the application**

#### Design & Access Statement (Original submission)

- 3.20 The applicant's Design & Access Statement (DAS) begins with an assessment of the site and its surroundings, and then describes the planning and consultative process that has led to the submission of the current application. This includes reference to a series of pre-application meetings between Daventry District Council (then the Local Planning Authority), elements of the former Northamptonshire County Council, and Overstone and Moulton parish councils. These were held during the 18 months preceding the submission of this outline application, in order to guide the evolution of the site masterplanning and to ensure that it addresses the requirements of Policy N3 of the adopted Joint Core Strategy. Meetings were also held with key utility providers.
- 3.21 The Design Evolution section of the DAS recounts a series of revisions to the initial March 2018 Concept Plan, which differed from the application submission principally in being a more self-contained development with no direct vehicular link through to Overstone Leys. In addition, the Primary School, District Centre, and Employment sites were shown located more centrally, fronting the A43. It is stated that this approach was not progressed further due to the proximity of the primary school to the A43; to restrictions associated with the gas pipeline; and to the impacts that having an inward-looking development would have in relation to the wider masterplan.
- 3.22 The applicants state that the November 2018 iteration of the draft site masterplan was subject to local consultation/publicity. The key elements of this version were:
- The Primary school site is now located at the northern end of the north-south greenway, alongside public footpath DG2 and adjacent to a mixed-use public open space, provisionally including a play area and allotments
  - A 'mixed uses realm' is indicated within the northern corner of the development site comprising the primary school, local mixed-use centre, employment site, potential extra-care facility, and public open spaces
  - The former farm buildings are retained at the northern end of the central greenway, to be adapted to a variety of future purposes;
  - Internal roundabouts were replaced with conventional junctions; and

- The street structure was significantly modified to accord with concerns expressed by the Health & Safety Executive (HSE) over the proximity to the gas pipeline.

3.23 The final pre-application draft masterplan (September 2019) closely resembles the submitted Illustrative Masterplan. The key design elements underpinning this were:

- The site comprises three parts: the 'Central Neighbourhood' which is the majority of the residential and associated development within the site; 'Spinney Edge' which includes Cowpasture Spinney and an adjacent area to the west and north; and the 'A43 Kettering Road' development area, being a strip some 70-80m deep along the western boundary of the site
- Existing physical features are incorporated, in particular existing field boundaries, traditional farm buildings, and the easement for the gas pipeline
- A sustainable drainage system (SUDS) consisting of detention basins arranged along the eastern flank of the development and alongside Cowpasture Spinney where the land falls away towards the watercourse
- A landscaping and public open space (POS) strategy designed around linear green links within and across the site, plus significant green areas bordering the northern and western boundaries; and
- Limited points of vehicular access onto the A43 at the northern end of the site, plus a link to Overstone Leys at the southern end; the movement network is structured around a hierarchy of legible vehicular and pedestrian/cycle routes.

3.24 The above was incorporated into the submitted Illustrative Masterplan and the Parameter Plan, which show a cluster of community and employment uses towards the northern end of the site and a primary vehicular access corridor linking through from the A43 to Overstone Leys, with residential development parcels defined by existing field boundaries. Where the principal greenways intersect, a central public greenspace is indicated, with other, smaller incidental public open spaces shown within the various residential parcels. In addition, the requirement for surface water ponds helps to define the character of the extensive linear open space alongside Cowpasture Spinney.

3.25 With reference to the overall quantum of development, it is confirmed that the 1,600 dwellings proposed would achieve a net density of 35 dwellings per hectare (DPH) which would be expressed through higher densities towards the centre of the urban area and lower densities near landscape-sensitive areas.

3.26 Other specific aspects of the proposed development are addressed in the DAS as follows:

#### Access and Movement

3.27 The movement network as shown on the Illustrative Masterplan is designed to ensure that all parts of the proposed development are easy to navigate and are safe and secure. This is achieved by clearly defining the principal routes and having a permeable layout. In addition, it is acknowledged that the movement hierarchy also has a place-making role. The primary streets are designed to keep vehicle speeds low via frequent changes of direction.

3.28 It is envisaged that the proposed bus access strategy will potentially be an extension of the public transport strategy adopted for Overstone Leys, initially by extending the town-centre bus route that links to Overstone Leys via a connection to the A43, or via a direct link from Overstone Leys. A connection to existing A43 express services linking Northampton to Kettering can also be facilitated, with a bus stop at the proposed local centre.

- 3.29 With respect to footpaths and cycleways, it is stated that the proposed development has been designed to maximise the number of internal trips that can be made by foot or by bicycle, offering an alternative to the private car for short, local trips. The existing PROW network within and adjacent to the site will be retained with appropriate links provided. These links will continue across the boundary with Overstone Leys adjacent, thus facilitating access to the facilities within that part of the SUE site and vice-versa.
- 3.30 Vehicle and cycle parking will be designed in line with local guidance and will provide for both allocated and unallocated parking, with the majority of allocated parking being provided on-plot and generally located to the sides of dwellings.

### Street Typologies

- 3.31 A set of illustrative street typologies have been developed in order to demonstrate a number of potential design solutions that will help to provide both movement legibility and character. These are addressed in detail in the submitted Design Codes, but essentially the proposed hierarchy of streets is as follows:
- Entrance Boulevard – a tree-lined carriageway flanked by verges featuring avenue tree planting plus footpath/cycleway, intended to be used for the short section of road from the proposed A43 roundabout to the sole roundabout within the site, adjacent to the local centre. Stone boundary walls are to be used to reflect local character.
  - School Street - a similar boulevard-type tree-lined street to be used on any street adjacent to and/or accessing the proposed primary school; a dedicated drop-off area is also indicated in the Illustrative masterplan, away from the proposed employment area.
  - Primary Street – this loops through the site linking the local centre/school area in the north to Overstone Leys to the south. It features a narrow (6.5m wide) carriageway plus continuous verges with tree planting and unallocated layby parking on alternate sides of the street. Shared private drives are indicated alongside, which would limit direct access on to the street, and create opportunities for consistent street tree planting and for unallocated parking spaces.
  - Secondary Street – similar but narrower to the Primary Street, to be used to access the interiors of the development blocks from the Primary Streets.
  - Lane – a version of the Secondary Street which functions as a short connecting route serving up to 20 dwellings.
  - Edge Lane – relatively narrow residential streets (with carriageway widths of either 5.5m or 4.8m) which will operate as adopted highways along the edges of development blocks, usually in conjunction with separate cycleways; and
  - Shared Private Drive – similar to Edge Lanes but serving smaller groups of dwellings, whilst maintaining pedestrian/cycle connectivity via separate adjacent footpaths/cycleways.

### Scale

- 3.32 It is envisaged that the height and massing of the proposed buildings will vary across the site, according to the nature of the public realm or streetscene to be created at any given point. Two-storey buildings are proposed near to the landscaped eastern edge of the development and along the northern edge, with up to 2.5 storey development being permitted within all of the remainder of the development parcels. Up to 3 story development is indicated along key frontages such as some of the development spine road; the local centre; community and employment areas within the northern part of the site; and along the A43 frontage. Increased scale is indicated at the site access to provide

a suitable entrance into the new development, with 3-storey development within the local centre being justified by the inclusion of a residential element there.

- 3.33 The DAS also addresses the prospective form and design of the employment area, which is indicated on the illustrative masterplan as a grouping of 'simple rectilinear structures' arranged to form a series of enclosures resembling nearby groupings of farm buildings.
- 3.34 The proposed primary school building is illustratively shown with a similar architectural character to the retained farm buildings. These retained buildings could serve a variety of functions in the long-term, such as a parents' meeting place (given the proximity to the proposed school) or a co-working hub for residents.

#### Density

- 3.35 Illustrative residential densities are shown, with higher densities (around 40 dwellings per hectare or dph) along the A43 frontage and within the centres of some of the development blocks; lower densities (around 30 dph) along the eastern and northern fringes; and the remainder being at a medium density (around 35dph). Higher density development in the form of terraces is proposed alongside the trunk road in order to create '*...a continuous frontage that also assists noise mitigation.*' Conversely, lower density development comprising more, larger, detached dwellings is envisaged along the more heavily landscaped fringes bordering open countryside and Cowpasture Spinney.

#### Appearance

- 3.36 Whilst this is an application in outline only, with no specific details of layout, appearance, or detailed design being proposed, broad design parameters are indicated within the DAS and within the accompanying Design Code (see below). Detailed character assessments were carried out of Overstone and Moulton villages and the findings are very broadly reflected in a series of images of architectural styles, formats and building details from both the villages and from developments carried out by Davidson's Developments. It is noted that examples shown from Moulton and Overstone show a number of details that can be updated and reinterpreted on-site, with a focus on high-quality materials, in particular the use of local buff-coloured stone, which must be considered on feature plots and as a boundary treatment along Primary Streets and some development edges.

#### Landscape Strategy

- 3.37 This is developed around '*a strong and defined network of green corridors with a primary corridor running north/south to connect the Overstone Leys to the south with the proposed Local Centre/school site*'. Existing hedgerow boundaries will be retained along this north-south axis and along east-west axes, with the retained underground gas main also providing another linear green space running diagonally across the site. It is noted that this approach should secure the retention of the existing primary landscape features; movement across the site for wildlife through inter-connected habitats; and a legible open space network providing structured access throughout the site and beyond.
- 3.38 It is stated that the proposals would provide the following landscape mitigation measures:
- Retention of most of the existing trees and field boundary network
  - A wide 'standoff' alongside Cowpasture Spinney that will be used for a variety of recreational and wildlife purposes as well as managing land drainage
  - A new landscape buffer along the northern boundary (with open countryside beyond) some 15m deep that will incorporate existing and new hedgerow

- A new landscaped buffer approximately 15m deep alongside the A43, to compensate for hedgerow and tree removal necessitated by the A43 widening
- The retention of existing public footpaths across the site; and
- A scale of development height consistent with the existing and emerging neighbouring development.

#### Open Space Provision

3.39 Approximately 22.24ha of open space is proposed, in accordance with the NRDA component of WNJCS Policy CW2. Whilst this will be subject to later detailed design, it will comprise:

- 5.74ha of Parks & Gardens to include a central park area plus a centrally-located Neighbourhood Equipped Area for Play (NEAP) and two other play areas, Locally Equipped Areas for Play (NEAP), to be delivered '*...following a natural play strategy with predominantly timber apparatus.*'
- 7.84ha of Amenity Open Space, to include 0.5ha of allotments plus a connected network of linear green spaces based around the retained hedgerows.
- 8.66ha of Natural and Semi-Natural Green Space focused on the extensive buffer around Cowpasture Spinney, including stormwater attenuation. This will comprise some 5.7ha, to be set out and maintained as species-rich grassland plus areas of permanent water, and will incorporate a trim-trail incorporating fitness stations connected by a network of gravel and mown footpaths.

3.40 The east/west green links are envisaged to measure 20m minimum in width, approximately 10m on either side of the existing hedgerows, to allow for any re-grading of adjacent land plus the foot and cycle path provision where appropriate, either alongside proposed streets or independently thereof. Such routes will be lit as appropriate and some breaks will be provided through the hedgerows in order to provide pedestrian permeability between parcels.

#### Design & Access Statement (Revised submission, October 2020)

3.41 This subsequent revision to the DAS articulates the minor changes introduced in response to consultee comments, with the overall concept for the scheme largely retained and the amendments being solely in response to updated information or requests for clarity in specific areas from consultees and the Council. The revised DAS is to be read in conjunction with the original document, the key alterations and additions being as follows:

##### Part 2 - Assessment –

- Revised greenway and linear park alignment to more accurately reflect the location of the underground gas main, following representations from the Health & Safety Executive; and
- Minor changes are made to the Drainage Strategy following correspondence with the Lead Local Flood Authority (LFFA), following reworked drainage calculations. The size and shape of the indicative drainage basins have been modified and a linear drainage feature (a swale) has been specified alongside the A43 frontage.

##### Part 3 – Design Proposals –

- Liner Park – the existing gas pipeline remains as an alignment for this principal pedestrian movement corridor across the site, with a very minor alignment change;

- Drainage – slightly re-shaped drainage areas are indicated along the eastern development edge, together with retained pedestrian links
- Reworked Public Spaces – partly as a response to the above changes the illustrative development cells have been modified and consequently the associated indicative formal parks have been re-shaped
- Site Entrance – the Local centre is now shown with a revised illustrative built-form incorporating active frontages on all sides to create a better visual relationship with surrounding areas and uses; and the adjacent residential development has been set back from the proposed internal roundabout in order to create a more distinctive entranced feature incorporating a crescent or circle to the development frontage; and
- Landscape – a new illustrative Landscape Framework Plan supported by larger-scale plans and indicative cross-sections for the POS/ponds area alongside Cowpasture Spinney have been provided to respond to the changes in the illustrative masterplan, and to better articulate the landscape mitigation measures outlined in the submitted DAS.

### Design & Access Statement (Revised submission, December 2021)

- 3.42 This remains largely as previous but with amended illustrative plans and layouts to reflect the revisions to the site access and the consequent amendments made in the light of further advice from and discussions with the council's Highways Development Management section in late 2021. This is in order to facilitate the council's aspiration for the dualling of the remaining single-carriageway section of the A43 up to the Holcot/Sywell roundabout. The principle access to/from the A43 is now via a single enlarged roundabout, with the internal layout revised to incorporate an internal vehicular link to the Employment Area. The employment area access and separate temporary construction access are now deleted.
- 3.43 Minor Masterplan amendments have also been made on the western edge alongside the A43, principally involving the replacement of most of the surface water swale (this remains at the northern end, above the new access) with a new on-site drainage feature in the western corner of the site.

### Design Code

- 3.44 The applicant's Design Code aims to establish a series of clear design rules at the outline stage that will help to guide and regulate subsequent reserved matters proposals, in order to secure a good standard of design across Overstone Green. In practical terms, it is intended that the developers of subsequent phases and development parcels will have to systematically work through the code and adhere to its provisions when preparing their reserved matters applications.
- 3.45 It is the applicant's intention that the use of a development-specific design code (which reflects national guidance as contained in the January 2021 National Design Guide) will provide confidence to the local planning authority that a good standard of design can be delivered across the development. The Design Code focuses principally on the quality of streets and public spaces, in order to ensure that different development parcels and subsequent reserved matters applications are dealt with in a consistent manner.
- 3.46 The Design Code will act as a guide for the LPA and the applicants for subsequent reserved matters applications. The Code features design 'rules', to be addressed by applicants, with only limited exceptions to override the requirements of the Code in certain specific and exceptional circumstances.

3.47 The original (December 2019) Design Code comprises 27 design ‘rules’ that clearly communicate the design expectations for Overstone Green via a series of steps:

- Step A – Framework Plan and Block Structure: the basic elements (rules 1 to 5)
- Step B – Street Types (rules 6 & 7)
- Step C – Memorable Spaces (rule 8)
- Step D – Building good blocks and streets (rules 9 to 15)
- Step E – Integrating the car into the street (rules 16 to 19)
- Step F – Public and Private Spaces (rules 20 to 22)
- Step G – Getting the detail right (rules 23 to 26).

Additionally, there is a rule (rule 27) that addresses the need to ensure that boundaries and connections between different development parcels are handled well.

#### Design Code (Revised submission, October 2020)

3.48 This revised Design Code supersedes the original but remains much the same, with the addition of four new ‘rules’ and the revision of others, plus additional content covering the proposed Local Centre, Employment Area, and the area around the primary school. In brief, the changes/additional rules are as follows:

- The relationship between the proposed development and the A43 is further detailed, including defining fronts and rears; building heights; pedestrian and cycle connectivity; and traffic noise attenuation
- More details are included regarding the proposed employment area, primary school, and Local Centre (‘The Courtyard’)
- Further details regarding the integration of frontage parking into the streetscene
- Further details regarding defining public and private space, including the use of stone walls
- More detail concerning facing materials; and
- Guidance on details such as bin stores, meter boxes, carports, porches etc.

#### Design Code (Revised submission, February 2021)

3.49 This subsequent iteration of the Design Code was submitted principally to address concerns expressed by Overstone Parish Council over some of the illustrative imagery and photographs featured in the previous version, which were felt by OPC to be inappropriate to the semi-rural setting, and likely to lead to inappropriate designs being tabled in subsequent reserved matters applications.

#### Design Code (Revised submission, December 2021)

3.50 This last iteration of the Design Code reflects the amendments made to the layout and particularly the area around the proposed main A43 access. Specifically, the layout of the Local Centre has been revised to incorporate the new enlarged roundabout on the A43, and to reflect the consequential changes to the layout and roads at the entrance to the site. In all other respects the structure, rules, and waivers remain as before.

#### Environmental Statement

3.51 The Environmental Statement (ES) considers the likely significant environmental impact arising from the development. The Statement incorporates chapters on the following:

- Socio-economic issues
- Landscape and Visual impacts
- Ecology and Nature Conservation
- Cultural Heritage
- Agriculture and Soils
- Transport
- Noise and Vibration
- Air Quality
- Drainage
- Ground Conditions.

A Non-Technical Summary (NTS) was also submitted.

- 3.52 The applicant's Environmental Statement sets out in detail the findings of the Environmental Impact Assessment (EIA) that accompanies and underpins the outline application. The ES is referenced in detail at section 8 within this report, where it is summarised as part of the assessment of the proposed scheme. The ES assesses the predicted effects and impacts of the proposed development on a range of topic areas, and was scoped in consultation with council officers prior to submission. It aims to identify likely significant effects arising from the construction and subsequent operation of the development, including consideration of potential cumulative effects that may arise in tandem with other nearby proposals. It has also informed the design evolution of the scheme.
- 3.53 Where significant adverse impacts have been identified, the Environmental Assessment process generates proposed mitigation measures to prevent, reduce, and (where possible) offset the identified effects. The ES is based on the development parameters that are defined in the application description and accompanying illustrative development parameters. The individual topics are briefly summarised at section 8, from 8.1 to 8.23, and subsequent revisions to parts of the ES necessitated by changes to the submitted scheme are considered at section 8.

#### Consultation Statement

- 3.54 This details the methods undertaken to raise awareness of the proposed development prior to the submission of the outline planning application, and describes the methods that were available for local residents and businesses to make their views known. It notes that the response rate to the pre-application consultations was low, despite 'every effort' being made by the applicants to raise awareness of opportunities for third-party engagement with the process. It is however stated that the development proposals had evolved in response to comments received from the public.

#### Arboricultural Impact Assessment

- 3.55 This considers the impacts of the proposed development upon existing trees, and considers any potential enhancements. It is based on site surveys undertaken in April 2018 and again in August 2019. It concludes that whilst the proposed dualling of the A43 will result in the removal of existing hedgerow and trees located primarily to the southeast of the existing carriageway, the development proposals have been developed to respect and retain existing tree cover, with any removals limited to sections of hedgerow required to enable connectivity between development parcels.

Mineral Assessment Report

3.56 This report is in response to the southern part of the development site being within a Mineral Safeguarding Area (MSA), which is designed to protect the underlying glaciofluvial sand and gravel deposits from avoidable sterilisation. It is considered that large-scale extraction is unlikely to take place given that only part of the site is within the MSA and the potential yield is further reduced by the presence of electricity and gas infrastructure. Any significant prior extraction is considered unlikely given the likely local impacts, and could affect the delivery of the allocated housing; however, incidental extraction of gravel for reuse within the site is possible.

**4. RELEVANT PLANNING HISTORY**

4.1. The following planning history relates to Overstone Leys and is considered relevant to the current proposal - a number of minor applications relating principally to non-material amendments to approved schemes within the Overstone Leys development (changes to approved housetypes, provision of marketing suites etc.) have been omitted for brevity:

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
DA/2013/0850	Outline application for 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 Use Class A1 foodstore (up to 2.000m2); Class A4 public house (up to 650m2); Class C2 care home (up to 2,800m2); Class D1 day nursery (up to 465m2); Class D1 medical centre (up to 450m2); Class B1 (c) light industry (up to 5,000m2); a new primary school (up to 3,150m2); public open space provision to include outdoor sports pitches, allotments and childrens' play space; structural landscape planting; associated infrastructure, including drainage feature and access, Overstone Leys, Overstone Lane, Overstone.	Outline/hybrid planning permission granted 27/08/2015, together with S106 agreement to address provision of affordable housing; education; libraries; primary health care; fire & rescue; community facilities; off-site sports facilities; open space maintenance; and highways and transport.
DA/2015/0263/NC C	Construction of a 2.5km dual carriageway (A43 bypass) and associated landscaping, drainage and infrastructure works at land to east of Moulton village (Moulton/Overstone parishes).	No objection (NCC application), 03/07/2015.
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

DA/2017/0010	Reserved matters application for 96no. dwellings (including 14no. affordable); open space; landscaping, and infrastructure, Phase 1B, Overstone Leys.	Approved 26/10/2017
DA/2017/1262	Reserved matters application (access, appearance, landscaping, layout, and scale) for construction of 21 dwellings (revised scheme), Phase 1A Overstone Leys	Approved 20/06/2018.
DA/2019/0001	Hybrid application for retention and conversion of farmhouse to 4no. apartments and farm buildings into 7no. dwellings and 8no. single-storey dwellings (full application), demolition of steel-framed, brick barns, and erection of up to 31no. dwellings, up to 40no. retirement apartments and 70no. bed care home with associated open space and vehicular access from Billing Lane (formerly Sywell Road) and footpath connections (outline application), at Overstone Farm, Billing Lane (formerly Sywell Road), Overstone.	Granted 10/02/2020, together with S106 agreement to address provision of affordable housing; primary education; libraries; primary health care; and open space management.
DA/2019/0067	Reserved matters application (access – primary infrastructure for Phase 2) pursuant to Condition 1 to outline planning approval DA/2013/0850), Phase 2 Overstone Leys, Overstone Lane.	Approved 04/07/2019.
DA/2019/0260	Reserved matters application (appearance, landscaping, layout, and scale) for construction of 2017 dwellings (Phase 2) pursuant to condition 1 of outline planning permission DA/2013/0850 in addition to the discharge of condition 19 (surface water drainage).	Approved 24/10/2019.
DA/2019/0405	Variation of condition 2 of planning permission 15/0002/CCDFUL for construction of 2.5km dual carriageway (A43 bypass) and associated landscaping, drainage and infrastructure.	No objection (NCC application), 14/06/2019.
DA/2020/0490	Reserved matters application for 170 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), Overstone Leys.	Approved 17/03/2021
DA/2020/0950	Construction of 66 bed care home with associated access, parking and landscaping, Overstone Leys	Approved 26/04/2021
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 (Overstone Leys), including discharge of condition 18 (foul water disposal), condition	Approved 27/04/2021

	19 (surface water drainage), condition 20 (ground 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 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 59 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 (access, appearance, landscaping, layout, and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850; and approval of condition 18 (foul drainage), condition 19 (surface water drainage), condition 26 (noise), and condition 37 (travel plan).	Resolution to approve subject to resolving noise issue.
WND/2021/0610	Construction of a Secondary School with outdoor sports facilities, access, parking, landscaping, and drainage. Land to the west of Thorpeville, Moulton.	Resolution to approve 27/01/2022, subject to the agreement of

		planning conditions.
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 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).	<i>Pending</i>
WND/2021/0860	Hybrid application for detailed approval for site access, provision of petrol filling station with convenience store; two food & drink units (with drive-thru lanes); retail units and 119 parking spaces and public access routes. Outline application (with matters of scale, access & layout to be determined) for an employment unit; a nursery; 21 parking spaces; and public access routes. Land at corner of Sywell Road/Kettering Road, Overstone Leys.	<i>Pending</i>
WND/2021/0870	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.	Approved 23/02/2022

## 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 former 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 Daventry District Local Plan (Part 2) which was adopted by the former Daventry District Council in February 2020; and any 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 Development
- S1 - Distribution of Development - Development will be primarily in and adjoining the principal urban area of Northampton. Development in the rural areas will be limited with the emphasis being on maintaining the distinctive character and vitality of rural communities. Priority will be given to making best use of previously developed land.
- S3 - Scale and Distribution of Housing Development
- S4 - Northampton Related Development Area (NRDA)
- S5 - Sustainable Urban Extensions – 1(b) Northampton North: 3,500 dwellings, 10ha employment
- S7 - Provision of Jobs
- S8 - Distribution of Jobs – 1(d) local employment provision within Sustainable Urban Extensions
- S10 - Sustainable Development Principles
- S11 - Low Carbon and Renewable Energy
- C1 - Changing Behaviour and Achieving Modal Shift
- C2 - New Developments – Modal Shift; Sustainable Urban Extensions to provide for walking, cycling and public transport
- RC2 - Community needs – new development to make provision for community facilities and public open space and/or off-site contributions as appropriate
- H1 - Housing Density and Mix and Type of Dwellings
- H2 - Affordable Housing – NRDA: 35% for 15 or more dwellings
- H4 - Sustainable Housing
- BN1 - Green Infrastructure Connections
- BN2 - Biodiversity: Developments that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported
- BN3 - Woodland Enhancement and Creation
- BN5 - Historic Environment and Landscape
- BN7A - Water Supply, Quality and Wastewater Infrastructure
- BN7 - Flood Risk
- INF1 - Approach to Infrastructure Delivery
- INF2 - Contributions to Infrastructure Requirements
- N3 - Northampton North Sustainable Urban Extension (SUE) – this states that:

‘The boundary of the Northampton North Sustainable Urban Extension is shown on the policies map (figure 5). The development will make provision for:

- a) In the region of 3,500 dwellings;
- b) Primary school provision to cater for the needs of the development;
- c) A total of approximately 10ha of land for local employment opportunities;
- d) At least one local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
- e) A contribution towards the provision of a high-quality public transport corridor to Northampton town centre;
- f) A local multi-modal interchange;
- g) A43 corridor mitigation measures and provision of required highway infrastructure including a new road through the SUE from Round Spinney roundabout to Overstone Road and improvements to Round Spinney roundabout;
- h) An integrated transport network focused on sustainable transport modes, including public transport, walking and cycling with strong links to adjoining neighbourhoods, employment areas and the town centre;

- i) Structural greenspace and wildlife corridors (incorporating Cowpasture Spinney and Coleman Leys), as indicated on the policies map (figure 5);
- j) Sport and leisure provision
- k) Archaeological and ecological assessment of the site and required mitigation; and
- l) Flood risk management including surface water management and from all other sources.

Necessary infrastructure is required to be phased alongside the delivery of the development.

Development proposals must be accompanied by a masterplan.’

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

5.4. The relevant policies of the LPP2 are:

- SP1 - Daventry District Spatial Strategy – development should be consistent with the approach relating to the NRDA in Policy S4 of the WNJCS
- HO8 - Housing mix and type
- ST1 - Sustainable Transport Infrastructure; part B – opportunities to promote and improve walking and cycling routes at SUE’s will be supported; part E – where practical, proposals should incorporate appropriate infrastructure to support electric vehicle charging
- ENV1 - Landscape
- ENV3 – Green Wedges
- ENV4 - Green Infrastructure – iii) Strategic development sites should be masterplanned as a whole and show the location of new on-site strategic green infrastructure, and how it relates to the wider network. Proposals should not lead to fragmentation of a green infrastructure link
- ENV5 – Biodiversity – A: protection of sites of local importance, including Local Wildlife Sites; C: Proposals should seek to achieve a net gain for biodiversity; D: Proposals should comply with the principles set out in the Biodiversity Supplementary Planning Document for Daventry District
- ENV10 - Design
- ENV11 – Local Flood Risk Management
- CW1 - Health and Wellbeing – C: The council supports the submission of a Health Impact Assessment in support of major developments
- CW2 – Open Space Requirements, Part B – new residential development within the Northampton Related Development Area. Part C – contributions towards off-site open space
- PA1 - Local Green Space – the Council will protect Local Green Spaces identified on the inset maps from development that would harm their function, openness and permanence unless in very special circumstances, where any harm is outweighed by other considerations.

#### Overstone Neighbourhood Plan (NDP)

5.5 The Overstone Neighbourhood Development Plan 2019-2029 was ‘made’ in December 2021 and now also forms part of the Development Plan for the parish, including this site. The NDP references the Overstone Green application and acknowledges that it is inevitable that *‘the NNSUE will bring substantial change to the parish and it is important that the development is integrated as far as possible. Footpath and cycle links between*

*Overstone village and the NNSUE will be important to support connectivity and facilitate access to local services and open spaces.* It is also noted that the Parish Council will receive Community Infrastructure Levy (CIL) receipts from the NNSUE and that it is envisaged that these will be used in conjunction with facilitating this, together with other identified local priorities.

5.6 Policies in the Overstone NDP relevant to the SUE and this application are as follows:

- Policy 1 – Promoting Sustainable Transport
- Policy 2 - Adapting to Climate Change
- Policy 3 – Provision of Community Infrastructure
- Policy 7 – Provision of Affordable Housing
- Policy 8 – Landscape and Sensitive Views
- Policy 9 – Protection of Heritage Assets
- Policy 10 – Biodiversity
- Policy 11 – Jobs and the Local Economy.

Few of these policies specifically reference development within the NNSUE but are nevertheless relevant when considering those aspects of the proposed development that are covered by the appropriate topic headings, as they apply across the Overstone NDP area and not just within the existing village development confines.

### **Material Considerations**

5.7 Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF), revised July 2021:
  - Chapter 2 - Achieving Sustainable Development and presumption in favour of Sustainable Development
  - Chapter 4 - Decision Making
  - Chapter 5 - Delivering a sufficient supply of homes
  - Chapter 8 - Promoting healthy and safe communities
  - Chapter 9 - Promoting Sustainable Transport
  - Chapter 11 - Making efficient use of land
  - Chapter 12 - Achieving well-designed places
  - Chapter 15 - Conserving and enhancing the natural environment
  - Chapter 16 - Conserving and enhancing the historic environment
- Planning Practice Guidance (PPG):
  - Air Quality
  - Community Infrastructure Levy (CIL)
  - Determining a planning application
  - Environmental Impact Assessment
  - Flood Risk
  - Historic Environment
  - Housing needs of different groups
  - Housing Supply and Delivery
  - Light Pollution
  - Natural Environment
  - Noise
  - Open space, sport and recreation facilities, public rights of way, and local green space
  - Planning Obligations
  - Renewable and low carbon energy.

- National Design Guide (January 2021)
- National Model Design Code (July 2021)
- Manual for Streets volumes 1 & 2 (2007 & 2010)
- Supplementary Planning Guidance:
  - Biodiversity Supplementary Planning Document, May 2017 (DDC)
  - Housing Supplementary Planning Document, July 2017 (DDC)
  - Energy & Development Supplementary Planning Document, March 2007 (DDC)
  - Infrastructure & Developer Contributions Supplementary Planning Document October, 2013 (DDC)
  - Overstone Green Northampton North: Sports and Open Space S106 Needs Report, December 2019 (Nortoft Planning for DDC).
- Submission Northampton Part 2 Local Plan (specifically Policy 14 – Affordable Housing)

## 6. RESPONSE TO CONSULTATION

- 6.1 Below is a summary of the consultation replies received at the time of writing this report. There have been several rounds of consultation, in response to amended plans and earlier consultations. The responses received are presented chronologically.

### Consultations – first consultation exercise, January 2020

Consultee Name	Comment
Overstone Parish Council	<p><b>Objects</b></p> <ul style="list-style-type: none"> <li>• The building of 3600 houses is not in accordance with the adopted WNJCS; the ‘extra’ 100 dwellings will ensure that the development is overcrowded</li> <li>• Design &amp; Access Statement – lack of a lack of a bus-priority bypass at the Round Spinney roundabout; the suggested heights of dwellings above 2-storeys; the peripheral location of the school, community centre and employment units; the urban nature of the submitted Urban Design Code. In addition, the development should be in Northamptonshire stone and in the local vernacular, with vehicle charging points and parcel delivery points provided.</li> <li>• Lack of Green Open Space – this is concentrated along the eastern edge beside Cowpasture Spinney and contains too many drainage ponds. The site is not suitable for sustainable drainage and a buried pipe should be used instead. Overall, insufficient green space is provided and Cowpasture Spinney should not be included in the allocation. Covid-19 has highlighted the need for residents to have sufficient accessible green space.</li> </ul>

	<ul style="list-style-type: none"> <li>• Cowpasture Spinney – the inclusion of this within the site is contrary to Policy. The small section of the spinney that is not within the SUE and Overstone Neighbourhood Area should not be included as Green Space.</li> <li>• Allotments – these were originally shown to OPC as being near to Cowpasture Spinney, and should not result in a reduction of the accessible green space. More space is required for allotments.</li> <li>• Badgers and Barn Owls– concern is expressed, as much disruption has already been generated by construction work at Overstone Leys. Some badgers have moved into the fields that are to become Overstone Green. Concern is also expressed for barn owls that nest in the derelict barns.</li> <li>• Inadequate Consultation Process – the pre-application consultation process was not agreed with Overstone Parish Council; L&amp;Q Estates told OPC what it was going to do and OPC was not in agreement with this. The local response was small as few residents received a leaflet and some do not have access to a computer. Local meetings should have been held in all four surrounding villages.</li> <li>• Cycling routes – cycling north beyond the development is dangerous as there are no dedicated cycle routes. Round Spinney roundabout and Billing Lane are also dangerous for cyclists.</li> <li>• Poor positioning of school – the primary school should not be sited on a dead-end road where chaos will occur at peak times; OPC were assured that there would be a dedicated drop-off area. It should also not be sited next to industrial units for traffic, health and wellbeing reasons. The size of the school should be reconsidered in the light of Covid-19 and social distancing requirements.</li> <li>• Traffic issues – the Traffic Assessment is totally inadequate and ignores the considerable impact on local roads and villages of up to 3000 vehicles leaving the site daily. The A43 is already overloaded due to new development; this will also have a detrimental effect on air quality. Issues will also be created by having the primary school, employment area, and community centre in close proximity, and by construction.</li> <li>• Industrial units – these are superfluous as units at nearby Moulton and Sywell are vacant, and this will be exacerbated, as home working increasingly becomes the ‘new normal’. B2 and B8 uses will generate noise/smells that will be detrimental to residential amenity. Staff and visitor parking may become an issue.</li> <li>• Community Building – the scale allocated is totally inadequate for the development and it will not be fit-for-purpose for the whole SUE. Parking and outdoor space will be limited and a larger building will be required to enable social distancing, together with more greenspace.</li> </ul>
Moulton Parish Council	<p><b>No objection but expresses concerns</b></p> <p>MPC has concerns over the vagueness of the specifications for the community-related elements, as there may be no real sense of community and an over-reliance on Moulton’s services and</p>

	<p>infrastructure. MPC has a positive relationship with the Pegasus team and both parties accept that, for the initial years of Overstone Green, the new residents will be relying on Moulton to provide many services until the proposed facilities are in place. MPC would welcome the opportunity to liaise with the local planning authority regarding any S106 monies that could help to support the initial needs of residents. In particular, MPC has recently secured Moulton Library for at least 15 years, and the new GP Surgery is starting to move forward adjacent to the new Moulton Community Centre. MPC has worked very hard over recent years to initiate and deliver community infrastructure to support housing growth in Moulton and the Northampton North SUE.</p> <p>MPC also agrees with some reservations expressed by Overstone PC regarding the rural nature of the site, heights of dwellings, lack of green space, size of community building, school parking etc. Given the reliance on Moulton's facilities in the initial years of Overstone Green MPC would like to see a more robust proposal for social facilities in keeping with the potential population.</p>
<p>Holcot Parish Council</p>	<p><b>Objects</b></p> <ul style="list-style-type: none"> <li>• Road Safety – the application does not explain how the development will reduce car dependency. The roads through Holcot represent the primary east-west route from the site and will be substantially impacted by development traffic. There will also be knock-on impacts from rat-running through the village, and a substantial cumulative impact with other local developments. Efforts are being made within the village to counter speeding, however funding is insufficient. The development should not be allowed until and unless road infrastructure is provided, such as A43 improvements and the North Northampton Orbital Road.</li> <li>• Environment – it is not apparent what impacts there may be on the local water supply. Parishioners are also concerned at potential light pollution from the site.</li> <li>• Infrastructure – all physical and social infrastructure should be provided ahead of development.</li> <li>• Construction – no detail is provided on the mitigation of construction impacts, which for Holcot are likely to include the prohibition/monitoring of HGVs through the village, and rat-running through the villages to avoid hold-ups on the A43.</li> <li>• Consultation - Holcot was not consulted by the developer pre-application despite potentially being adversely affected.</li> <li>• Design – concerns over the ability of the site to absorb 1600 dwellings; community facilities should be in place before houses are occupied to ensure community cohesion; and the proposed community facilities should be located more centrally within the site.</li> </ul>
<p>Sywell Parish Council</p>	<p><b>Objects</b></p> <p>Strongly objects to the proposed increase in overall numbers for this part of the SUE from 1500 to 1600 dwellings. This will place an even bigger burden on local infrastructure, particularly in Overstone, Sywell, and Holcot.</p>

<p>WNC Highways Development Management</p>	<p><b>Partial objection</b></p> <p>Initial comments:</p> <ul style="list-style-type: none"> <li>• Public transport – broadly supports the draft PT Strategy as this accords with that adopted for Overstone Leys. The LHA agrees to the proposed one-way loop within Overstone Green; it will be necessary to connect the bus route to Overstone Leys via the A43 or the proposed link between the developments. The X10 should be diverted through the proposed Local Centre on the 100<sup>th</sup> occupation.</li> <li>• Travel Plan – approved.</li> <li>• A43 dualling - the LHA require the applicant to upgrade the A43 to dual carriageway from the existing roundabout to the northern boundary of the site. The applicant will also be required to contribute to the future delivery of the dualling of the A43 from the applicant's northern boundary to the Holcot/ Sywell roundabout.</li> <li>• Construction access – no objection to this; however, it must be permanently closed off on completion.</li> <li>• Collision data – the most recent 5 years' collision data should be provided, including 2019, from the Northamptonshire Highways Road Safety Team.</li> <li>• Design Code – some street typologies require further revision.</li> <li>• Public Rights of Way DG1 &amp; DG2 – to be protected where they cross the site with new at-grade crossings provided where they cross the A43.</li> </ul> <p>Subsequent comments:</p> <ul style="list-style-type: none"> <li>• Offsite Works (A43) – the LHA reiterates its position regarding the requirement for the applicant to upgrade the A43 to a dual carriageway. The LHA will have no option but to formally OBJECT to this planning application should the applicant not agree to this. In order to respond to the proposals submitted as part of this outline application the LHA has provided comments on the single carriageway proposals; however, a single carriageway is not an option that the LHA could accept.</li> <li>• A43 Employment Access – the proposed single-carriageway employment access does not adequately mitigate the risk of drivers turning right into the site, which is potentially dangerous, especially for drivers turning into the site from the A43 south. Consideration should be given to extending the island to try to mitigate this, however this issue largely disappears if the LHA's preferred A43 dualling is implemented. Furthermore, the LHA is not satisfied that the existing Holcot Road/Sywell Road roundabout can accommodate HGV vehicles turning so this needs to be further investigated by the applicant.</li> <li>• A43 Construction Access – further work needs to be done; whilst this access is not ideal it can be accepted as a strictly temporary measure.</li> </ul>
<p>WNC Developer Contributions</p>	<p><b>No objection.</b></p> <ul style="list-style-type: none"> <li>• Primary Education and Early Years services – the cost for the design, planning, and construction of a standard 2FE primary school is currently £6.5m, which this development will be expected to provide in full. If any design enhancements are required in order to comply with the Design Code then additional</li> </ul>

	<p>cost should be provided via S106 contributions. A suitable flat and well-drained 2ha site should also be provided at nil cost to the council. The primary school should be open for the first intake of pupils by no later than the 300<sup>th</sup> occupation to ensure that pupils residing in the development can be accommodated locally, subject to a review of local capacity. The Council also has a responsibility to provide Early Years services for eligible children aged 2, 3 or 4, and it is expected that the Primary School will incorporate sufficient Nursery/pre-school places appropriate to a 2FE school, this being incorporated into the cost cited above.</p> <ul style="list-style-type: none"><li>• Additional Primary Education and Early Years requirement - the requirements set out above are based on a development of up to 1,500 units. The application now submitted proposes an increase of 100 units, therefore it is expected that the pupil yield will be higher than previously anticipated, and that additional provision may need to be delivered. An additional Primary Education and Early Years S106 contribution will therefore be required to ensure children residing in the development can be accommodated in a local school.</li><li>• Secondary Education - Secondary Education (SE) contributions for the Daventry District area had previously been secured through developer contributions under the Community Infrastructure Levy (CIL). This was previously included in DDC's Regulation 123 list; however, subsequent legislative changes (from September 2019) removed the Regulation 123 list. Section 106 contributions may now be sought from planning applications for housing development, towards additional Secondary Education infrastructure, where there is expected to be insufficient capacity in the local area to accommodate the number of pupils generated by the proposals. SE capacity in the wider Northampton area has been fully exhausted, with current forecasts indicating continued high levels of demand for places. A number of new and expanded Secondary Schools are planned to meet the demand, including a new Secondary School to serve the north of Northampton, in part to meet the need arising from this development. A S106 contribution towards SE will be required from this development, to ensure that the pupils generated from the new dwellings can be accommodated locally. An estimated S106 Secondary Education contribution of £7,360,000 will be required, based on the current Department for Education (DfE) cost multipliers for secondary school places.</li><li>• Fire &amp; Rescue - New developments generate a requirement for additional fire hydrants and/or sprinkler systems. An assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service (NFRS) in order to establish what level of provision may be required; however, it is assumed this development could need 32x fire hydrants to be installed at a cost of £892 per hydrant, totalling £28,544. It is the preference of the NFRS that fire hydrants should be designed into the development via a planning condition.</li><li>• Libraries - Where a new development will generate additional need and library space requirement, the Council requires</li></ul>
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	<p>contributions towards the costs of providing new, extended and/or improved library facilities. The planned development in the Northampton area is expected to impact significantly on the current level of library provision. The new Library at Moulton was funded using a combination of S106 from development in the surrounding area and the (former) county council's own capital borrowing in order to fully-fund the works required. It was necessary in order to accommodate the growth planned for the Moulton and Overstone area, including Overstone Green. The new library has therefore been delivered in advance of S106 funding being received, and in expectation that any future development coming forward at Overstone Green would also be required to contribute towards the cost of its delivery plus any additional capacity that may be required. A site-specific multiplier has been used applying a £100 per dwelling figure, based on overall scheme cost and viability considerations. This equates to a contribution of £160,000 overall, which will go towards repaying the (former) county council for the additional capital borrowing funding it contributed towards delivery of the new Moulton Library to ensure its early delivery; and/or to support any other Library infrastructure and capacity improvements to serve the growing population.</p> <ul style="list-style-type: none"> <li>• <b>Broadband</b> - In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable fibre connectivity for all new developments in respect to receiving superfast broadband services.</li> </ul>
WNC Specialist Accommodation and Prevention	<p><b>No objection.</b></p> <p>Comments submitted specifically with reference to the over 55s living/ potential care home. Modelling of future demand for care related accommodation shows a significant shortfall of accommodation suitable for our older people across the county as they age. It shows a shortfall across all specialist accommodation such as Extra Care Housing, sheltered housing, and residential care. The modelling shows there is a high likelihood of demand from self-funders for residential care homes such as that proposed in this application. However, in order to meet the demands of social care customers and those who fund their own care and want an alternative to residential care, then Extra Care housing is the preferred option. The proposed site looks reasonably well-located for extra care, as it is close to the village centre.</p>
WNC Archaeology	<p><b>No objection.</b></p> <p>The Oxford Archaeology evaluation has identified areas of archaeological activity ranging from early prehistoric through to medieval. This included the remains of a potential linear round barrow cemetery, a middle-late Iron Age enclosed farmstead, and a Roman ditch. No Saxon activity was identified on the site, but the surrounding area has produced a wealth of both settlement and burial activity from this period. The adjacent Overstone Leys excavation area contained early Saxon burials and settlement activity associated with the barrow cemetery and it is possible that this activity may extend into the application area. Medieval and</p>

	<p>early post-medieval ridge and furrow cultivation was also recorded across the site during the evaluation.</p> <p>A Brief describing the areas requiring mitigation in advance of development will allow the production of a Written Scheme of Investigation to be produced by the archaeological contractor who will be undertaking the fieldwork. It is very likely that the archaeological mitigation areas will not fit conveniently into the development parcels indicated, so it is strongly advised that the archaeological mitigation is undertaken on a site-by-site basis rather than be fragmented to fit into development phases. The archaeological mitigation should also be undertaken in advance of any infrastructure works, landscaping, tree planting, ecological or water management works.</p> <p>In conclusion, the proposed development will have a detrimental impact upon any archaeological assets above and below ground. This does not however represent an over-riding constraint on the development if adequate provision is made for the investigation and recording of any remains that are affected. In order to secure this the LPA should attach a condition for a programme of archaeological work as per NPPF paragraph 199 to any permission granted in respect of this application.</p>
WNC Minerals	<p><b>No objection.</b></p> <p>The proposed site is located within a sand and gravel Minerals Safeguarding Area (MSA). Therefore prior to any development taking place, the applicant should demonstrate how it meets Policy 28 of the Northamptonshire Minerals and Waste Local Plan (MWLP). Policy 28 relates specifically to the MSAs and ensuring that they are protected from sterilisation by incompatible non-mineral development. In light of the Mineral Assessment Report into account, the applicant should demonstrate that significant sterilisation of proven mineral resources will not occur due to the development. If this cannot be demonstrated, prior extraction will be sought where practicable.</p>
WNC Lead Local Flood Authority	<p><b>No objection.</b></p> <p>Having reviewed the submitted surface-water drainage information the LLFA considers that the impacts of surface water drainage can be adequately addressed at this stage if the recommended planning conditions are applied.</p>
Environment Agency	<p><b>No objection.</b></p> <p>The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the recommended planning condition is applied.</p>
National Highways	<p><b>No objection.</b></p> <p>National Highways (then Highways England) advised, at the Environmental Impact Assessment (EIA) stage, that a contribution would be required towards the Northampton Growth Management Scheme (NGMS). Studies undertaken by National Highways and local councils have concluded that, in order to manage forecast traffic demand from planned development on the strategic road network, a growth management strategy will need to be implemented.</p> <p>As a result, National Highways has developed the A45/M1 NGMS. This has taken into account traffic forecasts from the Northampton</p>

	<p>Multi-Modal Model and the overall level of congestion on the local highway network in the Northampton area.</p> <p>National Highways had no objections to the Overstone Leys proposal if the agreed contribution of £1.6m was provided towards the NGMS. Given the proximity of Overstone Green, it is considered reasonable for the applicant to provide a similar pro-rata contribution towards the NGMS (amounting to £800 per dwelling or £1,280,000 in total for the proposed development of 1600 dwellings). This contribution should be paid by the applicant to National Highways by entering into a S278 agreement prior to the first occupation on the proposed development. Based on this, NH recommend a planning condition.</p>
<p>Crime Prevention Design Advisor</p>	<p><b>No objection but expresses concerns</b></p> <p>It is considered disappointing that in neither the EIA documentation, the planning statement nor the Design and Access Statement is the potential for crime and criminality addressed, and no measures to mitigate against the potential for crime are described. The creation of a large housing estate where currently there are green fields is bound to provide opportunities for serious acquisitive crime, there is likely to be neighbour nuisance, opportunities for anti-social behaviour and a myriad other offences and a failure to recognise this is very disappointing.</p>
<p>Northamptonshire Clinical Commissioning Groups</p>	<p><b>No objection.</b></p> <p>The CCG has confirmed there will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposed new housing development. Practices in the local area are already at the limit of their capacity and the increase in population could push practices to the point that they are no longer able to accept new patients.</p> <p>The Practice closest to the proposed development is Moulton Surgery, so this Practice will be most affected by the increase in population and will need to develop premises to accommodate the new growth. In terms of the impact of the new development on this GP Practice, the development is proposing 1600 homes, which, based on an average household size of 2.43 persons per dwelling, could result in an ultimate increased patient population of 3,888. Our calculations show the likely impacts of the new population in terms of the number of additional consultation hours, which will require clinical space.</p> <p>Northamptonshire CCGs are therefore requesting a contribution from the proposed development towards the increased primary health care capacity directly attributable to the population of the proposed new development. Northamptonshire CCGs will be working with local Practices to establish specifically where there is scope to expand/improve capacity to effectively care for the additional patients. The potential impact if contributions are not made is that the necessary expansion to primary healthcare capacity to meet demand from the proposed development will not be achieved. The total cost for additional primary healthcare facilities arising from the proposed development is assessed as £1,071,630.</p>
<p>Health &amp; Safety Executive</p>	<p><b>No objection.</b></p> <p>The proposed development site lies within the HSE consultation distance of the Mears Ashby/Harpole major accident hazard pipeline, operated by Cadent Gas Ltd (Transco Ref: 6935). The</p>

	<p>Illustrative Masterplan in the Design &amp; Access Statement shows only an indicative layout for the proposed development area; this area lies partially within the inner and outer zones of the HSE consultation distance of the Mears Ashby/Harpole pipeline, as well as outside the consultation distance. The indicative layout shown in the Illustrative Masterplan shows a 'Linear Park' area along with two Formal Play Spaces within the inner and outer HSE consultation zones. Application of HSE's Land Use Planning Methodology determines that this development type is considered to be within the inner zone.</p> <p>Following amendments to the illustrative details, HSE does not object to the granting of outline planning permission, as long as the proposed development takes into account the recommendations suggested by HSE.</p>
Cadent Gas	<p><b>No objection.</b></p> <p>The pipe operators do not object but would be grateful if the local planning authority could raise an informative with the applicant regarding the high-pressure gas pipeline and associated easement running diagonally through the development.</p>
Sport England	<p><b>Objects</b></p> <p>The occupiers of the new development will generate demand for sporting provision, and the existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site.</p> <p>The development proposal contains a significant amount public open space but there is no provision of formal outdoor sports pitches. Part 2 Local Plan Policy CW2 does state a need for off-site provision to accommodate increased intensity of use derived from the development. The submitted Planning Statement does not identify any off-site outdoor sports facilities to potentially address needs and states that such provision has yet to be confirmed by the Council. These demands can be met offsite in accordance with the Part 2 Local Plan Policy CW2. In establishing the financial contribution, the LPA should hold discussions with national sporting governing bodies to help establish which projects identified within the Playing Pitch Strategy would best meet the demand generated from the development.</p> <p>Sport England welcomes the elements of the proposal that have been designed to encourage activity and lower the use of the private car. These include the provision of wide linear green corridors up the spine of the scheme providing 'car free' routes to the new primary school; walking and cycling routes connecting housing blocks, community hub, school, local centres and employment area; existing rights of way through the site being retained and enhanced; and the new onsite network connecting into the existing offsite public rights of way network.</p> <p>However, Sport England wishes to object to this application, as the demand created by this proposed development for outdoor sports facilities has not been addressed.</p>
Ramblers' Association	<p><b>No objection.</b></p>

	<p>The Ramblers' Association has no objection but we would like to submit two requests. Firstly, previous development proposals included the provision of a bridge over the A43. In the comments of July 2018 in response to the Scoping Opinion Request, the Association asked that a bridge should connect with Footpath Overstone DG1. It is requested therefore that appropriate provision should be made to permit this eventuality.</p> <p>Secondly, the Association is pleased to note that a green corridor is proposed to run alongside the A43 for the whole length of the development between DG1 and DG2. We request that consideration be given to utilising this corridor to extend DG1 along its full length. This would provide a highly desirable and significant enhancement to the rights of way network, linking as it would three existing rights of way, DG1, DG2 and, via the connecting pedestrian crossing, DG4.</p>
<p>Wildlife Trust for Bedfordshire, Cambridgeshire &amp; Northamptonshire</p>	<p><b>No objection.</b></p> <p>This outline application is a large urban extension into agricultural land. There are, however, some features that are important to biodiversity which require protection, and the opportunity to provide enhancements:</p> <ul style="list-style-type: none"> <li>• <u>Key Habitat Features</u> - it is good to see that the Illustrative Masterplan includes the retention of the majority of the hedgerows and trees that are present on the site. These are used as features within the green infrastructure proposed. The Ecological Baseline Assessment identified all of the hedgerows as Priority Habitats although some hedgerow losses would be caused by the access roads. A scheme of hedgerow planting and enhancements will be necessary, and the hedgerows and trees would need a scheme to protect them during construction.</li> <li>• <u>Cowpasture Spinney Local Wildlife Site (LWS)</u> - This has been recognised within the proposal and the Illustrative Masterplan including buffering between the LWS and the proposed development. This buffering is another feature that should not be eroded should the proposal move forward. The Ecological Baseline Assessment identified ways in which the LWS would benefit from additional management to enhance its importance for wildlife further, including diversifying the structure of the woodland and improving the pond. Should the application receive permission these enhancements should be clearly included.</li> <li>• <u>Hedgerows and trees</u> - to continue to act as habitat corridors in the long term these will require suitable management plus the development of a sensitive lighting scheme that maintains the hedgerows as a dark corridor. The management of the hedgerows, and Cowpasture Spinney LWS, will be required for the lifetime of the development.</li> <li>• A <u>Biodiversity Matrix</u> is recommended to demonstrate how this proposal might achieve a measured net gain in biodiversity as required by the NPPF at paragraphs 170 &amp; 174. This can be secured by planning conditions.</li> <li>• <u>Protected Species</u> – measures will be required to accommodate and create bat roosts, particularly focused on the LWS corridor and the hedgerows. Badgers activity features strongly within the site and its surroundings, especially the LWS, so further survey and mitigation work will be required, as the site is developed to</li> </ul>

	<p>ensure that Badgers can still access the wider landscape, and are protected during construction.</p>
<p>Northamptonshire Badger Group</p>	<p><b>No objection.</b></p> <p>The site and surrounding area has a well-established and active badger population that will require constant monitoring and management in order to minimise any conflicts. The Group asks to be kept informed of the plans that are drawn up in relation to the badgers affected by this development. The developer should take into consideration the disturbance that has already been caused to the local badger population by other nearby recent developments, in particular the closure of setts in relation to the widening of the A43 further down the road towards Round Spinney, and the creation of an artificial sett. The Group has looked through the confidential badger report and compared that to their own observations and historical records, and public testimony that they have sight of relating to the badger population in the area. It welcomes the retention of the main sett and few sett closures; also, the site has the benefit of the already existing spinney. However, there are concerns that the report grossly underestimates the number of setts/active entrances on and adjacent to the site, particularly in the wooded area.</p> <p>The Group also queries the future detailed planting plan; future lighting; badgers crossing site roads; and construction-phase mitigation.</p>
<p>Sywell Aerodrome</p>	<p><b>Objects</b></p> <p>Sywell Aerodrome Ltd. owns and operates the airfield at Sywell, which is very close to the proposed development site. Sywell Aerodrome is a historic site and is regarded as one of the best GA (General Aviation) airfields in the UK. It provides facilities for pilot flight training, business corporate charter, aircraft maintenance, and leisure flights. Sywell Aerodrome also has ½ million square feet of commercial space occupied by numerous tenants involved in a wide range of commercial activities. The Aerodrome operation, together with the many events held each year, brings significant inward investment to the locality and is a very important employment area.</p> <p>Sywell Aerodrome is licensed by the Civil Aviation Authority (CAA) and has a designated ATZ (Air Traffic Zone) surrounding it. The Overstone Green Development is within the Aerodrome's ATZ and directly under the flight circuit pattern to the airfield runways 03/21 and 05/23. A circuit pattern is an oblong box in sky that aircraft fly when approaching the airfield to land. Aircraft approaching the airfield fly to overhead of the airfield at 2,000ft, and then descend in an anti-clockwise or clockwise direction to join the circuit pattern of that runway at 1,000ft. The downwind leg of the circuit pattern for runways 03/21 and 05/23 runs directly overhead the proposed development site parallel with the A43, which pilots use as a guide. Aircraft on take-off from Runway 23 climb out in a straight line over Cow Pasture Spinney adjacent to the proposed development site.</p> <p>The Aerodrome contests that the applicants did not make contact with them prior to submission, and therefore the Noise Assessment in the ES is fundamentally flawed as potential adverse impacts have not been correctly assessed. Key concerns are as follows:</p>

	<ul style="list-style-type: none"> <li>• <u>Visual Amenity</u> - people can be alarmed and frightened by aircraft overflying them, which results in complaints being lodged. Aircraft in the Sywell circuit pattern and on climb out will be flying at 1,000ft above the new houses and homes. There are currently 45,000 ATMs (Air Traffic Movements) per annum at Sywell. These ATMs are concentrated in the summer months, particularly at weekends when residents may be in their gardens enjoying barbecues etc. There is a permission in place for an increase up to 92,000 ATMs per annum. Therefore, this impact has the potential to double.</li> <li>• <u>Noise Impact</u> – As the aircraft in the circuit will be flying directly above the development site there will be a significant noise impact on the homes. This will increase as ATM numbers increase, particularly in the summer months when residents are in their gardens. The applicants carried out aircraft noise monitoring, and the noise levels recorded at MP1 within the site show that there are constant levels above 57 LAeq dB(A), due to the level of traffic and aircraft noise. The noise levels recorded at MP1 exceed 57 LAeq dB(A), and also exceed 60 LAeq dB(A), which is regarded as the upper limit for new housing. Furthermore, given that the Aerodrome is only currently (2020) operating at half the permitted number of ATMs of 92,000, the number of noise events has the potential to increase significantly. The data presented does not reflect the busier ATM levels during the summer months. With reference to one-off events held at the aerodrome, it is noted that in early 2020 there were four major aviation events scheduled, in addition to several fly-ins, and 9 other summer events. During the summer months, resident aircraft operators operate warbird experience flights over several weekdays, demand for which is steadily increasing. It appears that that none of these events or operators have been assessed so therefore the submitted Noise assessment is fundamentally flawed.</li> <li>• <u>Impact on a historically important site</u> - The NPPF requires a local authority to take into account the impact of a new development on a Heritage Asset. Sywell Aerodrome should be treated as a non-designated heritage asset due to its rich aviation heritage dating back to 1927.</li> </ul> <p>Overall, Sywell Aerodrome requests that this application be refused. However, in the event that development is considered for approval proposals for mitigation measures will need to be put in place to reduce or remove the negative impacts to Sywell Aerodrome, including the use of planning conditions.</p>
Fusion 21	<p><b>No objection.</b></p> <p>Detailed spreadsheets have been submitted which use Fusion 21’s bespoke targeting forecasting model (unfortunately it is not possible to include these within the report). It uses build prices to forecast the labour requirements of the development, which it is intended to inform an employment and training strategy, to be agreed with the applicant/developer and submitted as a planning obligation.</p>
Northampton Borough Council	<p><b>No objection.</b></p>

	<p>The former NBC was consulted pre-April 2021 as a neighbouring authority. NBC had no objection but raised the following observations:</p> <ul style="list-style-type: none"> <li>• Consideration being given to a low emissions strategy to be submitted as part of the reserved matters application(s) to include electric vehicle charging points, integration of renewable/low emission technology, integration of renewable/low emission technology into building design such as low NOx boilers, travel plans, bike schemes, low emission bus services and car clubs to be integrated into the development, to assist with improving air quality and to assist in developing sustainable low carbon producing communities.</li> <li>• A financial contribution towards low emission public transport is sought to subsidise the local bus service to enable a Euro 6 vehicle to be funded or alternatively funding provided to retrofit any existing bus subject used to service the development to Euro 6 standard (or the equivalent at the time of implementation).</li> <li>• A request is made that the allocation of funding for off-site sports provision to be given to sites in the locality, includes sites within the boundaries of NBC.</li> </ul>
Borough Council of Wellingborough	<p><b>Objects</b></p> <p>The former Borough Council of Wellingborough (BCW) was consulted pre-April 2021 as a neighbouring authority. The BCW submitted an objection to the proposed urban extension on the basis that it will prejudice the continued aviation use of Sywell Aerodrome, which is a strategically important site to the future of North Northamptonshire. Particular reference was made to NPPF Paragraph 182 which states that existing business and venues should not have unreasonable restrictions placed on them as a result of new development nearby, and that where the operation of an existing business or community facility could have a significant adverse effect on new development nearby, the applicant (or 'agent of change') should be required to provide suitable mitigation before the new development has been completed.</p> <p>The former BCW's Planning Committee considered that the submitted Environmental Statement had not adequately assessed the impact of Sywell Aerodrome operations on future residents, and this may, through noise complaints, prejudice the continued operation of Sywell Aerodrome. Any design would need to minimise the impact on Sywell Aerodrome and understand the effects on noise and include subsequent mitigation measures. Otherwise, the proposed development would be contrary to Policy Site 9 of The Plan for the Borough of Wellingborough Adopted Plan, which states that "The Council will seek to resist development within the immediate vicinity of the aerodrome, if such development would prejudice aviation use of the site."</p>
Kettering Borough Council	<p><b>No objection.</b></p> <p>The former KBC was consulted pre-April 2021 as a neighbouring authority.</p>

<p>WNC Local Strategy Service (Daventry Area)</p>	<p><b>No objection.</b></p> <p>The proposed development is consistent with policy S1 of the WNJCS. It meets the requirements of policy N3 in terms of quantum of housing (albeit marginally more than required), primary school and local facilities. However, there is conflict in terms of the quantum of employment land with a substantial shortfall against the requirement to provide local employment opportunities in dedicated employment area. Turning to H1 and H2, the proposal meets the recommended minimum density.</p> <p>In terms of the adopted Daventry District (Part 2) Local Plan, the proposal addresses the requirements of SP1, ST1 and ENV4 regarding GI networks and promotion of sustainable transport and healthy active lifestyles, however, a health impact assessment should be submitted to demonstrate how the proposal addresses health issues in a positive way. Policy HO8 sets out the requirements for housing mix and type, accessibility, space and water efficiency. For ENV1 to be satisfied the applicant would need to demonstrate how the development would affect the landscape and take into account the Daventry Landscape Character Assessment for ways in which to enhance and mitigate its impact, in particular, to avoid the creation of a hard urban edge. The opportunity should be taken under ENV5 and ENV11 to enhance the LWS and improve its quality.</p> <p>The proposal indicates that all open space typologies will be provided on-site in accordance with the NRDA standards, with the exception of allotments. In order to fully comply with CW2 further discussions are needed to address the provision of/contribution towards sports pitches and built facilities and the applicant is encouraged to discuss potential options with Northamptonshire Football Association, Moulton College and Overstone Cricket Club. It is also considered that the applicant should submit a health impact assessment to set out how the proposal will address how it contributes towards improving health and wellbeing.</p>
<p>WNC Environmental Health (Daventry Area)</p>	<p><b>No objection.</b></p> <p>Planning conditions are recommended to address the following:</p> <ul style="list-style-type: none"> <li>• <u>Construction Management Plan</u> – a pre-commencement condition will be required in order to address any issues arising during construction</li> <li>• <u>Air Quality and Climate Change</u> - local air quality is currently good but 1600 dwellings and associated development will generate traffic. Electric vehicle charging provision should be provided at the rate of 1 vehicle charging point per dwelling with dedicated parking, or 1 charging point per 10 spaces for unallocated parking for dwellings or non-residential properties such as the local centre. To address future demand, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.</li> <li>• <u>Noise from existing sources and proposed local centre affecting proposed dwellings</u> - The noise chapter of the submitted Environmental Statement indicates that noise from the highway is the dominant noise and that this can be mitigated against to the standards required. This applies to dwellings and the proposed residential care home. In addition,</li> </ul>

	<p>there is noise from the proposed local centre to consider especially in mixed uses where residential units are situated above commercial uses. A condition is recommended to safeguard internal and external noise levels of residential units.</p> <ul style="list-style-type: none"> <li>• <u>Mixed Use development</u> - Any non-residential uses need to be restricted so that they will not adversely impact on the community. It is suggested that the local centre and any employment areas are restricted to those uses that are appropriate close to residential areas.</li> <li>• <u>Lighting</u> - The mixed-use development is likely to have lighting for car parking, non-residential uses etc. that may cause nuisance to the community. A condition is recommend to require a lighting scheme for non-residential development.</li> <li>• <u>Contaminated land</u> - The development area is situated on agricultural land so the risk of land contamination is very low. However, due to the underlying geology present throughout Northamptonshire the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use. Contamination may be discovered or caused during development and need addressing. A condition is recommended which allows for a staged consideration and discharge, to allow any contamination issues to be addressed as the development progresses.</li> </ul>
<p>WNC (Landscape)</p>	<p><b>No objection.</b></p> <p>There is a strong hedgerow network, which has been generally shown in the submitted material to be retained. It is readily noticeable that the hedgerows have been provided with a decent degree of space either side and have been used to provide an opportunity to create a footpath/cycleway network around the site which further helps to enable the retained hedgerows and trees to retain a meaningful distance from potential conflicts with properties. The hedges provide direct access around and across the site including a link with an existing public footpath leading through Cowpasture Spinney to the south west to the village of Overstone. It was also important that the line of mature hedgerow Oaks and Cowpasture Spinney forming the physical south-eastern boundary (all subject to TPO protection) are provided with sufficient distance from the potential conflict of houses, and this has been achieved. With the line of hedgerow Oaks, the strip of undeveloped ground, either side of all the hedgerows will help, while the separation from the Spinney is provided by the flood attenuation that will provide the natural drainage zone for the site. Given that generally there is unlikely to be little or any water in the basins running adjacent to the Spinney it will provide further open space as well as an attractive buffer along the sites south-eastern boundary next to the trees.</p> <p>There are also further open spaces within the site including a further linear open space that crosses the site along the route of the buried pipeline that requires the exclusion of development, but has provided further open space as well as direct pedestrian access across the site, as well as to link into the hedgerow network and associated footpaths.</p>

	<p>Detailed landscaping has not been provided for the overall site at this stage but the retained hedgerows allow a structure to work with. Careful use of generally native species around the boundary of the site and associated with the linear open spaces alongside the hedges, as well as a greater variety of species within the housing, provides an opportunity for a strong landscape design for the site.</p> <p>Generally, the proposed development has incorporated the existing landscape features of hedgerows and associated trees in a realistic manner that allows them to co-exist with the development while providing established landscaping for the site.</p>
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### **Consultations – second consultation exercise, October 2020**

<b>Consultee Name</b>	<b>Comment</b>
Overstone Parish Council	<p><b>No objection but expresses concerns</b> In response to the revised application, OPC raises the following concerns/issues:</p> <ul style="list-style-type: none"> <li>• <u>Cowpasture Spinney</u> – this is still included within the site boundary as greenspace for the development, which it should not be. An area equivalent to Cowpasture Spinney should be allocated as public open space within the development. Furthermore, a public footpath is indicated on the latest plans, which would bring human activity too close to Cowpasture Spinney, and this should be deleted.</li> <li>• <u>Community Hub</u> – this is totally inadequate as proposed; the health and wellbeing of future residents does not seem to have been considered.</li> <li>• <u>Trees</u> – the provision of more trees is welcomed.</li> </ul>
Moulton Parish Council	<p><b>No objection but expresses concerns</b> MPC considers that the following elements are still unclear:</p> <ul style="list-style-type: none"> <li>• The plan shows no church or other hall</li> <li>• There is a statement that there is potential for a care home</li> <li>• There is a farm building which may be for community purposes, which could include meeting, activity rooms, youth/indoor facilities, community café and provision of sporting facilities</li> <li>• Proposed employment site.</li> </ul>
Holcot Parish Council	<p>Holcot Parish Council has considered the revised documents and concluded that these change nothing as far as it is concerned, and certainly do not allay the concerns that were expressed previously. These remain, as follows:</p> <ul style="list-style-type: none"> <li>• <u>Traffic impacts</u> – HPC recognises that this is an allocated site and that wider traffic impacts etc. would have been considered at that juncture, but notes that this would largely have relied upon strategic infrastructure (such as the NNOR and the dualling of the A43 north of Northampton) being in place first. If more residential development comes first then adverse</li> </ul>

	<p>impacts for surrounding villages will be inevitable. The Overstone Leys development allowed for contributions to be made towards traffic impact mitigation in surrounding villages, and this should also be the case with Overstone Green. The applicant's – and the LHA's – conclusion that the traffic impact upon Holcot would not be severe is strongly contested and HPC maintains that Overstone Green will be yet another cause of increased traffic volumes through Holcot.</p> <ul style="list-style-type: none"> <li>• <u>Construction traffic</u> – HPC's concern remains that construction-related vehicles will inevitably and unlawfully drive through the Parish 7.5t weight limit. Whilst construction traffic should be regulated by a Construction and Environment Management Plan HPC requests that this clarifies how/by whom compliance will be policed; and that the final version of the CEMP is forwarded to HPC so that the parish can be clear about how they should respond to any non-compliance.</li> </ul>
WNC Developer Contributions	<p><b>No objection.</b> Revised request received with respect to fire hydrant provision, as previous comments did not include the proposed commercial development or the 'extra' 100 residential units. However, the recommendation remains that provision be made via a planning condition.</p>
WNC Archaeology	<p><b>No objection.</b> Archaeological mitigation areas have been agreed between WNC's Archaeologist and the applicant's archaeological consultant. The areas are a combination of open area excavation and strip, map and sample investigation. There will be some contingency to allow extension of the strip, map and sample areas if required. The scheme of archaeological work should be secured by a suitable staged condition. The text of the recommended condition ensures that mitigation is undertaken in relation to areas of archaeological activity, and not to development phases.</p>
WNC Lead Local Flood Authority	<p><b>No objection.</b> Having reviewed the revised surface-water drainage information as submitted by the applicant in late 2020 the Northamptonshire LLFA now considers that the impacts of surface water drainage have been adequately addressed at this stage. This should be assured by the imposition of recommended planning conditions.</p>
Environment Agency	<p><b>No objection.</b> The proposed development will meet the National Planning Policy Framework's (NPPF) requirements in relation to flood risk if the EA's recommended planning condition is included.</p>
Health & Safety Executive	<p><b>No objection.</b> The HSE has no further comments to make.</p>
Sport England	<p><b>No objection.</b> Sport England welcomes and supports the additional details provided within the illustrative landscape plan and the amended Design Codes, which promote a number of Active Design principles by including opportunities for informal physical activities through the provision of trim trails and informal sports; encouraging residents to utilise green spaces through supporting infrastructure such as picnic benches and public access routes through the meadow; provision of surfaced pedestrian/cycle paths which are easy, direct, attractive, convenient and safe connecting local paths, play</p>

	<p>facilities spaces and key destinations; and the promotion of active travel through good design.</p> <p>In relation to Sport England's previous comments submitted on the 23<sup>rd</sup> January 2020, it is understood that discussions are ongoing between the case officer and the applicant in relation to contributions towards outdoor sports facilities. Sport England welcomes this and would like to be kept informed as to the progress being made to ensure that the contributions help meet the needs identified within the Council's Playing Pitch Strategy.</p>
Ramblers' Association	<p><b>No objection.</b></p> <p>The Association queries apparent changes to the legal routes of public rights of way DG1 and DG2, which appear to be shown on the amended Landscape Framework Plan. If it is proposed to divert any established routes then the correct legal procedures will need to be followed at the appropriate time. In regard to DG1 as a highly desirable enhancement to the PROW network, the RA again requests that this be extended to run along the green corridor alongside the A43.</p>
Wildlife Trust for Bedfordshire, Cambridgeshire & Northamptonshire	<p><b>No objection.</b></p> <p>The latest landscaping plans are considered an improvement, and the open space adjacent to Cow Pasture Spinney now includes permanent water features within the SUDS basins. These are made up of a series of ponds with marginal planting and the rest of the basin includes wetland planting at the base and meadow planting on the edges. The permanent water is an improvement to the scheme for biodiversity.</p> <p>The other aspect of the landscaping scheme that required amendment was the inclusion of species that would provide food sources for badgers given the level of badger activity adjacent to the site; this also needed to be integrated with the hedgerow mitigation requirements. The Trust is now satisfied given that the scheme includes crab apple and cherry within the open space tree planting, along with hazel within the public open space shrub species. These would provide additional foraging sources for the badgers during some points of the year, and relatively high levels of these fruiting shrubs and trees to maximising feeding opportunities are recommended.</p> <p>A concern remains regarding the provision of a measurable net gain in biodiversity however. An additional condition is also suggested to address the need for an updated ecological walkover survey prior to each phase of development, as the timescales between the phases are likely to be quite long.</p>
Borough Council of Wellingborough	<p><b>No objection but expresses concerns</b></p> <p>BCW acknowledges that the site is allocated for a mixture of uses including residential but still holds concerns that the proposed development may compromise the continued use of Sywell Aerodrome as a going concern, as it is not clear that the noise generated by Sywell Aerodrome has been adequately considered in line with advice contained within paragraph 182 of the NPPF and the sub text of policy Site 9 of the Plan for Borough of Wellingborough September 2019. Therefore, it is requested that the determining authority ask the applicants to undertake further work regarding noise or attach a suitably worded condition to mitigate the Council's concerns.</p>
Kettering	<p><b>No objection.</b></p>

**Consultations – third consultation exercise, December 2021**

<b>Consultee Name</b>	<b>Comment</b>
Overstone Parish Council	<p><b>Objects</b> Reiterates previous vehement objections to the proposal on the following grounds:</p> <ul style="list-style-type: none"> <li>• Too urban for this rural location</li> <li>• 2.5 &amp; 3-storey buildings not acceptable</li> <li>• This is a rural area and not a gateway to Northampton</li> <li>• By urbanising this part of Overstone parish the boundaries are effectively being changed by stealth and the parish is becoming part of Northampton</li> <li>• It will be too car-orientated.</li> </ul> <p>With reference to the proposed A43/access changes, the submitted data is out-of-date and the impacts upon nearby villages have not been considered. An enlarged access roundabout is not required, instead the Holcot roundabout should be upgraded and a bypass built for Holcot. The new access will create more noise and air pollution, and will be built over a public right of way.</p> <p>In addition, OPC also feels that this development is going to be too intensive, to compensate for the Daventry North-East extension not providing the policy requirement. This application should state 'up to' or 'no more than' the specified number of dwellings otherwise further increases will happen at the reserved matters stages.</p>
Moulton Parish Council	<p><b>No objection</b> No comments in respect of December 2021 revisions.</p>
Holcot Parish Council	<p><b>No objection</b> Still expresses reservations over potential traffic impacts from the proposed development, and welcomes confirmation of additional monies towards village traffic calming projects.</p>
Sywell Parish Council	<p><b>No objection</b> Still expresses reservations over potential traffic impacts from the proposed development, and welcomes confirmation of additional monies towards village traffic calming projects.</p>
WNC Highways Development Management	<p><b>No objection but expresses concerns and requests further information</b> WNC Highways has reviewed the applicant's Overstone Green Technical Note v2 (19<sup>th</sup> January 2022) submitted in response to Northamptonshire Highway's concerns, and finds that insufficient and/or incorrect information has been provided. In particular:</p> <ul style="list-style-type: none"> <li>• further details are required relating to the design of the proposed A43 access; and</li> <li>• the assessments of most off-site junctions identified as being potentially affected by traffic from the proposed development</li> </ul>

	are flawed and further work is required to demonstrate that the applicant's analysis and conclusions are valid.
WNC Lead Local Flood Authority	<i>Comments awaited</i>
WNC Environmental Health	<p><b>No objection</b></p> <p>Aircraft noise will, as outlined in the ES Addendum, exceed the noise standards some of the time when aircraft are flying over, however this is not as constant as the traffic noise, and, as previously advised, there is nothing technically that can be done about this by the local planning authority.</p> <p>With regard to traffic noise, the noise contour maps show that the site exceeds the noise standards of BS8233 and WHO by day and by night. The site is a noisy one and normally I would look to refuse such an application, however, given that the site is already allocated for housing, we need to look for the best possible solutions to reduce noise and provide a good acoustic environment for residents.</p> <p>As there is no layout at this outline stage, the applicant has suggested that the site may need a "barrier block" down the A43 side to help reduce the noise to the other properties and provide some amenity space that fits within the standards. A noise barrier down the A43 itself is not favourable in the design process. The noise contour maps show that even with these barrier blocks in place, noise will still exceed the required standards in outside amenity areas and at night internally in bedrooms, unless fitted with non-standard enhanced double-glazing and alternative ventilation. This sealed-box living would not protect residents from overheating and does not meet the requirements of Approved Document F of the Building Regulations, which sets out ventilation requirements.</p> <p>From this perspective, the applicant will need to retain some open mindedness about the types of accommodation that this site can feasibly support. It is not going to be possible for the whole site to be houses with private gardens, especially those in such close proximity to the A43, dualled or single carriageway. The design of the scheme must therefore be in accordance with prevailing noise conditions, and designed with good acoustic principles in mind. Different types of housing styles will be required, and it may not be possible for parts of the site to be used for housing at all. We will not know more until a noise assessment is submitted for each phase of the scheme, based on a detailed layout at the reserved matters stage.</p> <p>For now, I would recommend a planning condition be imposed to require acoustic schemes to be submitted at the reserved matters stages, which is the approach followed at Overstone Leys. A similar condition will be required in respect of the primary school.</p> <p>Other conditions remain as previously recommended (Construction Management Plan; Air Quality and Climate Change; Noise from Local Centre; Commercial Uses e.g. takeaways; Lighting; and Contaminated Land.</p>

Anglian Water Services	<b>No objection</b> AWS has no comment to make, as there is no connection to AWS sewers.
North Northamptonshire Council - Planning	<b>Objects</b> NNC Planning reiterates the objection previously submitted by the former Borough of Wellingborough Council in respect of potential noise complaints from future residents relating to overflying aircraft, and the potential for this to have a negative impact on the operation of Sywell Aerodrome. No comments have been submitted regarding the December 2021 amendments to the scheme.

## 7. RESPONSE TO PUBLICITY

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

7.1. There were fifty-three individual letters of **objection** received from forty-two different local households in response to the initial consultation exercise (January 2020), the vast majority of which were from within Overstone and Sywell parishes. In response to the second consultation exercise (October of 2020) following receipt of revised details three further representations were received, all from previous correspondents, reiterating their previous objections and concerns. The issues principally cited by the objectors are as follows:

- The 'additional' 100 proposed new homes should not be allowed, as the whole Northampton North SUE was for 3500 dwellings, 2000 of which have now been provided for by the initial phase (Overstone Leys). This leaves 1500 dwellings for Overstone Green, not the 1600 dwellings now proposed. This has not been justified and will add further pressure onto already stretched local services, as well as leading to a more cramped environment. Thirty-seven of the fifty-three objection letters initially received cited this as a reason for objection. Many objectors noted that Sywell and Overstone are already suffering from significant amounts of local development, such as the houses approved at Overstone Farm and being proposed at Overstone Hall, and the adverse cumulative impacts will be severe
- This significant new development will lead to unacceptable increases in local traffic, particularly through vehicles rat-running through Overstone, Sywell, Moulton and Holcot villages, and using Billing Lane. This was a concern for some 30 objectors.
- The proposed upgrades and partial dualling of the A43 will be insufficient to cope with the additional traffic that will be using the A43 as a result of this development
- There is no need or demand for the proposed employment/commercial component of the development, especially as there are many commercial units available on nearby established industrial areas such as Moulton Park, Round Spinney, and at Sywell Aerodrome.
- The location of the proposed commercial area adjacent to the proposed primary school is unacceptable, particularly with respect to general industrial (Class B2) development
- There is a significant shortage of public open space and green space in the proposed development, which will be compounded by the inclusion of surface water balancing ponds within the open space allocation alongside Cowpasture Spinney. This year's Covid-19 lockdown has emphasised the need for sufficient public open space to be provided on new housing developments
- Cowpasture Spinney is a much-valued local amenity and should not be included within the public open space allocation for the site; appropriate new provision should

be made on-site instead. Increased use of this important and much-valued local habitat and recreational resource will adversely impact upon it

- Development of this open land will adversely impact upon wildlife, particularly badgers, which are active in the area
- Local infrastructure (surgeries, schools etc.) are already stretched and this latest proposal will swamp these. One letter received from a member of the Moulton Surgery Patient Participation Group has noted that the practice is under sustained pressure, with proposals to redevelop the surgery facilities to try and alleviate this being ongoing for several years now.
- This proposal will mean the loss of yet more open countryside and will adversely impact upon the character of the local landscape, including impacts from additional light pollution
- Existing public footpaths may remain across the site but their character will change fundamentally for the worse
- This scale of development will make it harder for existing villages to maintain their respective local identities
- The proposed development is too dense and too urban in character and will detract from the existing rural character of the locality. There is no evidence of design flair, forethought, or consultation to produce a bespoke design for a rural setting (e.g. Dickens Heath, Solihull, or Upton, Northampton) – it will be ‘a housing estate in the country’.
- The community facilities as indicated should be positioned more centrally within the site, and the proposed community centre does not appear to be sufficiently large enough, particularly if it is intended to serve the whole of the SUE including Overstone Leys. The positioning of the school as indicated, at the end of a cul-de-sac, will likely result in term-time traffic congestion
- The submitted details indicate that some buildings could be 3 or 4 stories in height; this would be out-of-character with the rural locality and no new buildings should be taller than 2 stories.
- The proposed reliance on sustainable urban drainage and consequent land-take is inappropriate and an underground piped solution would be preferable, allowing more public open space to be usable
- There is a lack of safe, well-designed dedicated cycle routes around the site
- With respect to existing properties on the west side of the A43, the proposed development will fundamentally alter the currently rural aspect of this predominantly agricultural area, including via light pollution, and will lead to increased usage of public footpaths that currently traverse the farmland, which will significantly impact upon agricultural operations and livestock well-being. Vehicular access to/from the A443 will be disrupted and the lengthy construction phase will adversely affect the amenity of properties to the west of the A43.
- The development is aimed at prospective commuters (to London and Birmingham) and is unlikely to cater for local people who will need affordable homes
- The Design & Access Statement states that there will be a bypass of the Round Spinney roundabout for buses, which does not exist; take-up of public transport is therefore likely to be very poor; and
- There has been inadequate public consultation for this development at all stages, particularly pre-application.

7.2 In response to further limited neighbour notifications and additional publicity following the December 2021 revisions to the site access and A43 frontage a further twenty-six representations have been received (at the time of writing; six of these have not supplied an address). One representation from a resident of a new property adjoining the site in Overstone Leys raises no objection but requests further tree planting and public open space within the scheme, but also expresses concerns over road noise from the A43, and over the width of the proposed estate roads. The majority of the remaining

representations received are from residents of Overstone village and largely reiterate previous **objections** made regarding the principle and scale of the proposed development; the potential for impacts upon Cowpasture Spinney; lack of open space; impacts upon footpaths and the open countryside; and traffic impacts within the surrounding areas.

- 7.3 A letter of **objection** was received from a resident of one of the properties to the west of the A43 whose existing access via the A43 will be affected by the changes required to facilitate the main access into the site. The writer also owns land here as well as other properties in this vicinity that are occupied by family members. As well as expressing concern at the potential impact of the revised access arrangements for the properties to the west of the A43 the representation also reiterates objections made to the principle of a large-scale development here, with respect to impacts on visual amenity, landscape character, light pollution, increased activity on public footpaths, and traffic and construction noise.

## **8. APPRAISAL**

- 8.1 The main considerations in the determination of this application are:

- The Environmental Statement
- Principle and Scale of Development
- Access and impacts on the Highway Network
- Scheme Design and Urban Design principles
- Affordable Housing
- Education
- Healthcare
- Open Space and Recreation
- Trees, Landscape and Visual Impact
- Local Centre
- Cultural Heritage and Archaeology
- Ecology and Biodiversity
- Drainage and Flood Risk
- Noise impacts
- Air Quality
- Ground Conditions
- Minerals
- Sustainability
- Socio-Economic Impact
- Impacts on existing local residents
- Infrastructure and Developer Contributions
- Overall scheme viability.

### **ENVIRONMENTAL STATEMENT**

- 8.2 The applicant's Environmental Statement (ES) was scoped with officers from the former Daventry District Council prior to submission of the outline application. It contains information describing the proposal; aspects of the environment likely to be significantly affected by the proposed development; and measures to prevent or mitigate any identified impacts. Each chapter of the ES considers the individual impacts and significance as well as any cumulative effects.

- 8.3 Where significant adverse impacts are identified, the assessment process generates mitigation measures to prevent, reduce, and (where possible) offset the identified effects. The ES is derived from the development parameters that are defined in the application description and accompanying illustrative development parameters. It is not possible within this report to set out all of the impacts identified, but below is a summary of the areas covered. The full report, technical notes, non-technical summary, and subsequent amendments or addendums can be viewed via the Council's website.
- 8.4 The individual topics are briefly summarised below; as with the previous Overstone Leys submission the methodology adopted was to:
- i) assess existing/baseline conditions;
  - ii) identify the potential effects of the development arising from the construction and operation phases;
  - iii) identify the mitigation measures necessary to prevent, reduce, or offset these effects; and
  - iv) Identify the residual effects i.e. those impacts still likely to be present even after the proposed mitigation measures have been implemented.

#### Socio-Economic -

- 8.5 Short-term beneficial effects are identified in the construction phase, due to the generation of construction jobs over an estimated 13-year construction period. The assessment of the operational (completed) phase also indicates a net beneficial impact through economically active and employed residents living at Overstone Green plus the creation of additional jobs and the substantial contribution to the economy locally.

#### Landscape & Visual -

- 8.6 An assessment was carried out to identify the landscape and visual impacts arising from the development and this then informed the landscape strategy and the primary mitigation measures as embedded in the illustrative development parameters. The site is identified as coming within the Northamptonshire Vales character area, with some more nuanced divisions within the site boundary. The visual setting of the site was considered through the identification of a Zone of Theoretical Visibility (ZTV) based on a number of representative views taken from publicly accessible locations within the study area. This found likely significant short-term adverse effects in relation to the immediate character of the site.
- 8.7 It is proposed that mitigation be achieved over the lifetime of the development via the retention and incorporation of a number of landscape features plus the incorporation of public footpaths; it is also noted this scale of development is consistent with the adjacent existing/consented NNSUE development and with the nearby wider urban fringe of Northampton. There will also be secondary and tertiary mitigation measures in the form of design controls exercised through conditions plus the adoption of measures such as Ecological and Construction Environmental Management Plans. The assessment concludes that any likely significant adverse effects will be restricted to the site and its immediate boundaries. Whilst changes to the character of the site will be material, this is expected given the baseline setting of the site and the scale and nature of the proposed development.

#### Ecology –

- 8.8 Extensive surveys found habitats within the site boundaries to be largely of low ecological value, as the site is predominantly intensely managed arable land under active

production. Some faunal species were recorded within the site however, including some (bats, badgers etc.) afforded national and European protection. Habitats that support these species are largely retained under the proposals with measures to safeguard them proposed where unavoidable encounters are predicted. Although Cowpasture Spinney Local Wildlife Site (LWS) is located within the eastern part of the application site it is considered that there will be no significant effects arising, due to the proposed wide area of open space that will separate the LWS from the built development. Impact mitigation measures proposed include the sensitive timing of works during the construction phase; woodland protection; bat roost safeguards; Barn Owl nest box provision; and implementing a sensitive lighting strategy. Biodiversity enhancement opportunities are also proposed in terms of habitat safeguarding and creation; green infrastructure enhancements; and the provision of green links within and beyond the site.

#### Cultural Heritage –

- 8.9 Whilst there are no designated heritage assets within or adjacent to the application site, two significant potential effects have been identified. These relate to the truncation of remains associated with a possible Bronze Age barrow, plus those associated with a possible Iron Age enclosure, both of which were identified during trial trench evaluation. To address the potential impacts upon archaeological remains located within the site, a programme of targeted excavation and recording will be agreed in liaison with the council's archaeological advisor.

#### Agriculture –

- 8.10 This section assesses the impacts upon the agricultural land resource, agricultural users, and soil resources. Some 59ha (or 68%) of the application site constitutes land considered to be 'best and most versatile'. The ES notes that whilst the development results in the permanent loss of this significant acreage of high-quality agricultural land, which is classed as a significant negative impact, this would have been assessed at the time that the strategic allocation of the site was considered. There is also the potential for topsoil resources to be lost during the construction phases and for subsoil compaction to occur which would harm vital soil properties such as water storage, which would also be significant effects. However, beneficial agricultural use of parts of the land could be maintained during phased construction, provided that access is maintained, and soil resources can be protected via adherence to a soil management plan, the successful implementation of which could reduce negative impacts to 'negligible'.

#### Transport & Access

- 8.11 It is noted that the application site is well-served by local infrastructure, including a recently-constructed pedestrian/cycleway along the new Moulton/A43 bypass, and frequent bus services currently linking Kettering to Northampton. The submitted traffic assessment assessed the likely effects in relation to:
- Severance
  - Driver delay
  - Pedestrian delay
  - Pedestrian amenity
  - Accidents and safety; and
  - Fear and intimidation.
- 8.12 It is considered that the construction traffic associated with the development would result in negligible direct effects associated with these criteria, and any effects would be temporary. An assessment of the operation of appropriate highway junctions and proposed access points has identified that the proposed development would, during the

operational phase, result in limited changes in queues associated with all assessed junctions to operate within their capacity, with the exception of the Round Spinney Roundabout. Other than the Round Spinney Roundabout, it is therefore considered that the proposed development would have a Minor effect in terms of driver delay without mitigation. Mitigation measures proposed are:

- Material to be retained for re-use on-site to minimise heavy vehicle movements during the construction phase;
- Potential journeys within the site to be encouraged, particularly via sustainable modes (walking, cycling etc.) and via enhanced right-of-way connections;
- Provision of a Travel Plan with Sustainable Transport Strategies aimed at encouraging travel to and from the proposed development by sustainable modes;
- Use of a Construction Traffic Management Plan as part of a Construction Environmental Management Plan;
- Flexible access design and dedication of land to facilitate A43 dualling along the site frontage; and
- Lane marking modifications at the Round Spinney Roundabout.

8.13 It is concluded that if these measures are all implemented the residual effects in terms of Severance, Driver Delay, Pedestrian Amenity, Accidents and Safety, and Fear and Intimidation would be negligible, during the construction and operational stages.

#### Noise & Vibration -

8.14 A detailed baseline environmental noise survey was undertaken in order to establish the existing noise climate across the site, and this was used as a basis for noise modelling and predictions. This exercise established that the noise climate at the application site is dominated by road traffic noise from the immediate road network, as well as by air traffic noise arising from users of Sywell Aerodrome. Predictions were also undertaken to provide estimates of construction noise effects, which are likely to be minor-adverse for the duration of works. Existing road and air traffic noise levels are likely however to result in significant adverse effects on prospective residents of Overstone Green, and potentially impact on the school environment, and so will require mitigation. However, the off-site road traffic noise, whilst permanent, would not be significant.

8.15 Mitigation measures would include the use of building envelope and ventilation specifications to reduce noise entering houses and the school, as well as selective use of appropriate fencing to reduce external noise levels nearby to the A43 main road, which is a traffic noise source. Covered areas may be required in the school if outdoor teaching is envisaged. Whilst it is noted that noise levels within outside amenity areas are predicted to be below guideline limits across the majority of the site, it is also noted that air-traffic noise levels in some outside spaces could be higher for shorter periods. Potential mitigation measures may therefore be used in these cases, although these are not specified. It is also noted that a limited number of residential external amenity spaces may still experience noise levels in excess of the guidelines due to road traffic noise, even with close-boarded fencing being deployed. This may be further mitigated by design at the detailed layout stage, and is not considered significant given that it should only apply to a limited amount of external amenity space.

#### Air Quality -

8.16 The potential for dust emissions and increased traffic emissions from construction activity on local roads was assessed; there are no ecologically sensitive sites identified close enough to be affected by these phenomena. Dust will be created during the construction phase, which can be addressed via established measures and techniques. Once

occupied, the proposed development will itself generate traffic emissions, the overall operational effects of which are considered to be 'not significant'. This includes consideration of future residents' air quality, with slight adverse effects being identified only at two isolated locations across the study area, representative of a small number of receptors. It is concluded that the operation of the development as proposed will not lead to any exceedances of the objectives.

- 8.17 Mitigation measures during the construction phases would be addressed via a Dust Management Plan and/or Construction Environmental Management Plan (CEMP), as per established best practice. No mitigation measures are proposed during the operational phase of the development as no exceedances of air quality objectives are predicted. Good design will still have a role at the detailed design stages however, including setting houses and the school sufficiently back from roads and providing pedestrian and cycle access plus access to buses and electric vehicle docking points within the site.

#### Flood Risk and Drainage -

- 8.18 This section of the ES considers potential effects on the water environment, and a site-specific Flood Risk Assessment (FRA) underpins this. Currently it is considered that most rainfall within the site naturally infiltrates beneath the site, with excess water flowing into existing watercourses/drainage ditches along the south-eastern and north-western boundaries. These constitute a tributary of the Billing Brook running through Cowpasture Spinney to the west, and a tributary of the Brampton Branch alongside the A43 that flows towards Northampton on the eastern edge of the site. There are no historic records of on-site historic flooding and the site lies within Flood Zone 1, which is the lowest risk category. During the construction phase, there may be an increased risk of downstream flooding due to disturbance of soils etc. and increased risk of surface water run-off. Proposed new sewers also have the potential to pose an increased risk of surface water flooding to the proposed site and environs.
- 8.19 The development proposals developed thus far include the following design measures the provide mitigation or to alleviate impacts on the water environment:
- The adoption of a SuDS (Sustainable Urban Drainage) attenuation strategy, to include for the collection, storage, and treatment of surface water on-site in order to reduce flood risk;
  - Attenuation basins along the eastern boundary to provide on-site water storage plus an element of pollution removal; these will restrict off-site discharge rates to the pre-development greenfield discharge rates, up to the 1 in 100-year event plus climate change allowances; and
  - Detailed foul and surface water sewer network designs will be guided by this strategy and will accommodate the new development to the public sewer network and watercourse.
- 8.20 Additional benefits are cited as including additional water quality, pollutant removal, and amenity and biodiversity benefits to both the site and to the surrounding area. A management and maintenance plan for the water features forming the SuDS system will need to be generated prior to construction in order to ensure that good maintenance practices are followed for the lifetime of the development. During the construction phase, a Construction Environment Management Plan will include measures for the control of surface water run-off.

#### Ground Conditions –

8.21 Mitigation measures will be required in order to address potential significant effects i.e. impacts on ground and surface waters from potential contamination, both during construction and operational phases; any impacts on workers during the construction phases from soil contamination; and possible contamination impacts on future residents and users from soil contamination. The majority of the effects identified can be addressed through detailed design, such as appropriate foundation design to suit ground conditions and design of pipes etc. to resist corrosion. Further detailed soil/ground investigations will be required during construction in order to identify whether any mitigation measures, such as off-site removal or in-situ remediation, are necessary. Robust site working procedures will address any prospective impacts upon construction workers.

#### Cumulative and in-combination effects –

8.22 These could comprise both inter-project cumulative effects, which could be individually insignificant but collectively may lead to significant effects; and intra-project cumulative effects, where the combined effect of individual effects (noise, traffic etc.) could be deemed significant upon a single receptor. Assessment was undertaken by means of a review of other existing or approved projects whose impacts, taken together with the current proposal, could result in notable cumulative effects. The most obvious combined impact locally will be the cumulative loss of agricultural land arising from this and neighbouring developments, however as the entire Northampton North SUE is an allocated site it is noted that the loss of this extent of 'Best and Most Versatile' agricultural land should be weighed up against the benefits of the scheme.

8.23 No other significant inter-project cumulative effects were identified. A potential minor adverse impact in terms of construction noise was identified resulting from construction noise associated with the adjacent Overstone Leys development; however the significance cannot be predicted without knowing the build programmes and phasing details for both developments. A similar potential exists with respect to air quality and dust emissions, and this should be addressed by both sites adopting appropriate mitigation measures to limit dust emissions.

#### Environmental Statement (Revised submission, October 2020)

8.24 Key elements that have changed or been revised were:

- Chapter 4: The Proposed Development – minor changes to the indicative areas of open space parcels resulting from the revised alignment of the gas main plus the revised balancing pond information now give a total area of some 23.09ha of public open space in total, compared to the previous total of 22.24ha.
- Chapter 7: Landscape and Visual Issues – minor adjustments are made to the alignment of the proposed Linear Park and associated built form; these will not be readily visible or perceptible from beyond the site boundaries, where boundary landscaping remains as previously proposed. It is considered that the amendments are slight and do not alter the conclusions reached within the Landscape and visual chapter within the original ES. The revised Landscape Framework Plan has been updated to reflect the amended Parameter Assessment Plan, Illustrative Masterplan, and Open Space Typologies.
- Chapter 14: Drainage – correspondence with the Lead Local Flood Authority (LLFA) subsequent to the original Flood Risk Assessment and Drainage Strategy Report prompted a review of the design criteria utilised for the proposed drainage design, in order to ensure that the approach was consistent with local standards and guidance. This has led to amendments to the outline storage volumes of the

proposed indicative attenuation basins. This is formally reflected in the revised FRA and Drainage Strategy, which supersedes the original version. This does not alter the conclusions of the Flood Risk and Drainage Chapter of the ES.

- 8.25 The conclusions to the other remaining chapters within the ES remain unchanged, given the minimal nature of the changes. A corresponding revised Non-Technical Summary (NTS) was also provided.

*Environmental Statement (Revised submission, December 2021)*

- 8.26 A further addendum to the ES, including an addendum to Chapter 12 (Noise and Vibration) and a revised non-technical summary to the ES were submitted together with the December 2021 revisions affecting the access and the A43 frontage. These changes are in response to WNC's aspiration to implement a more comprehensive road scheme along the A43 at this point to dual carriageway standard, beyond what was provided for in the original submission. The access proposals were therefore modified to provide for an enlarged roundabout junction and greater land-take, as well as retaining the national speed limit designation along the site frontage. Consequent changes have also been made to the proposed segregated footway and cycleway alongside the A43.

- 8.27 This is in the context that whilst the current planning application does not include for dualling of the A43 within the 'red line', it provides for future dualling and therefore the ES assesses the impact of this, in respect of transport impacts and in respect of noise and air quality impacts. In this context the key amendments are:

- Chapter 4, The Proposed Development – the application description has been amended marginally to reflect the revised submission, however the overall development parameters remain the same. Due to the land-take for the enlarged roundabout, the indicative area of the commercial land has decreased by 0.22ha, whilst the public open space increases slightly by an equivalent amount.
- Chapter 7, Landscape and Visual Issues – the enlarged roundabout at the access generates some minor consequential changes to the proposed internal landscaping here, but the boundary landscaping and other green elements remains as before.
- Chapter 11, Highways – a larger roundabout is now specified, together with safeguarded land to facilitate subsequent dualling of the A43. A revised Highways Technical Note together with revised access plans have been submitted to WNC for consideration in support of these changes. In addition, the Technical Note also acknowledges financial contributions towards village improvements, an A43 signage strategy, and demonstrates how traffic reduction could mitigate impacts on specified off-site junctions.
- Chapter 12, Noise & Vibration – a revised or addendum chapter 12 has been submitted in response to changes in the proposed A43 road layout and to the speed limit. The eventual upgrade from single to dual carriageway alongside the site (which is not included within the current application) will entail the speed limit being increased from 40mph to 60mph, so the ES addendum addresses the predicted increases in road-traffic noise impacts upon the development, and upon the surrounding network. This update to Chapter 12 demonstrates that the proposed development can be delivered alongside the potential A43 dualling without the requirement for an acoustic fence. Mitigation measures are proposed

to reduce the impact of existing road traffic and air traffic noise within buildings, and include the implementation of building envelope and ventilation specifications to reduce noise breaking into dwelling or the proposed school. Overall building layouts are to be used to reduce traffic noise levels across the site, specifically the use of 'barrier blocks' arranged alongside the boundary with the A43 which are still advocated in order to achieve suitable noise levels in external amenity areas. This is written into the Design Code, which specifies 7.5m high development facing the A43. It is however noted that air traffic noise will result in higher levels in external amenity spaces for shorter periods, and that potentially a number of residential external amenity areas will experience noise levels in excess of the BS8233 guidelines due to road traffic noise. This would be dependent on the distance between the road and the proposed site layout, and would need to be finalised at a later detailed design stage. The addendum reiterates that noise and vibration should not be a constraint to the granting of outline planning permission here.

- Chapter 14, Drainage – In response to the changes along the A43 frontage changes have been made to the proposed drainage strategy, however it remains largely as before otherwise. Along the western A43 edge, surface water flows will now be attenuated via an onsite attenuation basin designed to accommodate the 1 in 200-year plus climate change event rather than utilising highway ditches. A revised Flood Risk Assessment (FRA) and drainage technical Note have been submitted in support of the revision.

#### Overall conclusion on the Environmental Statement

- 8.28 All new development has some impact on the environment, however here the ES has not identified any significant and/or long-term major adverse impacts. Where impacts have been highlighted, mitigation measures have been proposed. These mitigation measures would be secured through planning conditions, should the application be approved. The ES is therefore considered to contain 'adequate information' to facilitate the determination of the application.

#### **PRINCIPLE AND SCALE OF DEVELOPMENT**

- 8.29 Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, when assessing applications within the NRDA, the development plan consists of the policies within the WNJCS, the recently adopted Settlements and Countryside Part 2 Local Plan and relevant policies in the emerging Northampton Part 2 Local Plan.
- 8.30 At the heart of the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development, so it is necessary to assess the proposal in the context of the NPPF and to determine the sustainability of the proposal. The NPPF identifies the three overarching objectives namely social, economic and environmental. In establishing whether this proposal amounts to sustainable development regard must be had to the framework as a whole.

8.31 Annex 1 of the National Planning Policy Framework makes reference to due weight being given to relevant policies in existing plans according to their degree of consistency with the Framework and that the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given. A review was undertaken in December 2019 of the policies of the West Northamptonshire Joint Core Strategy (adopted December 2014) against the then current NPPF (February 2019). That confirmed that many of the policies remain up-to-date and consistent with the current NPPF and on this basis they should continue to be given full weight as part of the development plan for the purposes of decision-making.

*Location and quantum of development*

8.32 Policy S1 of the WNJCS sets out how development will be distributed. It focuses development in and adjoining the main urban areas of Northampton and Daventry and limits it in the rural areas. Policy S5 makes allocations for Sustainable Urban Extensions (SUE's), which for the Northampton North SUE is 'in the region of' 3500 dwellings plus 10ha of employment land. The Overstone Green application site forms part of the Northampton North SUE, the remainder being the Overtone Leys development to the immediate south, now approved and under development. Policy N3 sets out the site-specific requirements for the whole SUE including the scale of housing and employment; school and local facilities; highway infrastructure; public and sustainable transport; green infrastructure (GI); archaeological/ecological assessment; and flood risk management. It also requires that: *'Development proposals must be accompanied by a masterplan'*.

8.33 This current outline application is for Overstone Green, the northern part of the Northampton North SUE allocation, and follows the earlier outline application for Overstone Leys. It is important that this current application meets the requirements of Policy N3 and that it responds to the approved masterplan for Overstone Leys in terms of connectivity and the provision and location of new facilities.

8.34 Up to 2000 dwellings were approved at Overstone Leys, therefore the current application for 1600 dwellings for Overstone Green is providing marginally more than the required 1500 dwellings, however, providing other policy considerations are satisfied, this would be acceptable. The overall figure of 1500 dwellings for Overstone Green should not be regarded as a fixed or 'hard' ceiling, given the wording in the policy; however it is up to the applicant to make a convincing case that there would be no adverse consequences in approving a relatively modest increase.

8.35 In terms of employment land, Policy N3 requires approximately 10ha for local employment opportunities over the whole SUE (criterion c) and the supporting text at para 12.27 states that this will be on a dedicated employment area. The Planning Statement accompanying this outline application (para 5.11) states that Overstone Leys has already provided 3.83ha of employment land and sets out how the balance will be met on this site. However, the decision notice for the Overstone Leys outline (DA/2013/0850) states that the 3.83ha is for the local centre, of which up to 5,000sqm would be light industry in classes B1(c); the rest is for a foodstore, pub, care home, day nursery, medical centre and 5 retail units. These uses will generate some employment albeit some of them not in the general business/industrial categories of development normally envisaged for a 'dedicated employment area.'

8.36 The Policy does not however define 'local employment opportunities' other than to note in the supporting text that these *'...will not prejudice major office expansion and leisure development within Northampton Central Area.'* The picture with regard to local employment needs and opportunities has altered appreciably since this policy was written, and remains somewhat fluid due to changes in macro-economic factors, especially with respect to the demand for office accommodation in and around

Northampton. The applicants maintain, with some reasonable justification, that employment provision needs to be responsive to commercial demand, and the current outline proposals incorporate sufficient flexibility to address this over the development timescale of Overstone Green, whilst not concentrating overly on any individual employment sectors but providing a spread. Subject to the detail of subsequent reserved matters applications, this approach is, on balance, considered acceptable.

#### *Education and Community Provision*

- 8.37 The provision of a two-Form Entry primary school and a local centre would satisfy criteria b) and d) of Policy N3 respectively. The illustrative masterplan for Overstone Green shows the local centre, employment area and school located at the northern edge of the site. It is logical to locate the primary school and the local centre close together.

#### *Biodiversity and Green Space*

- 8.38 Policy N3 i) specifies that provision should be made for structural greenspace and wildlife corridors, incorporating Cowpasture Spinney. Policy BN1 supports measures to enhance existing green infrastructure (GI) and to provide new GI. Policy BN2 supports development that will maintain and enhance existing designations or deliver a net gain in biodiversity. Cowpasture Spinney is a Local Wildlife Site (LWS, a local non-statutory biodiversity designation) and has been designated as a Local Green Space (LGS) through the Part 2 Local Plan.

#### *Sports and Leisure*

- 8.39 Policy N3 j) refers to sport and leisure provision. Policy RC2 goes on to state that new residential development should make provision for community facilities and open space in accordance with the standards set out in open space/recreation studies, in this case, the 2018 Open Space Sport and Recreation Study (OSSR) as it relates to the NRDA. RC2 specifies that financial contributions towards the provision or enhancement of existing community facilities will be required from new development as set out in the Part 2 Local Plan; consideration under Part 2 Local plan policies CW1 and CW2 is given below.

#### *Housing*

- 8.40 Policy H1 states that new housing development will provide a mix of housing types, sizes, and tenures to accommodate needs. The policy requires new housing developments to make efficient use of land and to provide for a mix of types, sizes and tenure, and gives an average minimum density for the SUEs as 35dph. The Planning Statement (para 3.4) states that this will be achieved.
- 8.41 Policy H2 sets out the proportions of affordable housing provision that will apply across the plan area. In respect of the Northampton Related Development Area (NRDA), H2 states that 35% affordable housing is required on sites of 15 or more dwellings. On sites within the NRDA a preferred housing tenure mix of 70% rented and 30% intermediate housing, preferably shared ownership will be required. This is an outline planning application for appropriately 1600 dwellings; 35% would therefore equate to 560 affordable dwellings comprising 392 rented dwellings and 168 shared-ownership. The house type and location of the affordable housing will be determined at the reserved matters stages and will need to take account of relevant up to date evidence.
- 8.42 In addition, Policy Ho4 of Housing SPD inherited from the former Daventry District specifies a preferred housing tenure mix of 70% rented and 30% intermediate housing. The Housing SPD states that the affordable housing clusters should be between 5 and

20 dwellings in schemes over 200 dwellings. In terms of the housing mix, the adopted Part 2 Local Plan policy HO8 applies across the former Daventry District, and is considered below.

### **Settlements and Countryside Local Plan (Part 2) for Daventry District, 2020**

- 8.43 The Settlements and Countryside Local Plan was adopted by the former Daventry District Council on 20th February 2020 and became part of the development plan for the West Northamptonshire Authority from 1<sup>st</sup> April 2021.
- 8.44 Policy SP1 sets out the spatial strategy for the former Daventry District area, and Criteria F and G are relevant. Criterion F requires development to promote healthy and active lifestyles through sustainable transport and protecting and enhancing GI networks. The illustrative masterplan shows a comprehensive GI network incorporating footpaths and cycleways, so providing this is carried forward to the reserved matters application this criterion would be satisfied. Criterion G requires development to protect the built and natural environment. Cowpasture Spinney (a Local Wildlife Site and Local Green Space) is shown as being retained and the general lack of direct public access would help to protect the biodiversity value of the site.
- 8.45 Policy ST1 supports measures to promote walking and cycling, including at the SUEs (criterion B). The illustrative masterplan shows pedestrian and cycle links within the GI network, which would link the residential areas to the school, employment area, and local facilities. This would have positive health and wellbeing benefits, providing routes and areas for informal exercise and for people to meet/socialise. It is important that the network links through to Overstone Leys and that these links are retained at the reserved matters stages as usable and attractive connections. The masterplan shows retention of an existing public right of way from Overstone through Cowpasture Spinney to the school and local facilities, which is positive as it provides links to and from the village.
- 8.46 Policy HO8 covers a range of housing policy requirements. Regarding the mix, part B identifies the housing mix and type that proposals are expected to provide for both market and affordable dwellings, specifying a target mix and an acceptable range. Part C of policy HO8 also states that dwellings need to meet peoples' changing circumstances over their lifetime, specifying standards that will need to be met proportionately across housing sizes. Criterion i) sets out accessibility standards for market and affordable dwellings, with 50% of all dwellings to be constructed to specified accessibility standards as follows:
- Market dwellings – 50% to M4(2)
  - Affordable dwellings – 40% to M4(2) and a further 10% to M4(3).
- 8.47 Part C also requires proposals to meet other housing standards. Criterion iii) requires all new dwellings to meet the National Space Standards as a minimum and a condition can be placed on the outline permission to this effect. A condition should also be applied concerning water efficiency in line with Policy HO8, requiring that all new dwellings should include water efficiency measures to comply with a limit of 110 litres per person per day.
- 8.48 Policy ENV1 requires developments to maintain the distinctive character of the landscape. Of particular relevance is the requirement under B iii) to avoid creating hard developed edges to the open countryside. Criterion C requires the production of a landscape and visual impact assessment; the Council's Landscape Assessment Toolkit can assist in this. The majority of the site is contained within Landscape Character Type (LCT) 4 'Rolling Ironstone Valley Slopes' and specifically 4b 'Moulton Slopes' Landscape

Character Area. The Council's Landscape Character Assessment sets out landscape guidelines for this LCT which include restoring woodland and hedgerows (including hedgerow trees), utilising local stone sources, respecting local vernacular styles, avoiding perceptual coalescence of settlements, and creating a vibrant/visually appealing urban/rural fringe. It is therefore important to ensure that the development, particularly along its western and northern edges, has an appropriate landscape boundary treatment to ensure a transition to the open countryside. Existing hedgerows and trees should be retained where possible and enhanced through additional appropriate planting; this is indicated in the illustrative submitted material.

- 8.49 Policy ENV4 aims to protect, enhance and restore the GI network, and Policy ENV5 supports proposals that conserve and enhance designated and undesignated sites in accordance with their status.
- 8.50 Policy ENV10 aims to raise the quality of design in new development. Details of the design of the development are reserved; however, design aspirations and a methodology to achieve a high-quality community should be confirmed as a commitment at the outline stage for a development of this scale and nature. The use of the submitted comprehensive design codes, which can be specified by condition, should therefore be stipulated at the outline permission stage.
- 8.51 Policy ENV11 requires any development to manage flood risk and where appropriate to protect and improve the quality of the water environment. Developers are required to comply with strategies and guidance produced by the Lead Local Flood Authority (LLFA) and Anglian Water. Cowpasture Spinney contains a stream which, according to the ecology report, is an important ecological feature but which also displayed evidence of pollution at the time of survey. The development should manage flood risk from the site and ensure that surface water run-off does not adversely affect the quality of the stream and, if possible, should take the opportunity to improve the quality of the stream. The extensive sustainable drainage system indicated between the Spinney and the development will perform this function if deployed as per guidance from the LLFA.
- 8.52 Policy CW1 requires development to promote healthy and active lifestyles and to demonstrate consideration of all aspects of health and wellbeing. In addition to the footpath and cycleway networks discussed above, the policy requires new community facilities and open spaces, and encourages the submission of a Health Impact Assessment (HIA) under criterion B. A HIA was requested and was submitted in support of the application; it is generally acceptable and confirms that the illustrative proposal aligns with policies and aspirations for informal local recreation and other public health benefits. It is important however to ensure that sufficient space is identified even at this illustrative stage for allotment/community garden/orchard use.
- 8.53 Further to WNJCS policy RC2, policy CW2 sets out the open space requirements for new developments in the NRDA. In order to inform the sports and open space requirements for Overstone Green the Council commissioned additional work in late 2019. A report was produced by Nortoft (who also prepared the Daventry Playing Pitch Strategy and other work that underpins the Part 2 Local Plan) which considered the requirements for the various open space typologies, based on an anticipated population of 3711 (for up to 1600 dwellings, as per the current outline application). The report was however only received shortly before the outline planning application was submitted so was not able to inform the outline application. It is however, of use in helping to determine the nature and quantum of appropriate contributions towards offsite formal sports provision - see below.

- 8.54 The anticipated population is based on the mix of dwelling sizes set out in the Northampton's Part 2 Local Plan Submission Draft and the persons per house as per Daventry District Council's Infrastructure SPD (October 2013). The table shown in the assessment section of the report below shows that the proposal satisfies and in fact exceeds the requirement for all of the open space typologies, apart from allotments, where a shortfall from the strict policy requirement is apparent. It is noted that the sustainable drainage is contained within the accessible natural and semi-natural green space, which should be acceptable providing the SuDS is not wet for most of the year. The applicant should also take into account quality standards set out in the policy.
- 8.55 The report also refers to the need for a multi-functional community/village hall as well as marked walking and running routes. The illustrative proposal includes the conversion of an existing traditional agricultural building to a community hub, which is inspired by the successful adaptation and conversion of a pre-existing farmstead into a new community hub/ community centre facility at the emerging Houlton/Rugby Radio Masts development just to the west of the M1 on the western fringe of Daventry District. Whilst the existing barn complex appears to be capable of restoration and adaptation (this element of the scheme is supported by a structural appraisal that concludes that retention and conversion is feasible) it will need to be carefully designed and extended in order to provide a facility of sufficient size and nature for Overstone Green. Walking/running are shown on the illustrative masterplan within the GI network, thereby meeting this requirement. As the spine road runs through some of the open space attention to this at the detailed design stage will be important to ensure the open space network retains its integrity.
- 8.56 The November 2019 Nortoft report into Sports and Open Space needs also considers the requirements for the on-site provision of grass sports pitches and associated club house/parking and built sports facilities. However, there is no specific requirement within Policy CW2 for these to be provided on-site. Off-site contributions towards the enhancement of existing pitches and associated facilities to meet demand from the proposed development is the preferred option (as was the case with Overstone Leys) and this has been discussed at some length with the applicant, and with potential third-party providers. The council have engaged with the Northamptonshire Football Association and with the Football Foundation in order to explore potential football-related options, and engagement has taken place with Overstone Cricket Club in respect of cricket provision, and with Moulton College in respect of works to hockey/football/rugby pitches to meet increased demands from the future population of Overstone Green.
- 8.57 In terms of built leisure facilities (sports hall, swimming, fitness/gym) the Nortoft report confirms that any contributions are expected to be off-site. The provision of indoor sports facilities is now generally provided via CIL, in contrast to outdoor sports where those needs arising directly from any proposed development are normally provided for via S106 agreements. The 2019 Nortoft report provides further details of estimated capital and lifecycle costs for new-build pitches and built facilities, which although not directly applicable in this case (as provision will be off-site) can serve as a reference point for the consideration of contributions for off-site pitch provision.
- 8.58 Policy PA1 protects the function, openness and permanence of designated Local Green Space. As explained above, Cowpasture Spinney was designated as a LGS through the Part 2 Local Plan, and is retained and safeguarded under this outline application.

### **National Planning Policy Framework**

- 8.59 At the heart of the National Planning Policy Framework is the presumption in favour of sustainable development, so it remains necessary to assess the proposal in the context of the NPPF and to determine the sustainability of the proposal. The NPPF identifies that

achieving sustainable development means the planning system has three overarching objectives, namely social, economic and environmental, which are interdependent but need to be pursued in mutually supportive ways. In establishing whether the proposal amounts to sustainable development regard must be had to the Framework as a whole. The paragraphs fall within a series of chapters. Chapters 5, 9, 12 and 15 of the Framework are most relevant.

#### *Chapter 2 – Achieving sustainable Development*

- 8.60 The presumption in favour of sustainable development (para 11) sets out that development proposals that accord with an up-to-date the development plan should be approved without delay. The submitted scheme is broadly in accordance with the Part 2 Local Plan.

#### *Chapter 5. Delivering a sufficient supply of homes*

- 8.61 This sets out the Government's approach to significantly boosting the supply of homes. It sets out that the size, type and tenure of the housing that is needed should be set out in planning policies. The WNJCS sets out broad requirements for the expected proportion of affordable housing and density at the SUEs. The submission is policy-compliant in that it refers to the adopted Part 2 Plan for house size and tenure needs and particular requirements in terms of accessibility. However, Northampton Borough's emerging Part 2 Local Plan submission draft is the relevant source for the NRDA and will need to be referenced.

#### *Chapter 8 – Promoting healthy and safe communities*

- 8.62 Chapter 8 sets out how planning policies and decisions should aim to achieve healthy, inclusive and safe places. The illustrative submission shows that it will meet the quantity standards for all open space types, with the exception of allotments. The proposal also includes a network of walking/cycling routes, which would also support healthy lifestyles. Further discussions with the applicants and third-party sports providers have been undertaken in order to clarify how the playing pitch and built-sports facility needs of the new population will be met. These should be reflected in any S106 agreement attached to an outline approval.

#### *Chapter 9 Promoting sustainable transport*

- 8.63 This chapter refers to transport issues being considered from the earliest stages of development proposals and identifies a number of objectives which includes identifying and pursuing opportunities to promote walking, cycling and public transport. The planning system should actively manage patterns of growth to support these objectives however the NPPF recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Furthermore, it refers to giving priority primarily to pedestrian and cycle movements, and secondly – as far as possible – to facilitating access to high quality public transport. Applications for development should also address the needs of people with disabilities and reduced mobility, and create places that are safe and attractive. The outline submission is in accordance with these objectives.

#### *Chapter 12 Achieving well designed places*

- 8.64 This chapter focuses on the importance of creating high quality buildings and places, and how good design is a key aspect of sustainable development. Paragraph 127 sets out, amongst other criteria, that decisions should aim to ensure that developments will

function well and will add to the overall quality of the area over the lifetime of the development, as well as to establish or maintain a strong sense of place; respond to local character and history; create safe and accessible environments; and are visually attractive. The proposal has the potential to achieve this, based on the submitted illustrative details and supporting material, and on the basis that the subsequent reserved matters applications adhere strictly to the revised Design Code throughout the lifetime of the development. The July 2021 revision to the Framework advocates the planting of street trees and in other public places such as parks and community orchards, which are incorporated within the outline proposals and specifically within the Design Code.

#### *Chapter 15 Conserving and enhancing the natural environment*

- 8.65 Chapter 15 looks at how the planning system should contribute to and enhance the natural and local environment. It sets out a number of measures to achieve this including protecting and enhancing valued landscapes and minimising impacts on biodiversity. The proposals broadly reflect these measures and principles.

#### Overall conclusion on the relationship of the application to the development plan

- 8.66 The proposed development is consistent with Policy S1 of the WNJCS. It meets the requirements of Policy N3 in terms of quantum of housing (albeit marginally more than required), primary school and local facilities. However, there is potentially conflict in terms of the quantum of employment land, with a shortfall apparent in the quantum of land to be provided when strictly compared to the Policy requirement to provide local employment opportunities in a dedicated employment area. On balance however, this is not considered to be an impediment to approval, as is recounted at 8.34 above. In terms of WNJCS Policies H1 and H2, the proposal meets the recommended minimum density.
- 8.67 Turning to the adopted Daventry District Part 2 Local Plan, the proposal addresses the requirements of policies SP1, ST2 and ENV4 regarding GI networks and promotion of sustainable transport and healthy active lifestyles, and, a health impact assessment has been submitted that demonstrates that the proposal generally addresses health issues in a positive way. Regarding Policy ENV1 the applicant has sufficiently demonstrated that the proposed development would have an acceptable impact on the landscape and takes into account the Daventry Landscape Character Assessment in respect of enhancement and mitigation, in particular in order to avoid the creation of a hard urban edge. The opportunity exists under ENV5 and ENV11 to enhance the LWS at Cowpasture Spinney and to improve its quality over time.
- 8.68 The proposal indicates that all informal public open space typologies will be provided on-site in accordance with the NRDA standards, with the exception of allotments where the total area indicated is below the indicated requirement; this is addressed further on within this report and is not considered fatal to the application. In order to comply with Local Plan Policy CW2 further discussions with external providers will address the contribution required towards sports pitches and built facilities.
- 8.69 Objections have been received from Overstone Parish Council and from some parish residents to the 'extra' 100 dwellings being proposed over and above the 1500 remaining units allowed for in WNJCS Policy N3, given that this is already a substantial quantum of development, in addition to other development that have been allowed locally. The applicants have justified this increase on the basis that the development costs of this site are marginal due to infrastructure costs, and therefore the 'extra' 100 units will enable the remainder of the strategic allocation to be delivered successfully.

- 8.70 Whilst this outline application for 1600 dwellings at Overstone Green is providing marginally more than the 1500 dwellings required by Policy N3, this is acceptable providing other policy considerations are satisfied. It should also be remembered that the policy does not set a rigid upper limit, specifying instead that 'in the region of' 3,500 dwellings be provided. The applicants have accepted that increased pro-rata contributions will be required to address additional infrastructure delivery, such as extra capacity at the primary school. The proposed 'extra' 100 dwellings represent less than 7% of the Policy N3 figure of 1500 units for Overstone Green and no significant adverse impacts arising from this modest increase have been identified. The environmental impacts of the proposal have been assessed on this basis.
- 8.71 There has been criticism of the applicants from Overstone Parish Council and from some village residents over the perceived inadequacies of the pre-application engagement process. To some extent, such criticism is inevitable with large development applications as they are not popular and engagement with everyone who may be potentially is challenging, especially as the timescales are long and the composition of parish councils/resident bodies may change over time. The DAS notes that the pre-application engagement process began in January of 2018, once the current applicant had full control over the development site, with discussions over the scheme design being undertaken with stakeholders, including Overstone and Moulton parish councils. The applicant's Consultation Statement outlines the process undertaken since November 2019 to engage the wider public and to raise awareness of the forthcoming application, which involved a website, leaflets, posters; it also includes a detailed record of matters discussed with the local authorities (including parish councils) over nearly two years from January 2018 to November 2019.
- 8.72 On balance it appears to officers that a sufficiently robust pre-application consultation process was carried out, albeit there will always potentially be room for improvement in such scenarios. It is also recognised that there was only a relatively short period between the public consultation carried out in late 2018 and the submission of the outline application in late 2019. Following validation of the outline application extensive public notification and consultation was undertaken by the District Council in the usual way, which is reflected in the volume and detail of comments and objections received.
- 8.73 In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that, on balance, the proposal (subject to suitable conditions and legal obligations) would result in sustainable development and that any harm as set out in the sections below would not outweigh the benefits of granting consent. Having regard to the matters set out above, planning officers are firmly of the opinion that the application accords with the development plan when viewed as a whole.

## **ACCESS AND IMPACTS ON THE HIGHWAY NETWORK**

- 8.74 The access and highways aspects of the application have been subject to extensive discussion with WNC Highways (and the former highway authority prior to April 2021), concerning the relationship with the A43 and the wider potential impacts arising from additional traffic generated by the development when complete. This reflects similar discussions and amendments that were undertaken concerning the Overstone Leys development. Both development form parts of the same allocation and both have a relationship to the upgrading of the A43 from the Round Spinney roundabout northwards, as well as having potential off-site traffic impacts that will need to be addressed.
- 8.75 Northamptonshire Highways Countywide Services oversees major road projects that affect both West and North Northamptonshire. In order to tackle congestion and improve

journey times NHCS proposes to dual the A43 between the junction with the A45 north of Northampton up to the A14 junction at Kettering. Works to the Round Spinney roundabout and the construction of a new Moulton by-pass section up to the Moulton/Overstone roundabout have already been completed, and a new section of dual carriageway has been constructed north of this up to the new roundabout serving the top end of Overstone Leys. Such works however require external funding and the dualling of the section past the Overstone Green site and up to the Holcot/Sywell roundabout is subject to a bid process to secure funding. A bid for Major Road network funding was submitted in August of 2019 and is still under consideration, supported by a strategic business case prepared by NHCS. Further phases north of this, within the boundary of North Northamptonshire, will be needed to complete the dualling through to the A14 however, these have not yet been determined and are beyond the scope of this application.

- 8.76 The current residential-led development proposal is not required to provide this 'missing link' but is required to make a financial contribution towards the planned dualling up to the boundary with North Northamptonshire at the Holcot/Sywell roundabout, and the scheme should be designed to facilitate this upgrade when it can be implemented in the future. The scheme as originally submitted in 2019 did not reflect the council's aspirations to achieve the eventual dualling of the A43 here so, after protracted discussion and consideration, a revised version was submitted in December of 2021 which better reflects the Council's plans for dualling this section of A43. This involves a revised single point of access onto the A43 via a larger roundabout – previously a smaller roundabout plus a separate 'left in/left out' access for the Employment Area was proposed. This revised access also necessitates minor changes to the illustrative internal layout in order to access the employment area from a proposed internal roundabout, and to compensate for the land-take of the revised A43 roundabout by making the commercial area slightly smaller.
- 8.77 The revised arrangement is designed to function initially with the existing single carriageway alignment of the A43, for as long as is required, and then to be incorporated into the planned dualling once the funding for this has been secured. The development is also required to contribute a sizeable portion of funding (£8 Million) towards the A43 dualling past the site, in the same way that Overstone Leys was required to contribute towards the funding of the earlier segments of the A43 upgrade, now built.
- 8.78 The development also is required to contribute towards public transport improvements, on a per-dwelling basis similar to the approach that was taken with Overstone Leys. Contributions are also required towards improvements to specified off-site junctions within surrounding villages where the need for improvements to improve their capacities has been identified by the applicants in conjunction with West Northamptonshire Highways. This work has identified the need for interventions at the Round Spinney and A43 Holcot/Sywell roundabouts in order to address issues predicted to arise from increased traffic flows from the proposed development. These works can be brought forward in the event that the council's dualling enhancement are not implemented.
- 8.79 Eleven other junctions within or serving surrounding villages or highway networks were also considered however the modelling carried out has only identified very minor specific interventions at three junctions, in Holcot and in Sywell. Discussions are being held with both parish councils to consider whether they would be content to have these works carried out or whether it would be preferred that the equivalent monies were spent on other village schemes for traffic calming etc. In addition, a further fund of £200,000 will be required from the development in order to go towards general village highway improvements within Overstone, Sywell, Holcot, and Moulton villages. Potential enhancements will need to be initially identified by individual parishes, and are expected

to focus on traffic-management and/or pedestrian-priority measures that would enhance the character and movement networks within the villages as well as focus on traffic. Again, this approach will mirror that taken with Overstone Leys.

- 8.80 The details of the internal road, footpath, and cycleway networks proposed within Overstone Green will need to be considered when the subsequent reserved matters applications for the constituent development phase and supporting infrastructure are submitted. However, these are broadly articulated in the Illustrative Masterplan and Parameters Plan, and the hierarchy of routes and their accompanying design principles are also detailed in the supporting Design and Access Statement and Design Code. This includes for a vehicular plus pedestrian and cycle links through to and from Overstone Leys adjacent. As is noted elsewhere in this report a design-led rather than car-focused approach to all forms of movement within a new development, and preferably led by the use of design codes, is advocated by best practice and by national guidance.

#### Overall conclusion on access and traffic issues

- 8.81 Access and movement considerations have proved challenging but it is now considered by WNC Highways officers that acceptable proposals have finally been submitted for both the site access and for measures to address any off-site impacts. Measures for non-car transport are also addressed. The final package of transport and access measures reflects and builds upon those previously adopted for Overstone Leys, but have had to be revised to reflect subsequent changes and potential impacts as identified in the modelling for Overstone Green. As was the case with Overstone Leys, highways considerations and impacts can be addressed through a mixture of planning conditions and the S106 agreement. The finer details of a small number of offsite junction improvements are still under discussion between the applicants and WNC Highways and an update will be provided at the committee meeting.

## **SCHEME DESIGN AND URBAN DESIGN PRINCIPLES**

### **Scheme layout and relationship to the rest of the SUE**

- 8.82 The current outline application encompasses the northern part of the Northampton North SUE, which was not part of the original allocation but which was added at the modifications stage prior to the adoption of the West Northamptonshire Joint Core Strategy. All aspects of the SUE therefore need to conform to the requirements of WNJCS Policy N3, including those elements that apply to the whole allocation. The text to the policy includes the requirement that: *'Development proposals must be accompanied by a masterplan'*. The policy does not require one application to be submitted over the whole site, however in the consideration of multiple proposals for this SUE it is necessary to consider how an application for part of the site would fit in with the totality.
- 8.83 At the time that the outline application for Overstone Leys (DA/2013/0850) was determined it was considered necessary for the applicant to demonstrate that development on the southern part would not prejudice the proper planning and design of the remaining northern part (Overstone Green). Prior to the determination of Overstone Leys the applicants submitted an addendum to their Design & Access Statement to demonstrate how this would be addressed, which specified:
- A further new point of access from the A43 to directly serve the additional 1500 units, in accordance with the requirements of the local highway authority

- Vehicular and pedestrian/cycle links between Overstone Leys and Overstone Green
- A further site for an employment/local centre and a site for a primary school
- A continuation of the green infrastructure links across the application sites, designed around Cowpasture Spinney; and
- A separate character area for the Overstone Green component of the site.

8.84 On this basis, it was considered at that time that the Overstone Leys outline application (DA/2013/0850) had demonstrated satisfactorily that the overall SUE allocation could be developed in two parts. This included an acknowledgement that the northern/Overstone Green section is a distinct and discrete area defined by strong existing hedgerows, and that it should be viewed as such in terms of its access, layout and design character, whilst incorporating links to/from Overstone Leys.

8.85 The submitted indicative layout for Overstone Green, as expressed in the revised Illustrative Masterplan and accompanying documentation, reflects these parameters and clearly incorporates the retention of the existing field boundaries plus the continuation of a wide landscaped strip along the eastern fringe, separating the built development from Cowpasture Spinney. It also includes a new primary vehicular access to/from the A43 at the upper (northern) end of the site, with a road link through the site to the northern part of Overstone Leys to be provided at the earliest opportunity, as well as non-vehicular links to Overstone Leys and to Overstone village beyond.

#### Overall conclusion on scheme layout and relationship to rest of the SUE

8.86 The proposed illustrative layout for Overstone Green clearly shows a discrete development well related to but distinct from Overstone Leys, incorporating its own principal access, local centre, and cluster of community buildings on a scale commensurate with the scale of the development overall. Given that the layout and development parameters for Overstone Leys were established some time prior to the submission of this application, the response to the site constraints and opportunities and to the adopted policy is considered to be acceptable.

#### **Urban Design and Phasing**

8.87 The design principles underpinning this outline planning application are detailed within the submitted Design & Access Statement, referenced above. The use of the terminology of 'Urban Design' has attracted adverse comment from some third parties, and in particular Overstone Parish Council, because this is perceived as a rural and not an urban site, and therefore it is felt that more effort should be made to replicate the built form and character of the existing village. The application of the principles of 'urban design' is however wholly appropriate and necessary for any development that involves significant new building and which establishes spaces and neighbourhoods as well as just buildings. 'Urban design' in its entirety encompasses buildings, landscape, and the spaces that surround and link these, and is concerned with place-making. It does not just relate to towns and cities.

8.88 A National Design Guide was introduced in September of 2019, and identifies ten characteristics that identify and articulate the Government's priorities for well-designed places. In brief, the current application responds to these as follows:

1 Context – this is defined as the location of the development and the characteristics of its immediate, local and regional surroundings. It is always going to be a challenge to introduce a very substantial development into a previously undeveloped rural locality, and a profound visual impact will be inevitable. The illustrative masterplan shows that

much thought has been given to strive to achieve this however, including integrating the proposed built form into the landscape. The illustrative proposals create new green spaces within the proposed built form that will link through to the wider countryside beyond and bring an element of the countryside into this part of the sustainable urban extension, and help, over time, to establish a sense of place. Whilst the nature and scale of the new built form will inevitably generate a markedly different character to that of Overstone village, this context can be reflected in the use of local building materials and other key character features such as stone boundary walls. These elements will be addressed at the detailed design stages but are referenced in the proposed Design Code.

2 Identity – the National Design Guide states that *‘The identity or character of a place comes from the way that buildings, streets, and spaces, landscape and infrastructure combine together and how people experience them. It is not just about the buildings or how a place looks but how it engages with all of the senses’*

When developing a small site within an existing built context there will be many detailed design elements in the surrounding environment that can influence the form of new development, however a large project on a relatively flat site on the rural fringe will need to be approached differently. A new self-contained development will need to establish its own identity, whilst reflecting design elements from the wider locality (such as height and massing of buildings, external materials, use of landscaping, and features such as porches, boundary walls etc.). Across a large site, care also needs to be taken to avoid monotony; there should be some commonality in the design of streets and spaces but also some variety in order to provide visual interest and to aid legibility. The submitted Design Code provides a robust blueprint for doing this at the reserved matters stage, however consistency will need to be applied by the local planning authority throughout the lifetime of the buildout to ensure that an acceptable outcome is achieved.

3 Built Form – This describes the three-dimensional pattern or arrangement of development blocks, streets buildings and open spaces, and is concerned with the relationship between these elements more than with their individual characteristics. In particular, well-designed places should have compact forms of development that are walkable; accessible local public transport, local services and facilities; recognisable streets and spaces with clearly defined edges; and notable features, spaces or groups of buildings that create a sense of place. The parameters for these requirements are contained within the proposed Design Code for Overstone Green, particularly the rules addressing streets, building, spaces, and the relationships between them. This is essentially the application of the established principles of creating good Townscape, which should be apparent in any built development.

4 Movement – with respect to new residential developments movement options for the future occupants and users should be fully integrated into the scheme design and form, and should apply to all modes. Whilst car use and ownership will remain a reality within rural and urban-fringe areas for some time, movement within and beyond these areas by foot, cycle and by public transport should also be incorporated from the start, offering alternatives to the car. The imperative for residents to have access to local path and cycle-way networks in order to access local facilities and destinations as well as for leisure is reflected in the National Design Guide and has been highlighted by the Covid crisis.

The Illustrative Masterplan and the Design Code show an interconnected network of streets, greenways, pathways and cycleways throughout the site and using existing features such as public rights of way and existing field boundaries. This extends down to the detailed design and hierarchy of streets within the development, which are to be

designed not just predominantly for the convenience of car-users. If these provisions are strictly adhered to throughout the buildout of the development then the movement network throughout the development should meet and balance the different needs and demands placed upon it.

5 Nature – the meaningful inclusion of greenspaces and biodiversity is another key element of good placemaking that has gained prominence during the Covid crisis. The illustrative proposals look to address this through the retention of existing field boundaries and their incorporation into new greenways and green corridors throughout the site, as well as by retaining the adjoining Cowpasture Spinney local nature reserve with strictly limited public access. The landscaped area separating Cowpasture Spinney from the built development will incorporate surface-water drainage ponds, which will also be designed and managed to maximise their biodiversity value. A requirement for a 10% net gain in biodiversity is not yet mandatory but is likely to become so in the next couple of years. Furthermore, advanced planting (of structural landscaping etc.) should be provided from the outset so that it becomes established as soon as possible.

6 Public Spaces – the need for meaningful and well-delivered public spaces has also been highlighted by the current crisis, as more people are likely to be working at or nearer to home, and therefore needing to use local public spaces for relaxation. The definition of public spaces includes all spaces used and appreciated by the public, so a comprehensive approach should be taken to streets and greenways as well as to defined recreational and civic areas. This is broadly reflected in the submitted illustrative details and Design Code, which provide for a number of key public spaces with defined design aims that will be related to one another via the structure and requirements of the Design Code - Local Centre, Greenways, local pocket parks and play areas, a landscaped border to Cowpasture Spinney etc. The phasing of public spaces is also important and these should be provided as early in the buildout as possible, especially where they constitute strategic features across the whole site. Place-making principles have been reflected in the street-design criteria within the Design Code in order to ensure that streets and pathways are attractive civic spaces and not just conduits for cars and other vehicles, and are not dominated by parked vehicles. This includes the planting of street trees where possible, which aligns with the recent exhortation within the July 2021 revision to the NPPF to *'ensure that new streets are tree-lined.'*

7 Uses – the National Design Guide notes that *'Sustainable places include a mix of uses that support everyday activities, including to live, work and play.'* The components of this development are principally allocated in line with adopted WNJCS Policy N3. Overstone Green has been laid out to function as a broadly self-sufficient development, and the mix and distribution of uses overall as proposed are broadly in accordance with policy and are considered acceptable. Further attention will need to be paid to the detailed delivery of the component spaces and sub-areas within the site at the reserved matters stages, however the proposed development parameters and Design Code provide a robust framework to facilitate this. The issue of how to accommodate different residential tenures within a development is also raised in this section of the National Design Guide, and at the outline planning stage this can be addressed via the affordable housing section of the section 106 agreement.

8 Homes and Buildings – this element of the National Design Guide addresses the detailed design of individual buildings, which also includes the spaces around them and how they relate one to another. It has limited application at the outline planning stage, however the broad design parameters plus elements such as street design and the indicative layouts of development areas are addressed in the Overstone Green Design Code. Beyond that, the specifics of home and building design will need to be addressed

at the detailed planning applications stages, and with due regard to the Design Code and Building Regulations in force at the time.

9 Resources – this section of the Guide addresses energy and sustainability issues in terms of land, water, energy, and materials; and particularly in terms of how a proposal responds to climate change. These key considerations are already addressed in many national and local policies applying to this site and development. Not all elements (e.g. waste disposal or recycling; domestic heating etc.) can necessarily be directly addressed via the land use planning system however this outline application looks to address those elements that should be considered at the outline planning stage. In design terms, these include the efficient use of land through appropriate residential densities; surface water management and conservation; greenspace provision; allowing room for biodiversity; and the provision of electric vehicle charging points. Provision has also been made for allotment gardens and community orchards in the indicative scheme.

10 Lifespan – this final section within this part of the National Design Guide is particularly applicable to major housing schemes and flags up the need to endeavour to ensure that developments will evolve into viable and self-supporting communities. This includes environmental sustainability and adaptability to changing technologies and live-work patterns of buildings and neighbourhoods, plus considerations of tenure and ownership of the future properties. Many of these issues are difficult to address comprehensively via an outline planning application for a development likely to have a ten to fifteen year build-out period, and can be subject to external trends and influences and/or are not directly controllable via the land use planning system. The key consideration however is to ensure that any outline permission, whilst specifying certain key development parameters to be adhered to from the outset, incorporates enough flexibility to be able to adapt over time to changing needs and evolving technologies.

- 8.89 In terms of how the delivery of the proposed will be phased the latest (January 2022) Phasing Plan indicates development commencing around the main point of access and then gradually spreading east and south, with the local centre and community infrastructure being provided in phases 1 and 2. The employment area at the north-western end is shown as a separate phase, but no indication of its delivery relative to the other phases is given.

#### Overall conclusion on urban design and phasing

- 8.90 Some adverse comment and objections have been received from Overstone Parish Council and others regarding the illustrative design material and supporting imagery submitted. This covers a number of design issues, including building heights, external materials, and the detailed design of proposed buildings as suggested via the illustrative images of houses and local centre buildings. Furthermore, the use of the terminology of 'Urban Design' has itself attracted criticism from OPC who consider that an overtly 'rural design' approach should be taken, together with an explicit aim to replicate the existing character and appearance of the 2-storey built form evident within Overstone village. In-depth discussions with representatives of OPC have helped to address these concerns.
- 8.91 It is important to acknowledge that this application is in outline, but that it is supported by an illustrative masterplan and detailed design explanation, plus a detailed and prescriptive design code. This additional layer of design control was not included at the outline stage with the preceding Overstone Leys application, where the requirement for a design code to be submitted and agreed was stipulated by condition. The term 'Urban Design' is well established and refers to the overall design of developments and places and refers to the context of buildings and the spaces around them rather than to

individual structures. It is also the case that this is a very sizeable allocated development site which, together with the earlier adjacent phases already approved, requires a different and more layered design approach than would be appropriate for, say, a small infill site within the existing village.

- 8.92 Much effort has gone into the preparation of the Design Code and the applicants have stressed their commitment to the long-term evolution of Overstone Green, and a wish to remain involved throughout the scheme build-out. Examples of an ongoing commitment to other major development projects, such as the Wixams new town near Bedford, have been quoted in support of this position. In order to secure the delivery of consistent high-quality design solutions when reserved matters proposals are subsequently submitted, planning conditions are recommended that require the Illustrative Masterplan and the design and layout principles in the accompanying Parameters Plans and the Design and Access Statement to be adhered to, together with detailed masterplans and design explanations for each development parcel. Additionally, strict adherence to the submitted and approved Design Code should also be secured by condition.
- 8.93 The form and content of the submitted Overstone Green Design Code broadly reflects the guidance and best practice advice contained within the National Design Guide (January 2021) and the National Model Design Code (July 2021). This includes specific design measures now advocated nationally, such as the increased planting of trees, particularly street trees. With respect to the proposed phasing of the development the initial phasing plan as submitted shows development commencing at the centre of the site, including the access off the A43, the local centre, community hub and primary school, and the bulk of the primary green spines running through the site. This will facilitate early and timely delivery of the key community infrastructure.

## **AFFORDABLE HOUSING**

- 8.94 Planning applications for housing have to be considered in the context of the NPPF's presumption in favour of sustainable development. Within the NPPF, there is a requirement to deliver a wide choice of homes and create sustainable, inclusive and mixed communities. Where there is an identified need for affordable housing, the NPPF states this need can be met on-site or off-site if it can be robustly justified. The NPPF states that the supply of new houses can be achieved through planning for larger scale developments, including extensions to existing villages or towns. Due regard also needs to be had to any relevant policy initiatives brought forward via ministerial statements, such as First Homes. The July 2021 revision to the NPPF clarifies, at paragraph 65, that *'Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least ten per cent of the total number of homes to be available for affordable home ownership.'*
- 8.95 Policy H1 of the WNJCS seeks to ensure that an appropriate mix of housing is provided which reflects the needs of existing and future households having regard to the evidence provided by the West Northamptonshire Strategic Housing Market Assessment (SHMA). It is noted within the text accompanying the policy that whilst the SHMA provides the starting point for the consideration of size and mix, it is also necessary to have regard to specific local circumstances and needs. Policy H1 advises that across 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.
- 8.96 The starting point for determining the appropriate proportion of affordable housing that should be provided within the SUE is 35% affordable housing within the Northampton Related Development Area (NRDA), which includes the whole Northampton North SUE.

Policy H2 also notes however that in all cases the appropriate percentage requirement will be subject to the assessment of viability on a site-by-site basis. The policy also requires that affordable housing should be provided on the application site as an integral part of the development, and that – for the NRDA – affordable housing needs will be secured through nomination agreements on sites within the NRDA.

- 8.97 The proposed development is required therefore deliver at least 35% affordable housing in totality, or 560 dwellings out of the 1600 total proposed, with a 70/30% split between rent and shared ownership. The Planning Statement confirms that the development will provide for 1,600 dwellings, including potentially an over-55's/residential care home, and that it will provide a range of types and tenures of varying sizes, including *'an element of affordable housing which is likely to include affordable rented and shared ownership.'*
- 8.98 As this application is in outline only, with all matters apart from access being reserved for later approval, the layout of the site is indicated in the submitted material but does not form part of this application in detail. Accordingly, the location and precise mix of the affordable homes are to be agreed at the reserved matters stages, and on a phased basis.
- 8.99 Policy HO8 of the adopted Local Plan (Part 2) for Daventry District sets out that housing need will be met by developments providing a mix of dwelling types and sizes to cater for current and forecast needs. This will also contribute to the creation of sustainable mixed and inclusive communities. Developments are expected to meet the requirements of this policy unless it is demonstrated that the requirements of this policy would make the development unviable to deliver.
- 8.100 It should be noted however that this development is intended principally to meet Northampton's housing needs, however the Daventry Local Plan (Part 2) does not state how this site should meet the housing need within the Northampton Related Development Area (NRDA). There is therefore no strict policy requirement to do so; the relevant planning policy remains as Policy HO8 within the Daventry Local Plan. Furthermore, whilst the submission Northampton Local Plan (Part 2) expresses Northampton's housing need this is articulated differently within the Northamptonshire Housing and Economic Needs Assessment (HENA). The role of the HENA is to support the emerging West Northants Strategic Plan, and it looks at housing and economic needs up to 2050; it also provides the most up-to-date housing need information. The HENA points to a more balanced approach with fewer smaller dwellings (due to their high turnover) and more family-sized accommodation, i.e. 2 and 3-bed units. Officers are advised by colleagues within the former Northampton Borough area that an ideal mix for the affordable rent is as follows, so consider that this should be pursued as closely as possible:
- 1 bed – 10%
  - 2 bed – 40%
  - 3 bed – 40%
  - 4 bed – 10%.

This mix would therefore take into account the need as identified in the Daventry Local Plan, the emerging Northampton submission local plan, and the Northampton HENA.

- 8.101 Within Policy HO8 a breakdown for target market and affordable housing that developments should meet is set out as per below. The policy accepts that exceptions to this mix will be accepted where robust evidence is provided to justify exceptions. The tables below also reflect the different parameters within the former Daventry DC and emerging Northampton Borough local plans; given that the Overstone Green site within

the Northampton Related Development Area (NRDA) then it should be aiming to meet the Northampton housing mix.

Affordable Mix (comparing policies):

	<b>Northampton submission LP - Policy 14</b>	<b>Daventry adopted LP – Policy HO8</b>
1 bed flat	19%	19-25%
2 bed flat	12%	42-52%
2 bed house	32%	
3 bed house	27%	21-27%
4+ bed house (6/7 persons)	10%	5-11%

8.102 Criterion D of Policy HO8 addresses specialist accommodation and states that schemes that provide specialised accommodation whilst promoting independent living will be supported, subject to a number of defined criteria (HO8, D i) to v)). Whilst this is an outline planning application, it includes the provision of an assisted living/residential care home (Class C2) and the illustrative submitted details indicate this adjacent to the proposed local centre.

8.103 Any 1 or 2-bed market apartments and 5-bedroomed affordable units would not be within policy requirements. A 5-bedroomed affordable property would not be sought, as there is no need for this size of property in this tenure. The latest housing needs data from the West Northamptonshire HENA shows that although there is a need for smaller accommodation types, high turnover of this accommodation means much of the need is met by relets. For this reason, a lower percentage of new-build affordable flats can be agreed.

8.104 The applicant will look to provide 17.5% affordable housing, comprising the following affordable units:

Social and Affordable rent:

Dwelling Type	%
1 & 2 bed apartments	13%
2 bed house	40%
3 bed house	40%
4 bed house	7%
Total	100%

Shared ownership

Dwelling Type	%
1 & 2 bed apartments	14%
2 bed house	44%
3 bed house	37%
4 bed house	5%

Total	100%
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The mix proposed is considered acceptable and meets WNC's guidelines set out above. All of the dwellings meet the space standards. Policy H08 also requires 50% of all dwellings to be built to the following accessibility standards:

- i. Market dwellings – 50% to M4(2)
- ii. Affordable dwellings – 40% to M4(2) and a further 10% to M4(3).

#### Overall conclusion on affordable housing provision

8.105 Subject to securing the affordable housing provision as set out above through obligations in the S106 agreement (and subject to scheme viability considerations, which are considered below), it is considered that the proposed development would be in accordance with Policies HO1 and HO8 of the Local Plan (Part 2) for Daventry District; and the submission Northampton Local Plan Part 2 (Policy 14); and in accord with the intentions of the NPPF.

#### **EDUCATION**

8.106 As is noted above in the planning policy section the provision of a 2-Form Entry primary school would satisfy WNJCS Policy N3, and the illustrative masterplan for Overtone Green shows the local centre, employment area and school being co-located at the northern edge of the site. Consideration also needs to be given to Early Years provision, and to provision for secondary education.

#### Early Years provision

8.107 West Northamptonshire Council (formerly NCC) has a statutory responsibility to provide Early Years services (e.g. pre-school, playgroup, and/or nursery provision) for eligible children aged two, three or four. The Department for Education (DfE) prefers that all new primary schools are delivered under the Free School route, and include as standard suitable Early Years provision. It is expected therefore that the Primary School will incorporate sufficient Nursery / Pre-school places appropriate to a 2FE school. The cost of this provision will be included within the cost of delivering the Primary School as described below.

8.108 WNC Education have advised that where a developer has included provision within the site for additional community or neighbourhood facilities and these are anticipated to be utilised to deliver further Early Years provision, then additional financial contributions towards Early Years infrastructure will not be sought. The illustrative scheme provides for a community facility within the local centre, adjacent to the primary school site indicated. This facility could also potentially be used as a nursery/preschool during the day and then be used for other community uses at evenings and weekends.

#### Primary Provision

8.109 The application states that the proposed masterplan has accounted for the need for a new Primary School, with a site identified to accommodate a 2-Form of Entry (FE) provision. The Planning Statement submitted with the application indicates that the proposed site will be a minimum 2ha, to be provided to the Education Authority at nil cost. The design, planning and construction a standard 2FE Primary School is currently estimated at £6.5m (based on recent build costs, compliant to Building Bulletin 103 standards), which this development will be expected to provide in full. Furthermore, in

the event that any design enhancements are required for the School to comply with the approved Design Code for the development, any additional costs arising should be fully funded by the developer through additional S106 contributions.

8.110 As the proposal however includes an 'extra' 100 dwellings at Overstone Green in addition to the 1500 specified in Policy N3 (taking into account both Overstone Leys and Overstone Green) it necessitates an additional provision, and the applicant has agreed in-principle with WNC Education to an additional primary education contribution in order to take account of the need arising from the 'additional' dwellings. The precise mechanism for this remains to be agreed within the S106 negotiations; a potential route may be to consider the delivery of the primary school within the development as 2FE with capacity to expand to accommodate a further 0.5FE, or for the school to be delivered as a 2.5FE from the outset. Either option would accommodate the entire predicted pupil yield from the site, providing capacity for 525 pupils against the 'original' forecast yield of 511 pupils. The Education Authority has confirmed that the 2-hectare site identified within the illustrative masterplan would be sufficient to accommodate this subject to detailed layout and design considerations, and that the enhanced financial contribution would contribute towards the cost of its delivery.

8.101 The site indicated for the Primary School generally complies with the requirements to be flat, suitable for accommodating playing fields and disabled access, and well drained; it should also be delivered cleared, free from any contamination, and fully serviced at the point of transfer. As with any Primary School being delivered as part of a larger housing development, the Education Authority requires delivery to be commensurate to the build-out. The Education Authority has specified a series of triggers to be incorporated into the S106 agreement to ensure timely delivery of the primary school, to ensure that pupils residing in the proposed development can be accommodated locally, subject to review of existing local capacity if required.

#### Secondary Provision

8.112 Secondary Education contributions for the former Daventry District area had previously been secured through developer contributions under the Community Infrastructure Levy (CIL). This was demonstrated by the inclusion of Secondary Education on Daventry District Council's Regulation 123 list. However, legislative changes effective from 1st September 2019 saw the removal of Regulation 123 in full. This has meant that as from 1st September 2019, where considered necessary, Section 106 contributions may be sought from planning applications for housing development towards additional Secondary Education infrastructure where there is expected to be insufficient capacity in the local area to accommodate the number of pupils generated by the proposals.

8.113 The Local Education Authority have advised that Secondary Education capacity in the wider Northampton area has been fully exhausted, with current forecasts indicating continued high levels of demand for places. As a result, a number of new and expanded Secondary Schools are planned across the town to meet the demand, including a new Secondary School to serve the north of Northampton, to meet the need arising in part from the Northampton North SUE. At the time of writing this report a planning application for a new 1,200-place secondary school including sixth-form to address the requirements of the north of Northampton (including the Northampton north SUE) is still under consideration (application number WND/2021/0610, at land known as Wantage Farm). This is on land at Thorpeville on the outskirts of Moulton, some 2km to the south-west of the site, adjacent to the former A43. The application was considered by the Strategic Planning Committee at its 27<sup>th</sup> January meeting, and was recommended for approval subject to a number of outstanding issues being satisfactorily resolved. The Wantage

Farm scheme was granted permission subject to the agreement of planning conditions to help mitigate its local impacts.

8.114 The Education Authority has advised that if this secondary school proposition goes ahead in a timely fashion then a secondary education contribution would not be required from the development as it would be directly funded in its entirety by the DfE as it would be provided under the 'free school' route. This is notwithstanding that this proposed free school would not be obliged to preferentially receive pupils from the immediate locality (there is no 'catchment' as such) and pupil applications could be made from wider afield, so school places for Overstone Green residents would not be guaranteed. If this project does not go ahead however then the LEA advises that a S106 Secondary Education contribution from the Overstone Green development will be required in order to ensure that the pupils generated by the development over time can be accommodated at local schools, existing or planned, in accordance with the current DfE guidance on securing developer contributions. If required, staged triggers for secondary education payments would be similar to those used for Overstone Leys. Secondary education contributions could however also be sourced, in whole or in part, from the council's CIL revenues.

8.115 The applicant's scheme Viability Appraisal reflects the impact that the availability or otherwise of outside funds for secondary education would have upon scheme viability and, in particular, the provision of affordable housing. Assuming that the permission for the secondary school at Wantage Farm is issued and that development goes ahead in a timely fashion then secondary education contributions from Overstone Green will not be required.

#### Overall conclusion on the impact of the development upon education provision

8.116 In summary, early years and primary education needs resulting from the proposed development can all be secured via the S106 agreement or planning conditions in accordance with development plan policies. There is an identified unmet need for additional secondary school places within the locality, to provide for existing and forecast needs, including those arising from Overstone Green. This need with respect to Overstone Green could be met via a number of options, including S106 contributions and/or CIL funds, however now that it has been confirmed that a new Free School can be delivered nearby (at Wantage Farm), at nil cost to the development, it has been established that a secondary education contribution from Overstone Green will not be required. Any outline planning approval/S106 agreement should however incorporate alternative funding routes should the Wantage Farm academy not come forward.

#### **HEALTHCARE**

8.117 Policy CW1 (Health and Wellbeing) of the adopted Settlements and Countryside (Part 2) Local Plan sets out the requirements for the provision of health care services to meet the anticipated additional demands arising from the proposed development. WNJCS Policies INF1 and INF2 require new developments to provide the necessary infrastructure to support the needs arising.

8.118 Part 2 Local Plan Policy CW1 (Criterion C) also encourages the submission of a Health Impact Assessment (HIA) in support of major development proposals in order to identify health implications, mitigation of potential negative effects, and to maximise opportunities to promote health, wellbeing, and active lifestyles. A HIA was requested and received; this highlighted a number of issues to be addressed and opportunities to be taken, including allotment provision; pedestrian and cycle links within and beyond the site; air quality in relation to peak-time traffic on the A43; and minimum space standards within dwellings. These concerns/issues can largely be addressed via scheme design

and by planning conditions/legal agreement, and then followed up as appropriate through reserved matters applications.

8.119 Consultation feedback received from NHS England via the County Commissioning Group (CCG) has confirmed that there will not be sufficient capacity within the local primary healthcare infrastructure to absorb anticipated increases in demand created by the proposed new development.

8.120 The Practice in closest proximity to the proposed development has been identified as Moulton Surgery, and therefore it is considered that it is reasonable to assume that this practice will be most affected by the increase in population and will need to develop existing and/or new premises to accommodate the additional population growth. In terms of the impact of the new development on the Moulton Surgery GP Practice it is estimated that the development could result ultimately in an increased patient population of 3,888. This practice is already approaching capacity so WNC is advised that financial support will be required to ensure that the new population has access to good quality primary health care services within the locality. The practice proposes to construct a new facility on Sandy Hill Lane in Moulton, adjacent to the new Moulton Community Centre and Library, however this project is yet to gain full planning permission or to be commenced on-site. It is understood however that current plans for the new health centre will include capacity specifically intended to cater for future growth from the North of Northampton SUE, including Overstone Green.

8.121 At the time of drafting the report, officers are still liaising with the local Primary Care Development Manager with regards to exactly how and where the financial contribution will be spent and at what trigger points the contributions will be payable. This will be secured via the S106 agreement.

#### Overall conclusion on the impacts of the development on healthcare

8.122 Taking into account the comments raised by NHS England and the CCG, it is considered that with an appropriate financial contribution towards the potential expansion of local primary healthcare provision there would be sufficient additional primary healthcare provision to serve the needs of future residents of the proposed development.

#### **OPEN SPACE AND RECREATION**

8.123 Policy BN1 of the WNJCS requires new development to enhance and provide additional green infrastructure connections, and Policy BN3 supports proposals to manage existing woodlands and for the creation of new woodland. Policy N3 (Northampton North SUE) requires provision to be made on-site for structural greenspace and wildlife corridors (incorporating Cowpasture Spinney and Coleman Leys) as per the proposals map.

8.124 Local Plan (Part 2) policies CW1 and CW2 address Health and Wellbeing, and Open Space Requirements, respectively. Policy CW1 A ii) supports the provision of new community facilities and open spaces, including where they would:

- Improve the quantity and quality of accessible open space in line with the standards set out in Policy CW2 and the needs as identified in the 2018 Open Space Sports and Recreation Study (and updates)
- Be accessible by a choice of means of sustainable and active travel
- Create traffic-free or safe walking and cycling linkages; and
- Result in enhancements and links to the strategic and local green infrastructure network.

8.125 Policy CW2, at part B, sets out the required residential space standards for new residential development within the Northampton Related Development Area. In order to specifically inform the sports and open space requirements for Overstone Green Daventry District Council commissioned additional work in late 2019 from Nortoft Planning, which report considered the requirements for the various open space typologies based on an anticipated population of 3711 (from 1600 dwellings). The anticipated population is based on the mix of dwelling sizes set out in the Northampton's Part 2 Local Plan Submission Draft and the persons per house as per Daventry District Council's Infrastructure SPD (October 2013).

8.126 The table below shows the proposed level of provision in the outline application set against the Nortoft report's recommended provision; the proposal satisfies and in fact exceeds the space/area requirement for all of the open space typologies apart from allotments. Whilst the sustainable drainage (SuDS) infrastructure is contained within the accessible natural and semi-natural green space along the eastern edge, this is considered acceptable providing the SuDS is not wet for prolonged periods.

Type	Quantity proposed to be provided	Quantity Standard based on 3711 population	Accessibility level provided	Accessibility Standard
Parks and Gardens	5.74ha	5.31ha	On-site	710m walk
Amenity Open Space	7.84ha	5.38ha	On-site	480m walk
Accessible Natural and Semi Natural Green Space	8.66ha	5.83ha	On-site	720m walk
Children and young people's facilities	NEAP x 1 LEAP x 2	0.93ha	On-site	400m walk for LEAP 1000m walk for NEAP
Allotments	0.5ha	1.34ha	On-site	1000m walk
Total	22.74ha	18.79ha		

8.127 The submitted scheme, albeit still illustrative at this stage, incorporates a good range of play space, informal areas, predominantly natural/quiet spaces, pedestrian and cycle links etc. which build upon the positive landscape elements and opportunities existing onsite, in particular Cowpasture Spinney and the grid of hedgerows and trees defining the current field boundaries. A network of paths, cycleways and greenways is proposed throughout the site and linking in with Overstone Leys adjacent and with existing PROWs through the site and beyond, including links to Overstone village. Specific categories of POS are considered below:

*Amenity Open Space*

8.128 The illustrative details highlight significant areas of amenity open space, organised around a network of Greenways running through the site that largely follow existing field boundaries, public footpaths, or the route of the buried high-pressure gas main beneath the site that crosses from south-west to north-east. Collectively these provide meaningful alternative routes to the estate roads for non-vehicular movement. Overall the site will provide some 22.74ha of public open space (excluding 'wet' areas), which includes approximately 7.84ha of amenity open space. This exceeds the policy requirement for

5.38ha; the provision of parks and gardens and of accessible natural and semi-natural open space also exceeds the requirements for the site.

8.129 The scheme proposes two sizeable semi-formal amenity areas at the centre of the site where the principal greenway and linear park cross, together with smaller areas indicated at the ends of some of the greenways, including adjacent to the Local Centre, and within the residential development blocks. In addition, the illustrative masterplan incorporates a substantial linear area of open space along the entire eastern flank, separating the built development from Cowpasture Spinney, and continuing around the southern boundary with Overstone Leys.

#### Play Areas

8.130 Policy CW1 of the Local Plan (Part 2) sets out a requirement for 0.25ha per 1000 population, for children and young persons' facilities. The scheme will generate one Neighbourhood Area of Play (NEAP) with a central site within an amenity space at the junction of the central Greenway and the linear park, plus two more sites for Local Areas of Play (LEAP) at the western end of the linear park and adjacent to the Local Centre towards the eastern end of the site. A Landscape Framework drawing submitted alongside the revised details in October 2020 indicates a strong emphasis on high quality timber equipment, natural materials and natural play, to compliment the surrounding environment. Precise details will need to be addressed via the S016 agreement and subsequent reserved matters applications.

8.131 Effective future management and maintenance of these areas and facilities will also be important, and in particular the surface-water retention areas that will be positioned alongside Cowpasture Spinney. At this stage in the consideration of Overstone Green, it will be sufficient to include suitable provisions in the S106 agreement specifying a range of options for future POS management and maintenance.

#### Allotments

8.132 The initial illustrative scheme indicated the provision of 0.5ha of land for use as allotments, located at the northern end of the site in a linear strip adjacent to the primary school, community building, and care home. This is the only element of onsite open space provision where the scheme underprovides in relation to the optimum standard of provision, as the relevant standard indicates that well over 1ha should be provided – see above. The applicants have since confirmed that a minimum of 0.65ha can be provided if land nominally indicated for a bowling green is re-purposed. Provision of an acceptable minimum quantity of land for allotments and community orchard will need to be stipulated within the S106 agreement, which will also need to reference delivery standards and the timing of provision.

8.133 The applicants note that the 0.5ha quantum was agreed with officers almost a year prior to submission. With respect to Overstone Leys, there are no conditions or S106 requirement specifying a minimum level of provision, however 0.35ha is to be provided for allotment gardens in relation to Phase 3. There are no conditions or references in the S106 for Overstone Leys to exact figures for open space, including allotments, only a plan attached to the agreement that illustrates where the various types of open space will be located. This shows the allotments within the north-eastern-most corner of the development, adjoining the lower (southern) boundary of Overstone Green.

8.134 In qualitative terms the applicant has suggested a more flexible approach than strict adherence to the area-based provision of traditional large '10-pole' allotment plots. It is suggested that the site instead aims to provide a range of sizes including smaller, more

manageable plots, plus space for a community orchard, as well as an emphasis on 'edible hedgerows' within the landscape on-site. This approach is considered acceptable and should result in a form of provision that is more accessible to the wider community than a strictly traditional approach, however provision needs to be made based on a quantum of provision that is as close to the optimum level of provision as is possible.

### Sports Pitches

8.135 WNJCS Policy N3 (Northampton North SUE) specifies that provision will be made for '*sport and leisure provision*' with no specific requirement that this be addressed either onsite or offsite, or guidance as to what form this should take. WNJCS Policies INF1 and INF2 require new development to be supported by, and to provide good access to, appropriate infrastructure, including physical, green, and social elements, and that necessary on- or off-site infrastructure will need to be delivered in order to mitigate any impacts arising.

8.136 Local Plan (Part 2) policies CW1 and CW2 address Health & Wellbeing and Open Space Requirements respectively. Policy CW1 A ii) supports the provision of new community facilities and open spaces, including where they would:

- Improve the quality and quantity of accessible open space, sport, recreation and community facilities in the District in line with standards set out in Policy CW2 and the needs identified in the 2018 Open Space Sports and Recreation Study; and
- Be designed according to Sport England and national governing body guidelines.

As there is no specific requirement within policies N3 or CW2 for these to be provided on-site then contributions towards the enhancement of existing pitches and/or associated facilities off-site in order to create additional and enhanced capacity will be required, as was the case with Overstone Leys.

8.137 This option has been progressed with the applicant and with prospective third-party providers/partners within the locality. Prior discussions with the former Northampton Borough Council had identified scope to potentially enhance the existing provision for football at the nearby Round Spinney community football pitches as being a possible candidate for assistance, and discussions with the Northamptonshire Football Association and the Football Foundation have identified potential pitch and supporting facility enhancements at Moulton College. This latter initiative could potentially provide additional capacity for football, hockey, and rugby via the provision of a new artificial surface and accompanying facilities that would benefit all three sports at the community level by increasing the nature and duration of pitch usage. Discussions with Overstone Park Cricket Club, whose ground is only some 500m away from the site boundary, have also identified potential enhancements to their facilities that may arise due to the increased demand from the new population at Overstone Green.

8.138 The 2019 Nortoft report (referenced above) considered the requirements for new on-site pitches and associated sports facilities arising from the needs of the new population of Overstone Green, providing guidelines for the likely quantum of new facilities that would be required to cater for the sporting needs of the new population (based on 1600 dwellings, as per this application). It converts these to monetary figures to cover the estimated cost of providing new pitches and supporting buildings etc., plus ongoing (25-year) maintenance costs. This was however done based on new on-site provision, which is not readily transferable into costs for an equivalent off-site provision. Officers have therefore arrived at a figure, in discussion with the applicants, which relates to prospective off-site contributions; as with all potential contributions this may still be subject to the outcome of discussions over overall scheme viability.

- 8.139 The scale of prospective contributions has regard to the amount agreed for Overstone Leys and the scale and nature of funding requests received, and will need to be considered against the background of overall scheme viability. These will be incorporated within the S106 agreement, which should also include provisions relating to ensuring community use of third-party facilities. Some of these facilities in this instance may also need to be subject to match funding from other public bodies, such as the Football Foundation, whose aid terms also feature community-use clauses.
- 8.140 The most recent (March 2022) advice from the Football Foundation is that there are currently too many dynamic factors in terms of evolving planning policy and emerging local facility plans to be able to specifically back one particular local football/outdoor sports project over another, in terms of potentially receiving monies from this development. However, in reality, a reasonable level of contribution from Overstone Green is justified and necessary, given that there will be no on-site provision. This would reflect the approach taken with Overstone Leys. How these monies are eventually spent locally will be a matter for a pragmatic planning judgement within the S106, which will need to accommodate sufficient flexibility to respond to changing priorities and opportunities if necessary.
- 8.141 In terms of built leisure facilities (sports hall, swimming, fitness/gym) the Nortoft report for Overstone Green confirms that contributions are expected to be off-site. Indoor sports provision is included on the current council list of those facilities that are expected to be wholly or partly funded by CIL; outdoor sports also appears on this list but excluding those facilities directly serving the needs of a development site.

#### Overall conclusions on the provision of open space and recreational facilities

- 8.142 Overstone Parish Council and others have objected to what is perceived as a significant under-provision of communal greenspace within the submitted illustrative plans for the site, especially as the Covid crisis has highlighted the need for residents to have ready access to local greenspace of sufficient quantity and quality on their doorsteps. As is detailed above however, the application actually over-provides in terms of the quantum of on-site open space and informal recreational provision, with the exception of allotments, however that provision is considered acceptable in qualitative terms.
- 8.143 The proposed development will provide open space comprising a range of features and habitats including play areas and incidental open space, as well as structural landscaping. The proposed development will provide on-site open space and it is therefore considered that the scheme is policy compliant. The open space provides sustainable links for pedestrians and cyclists across the site and beyond. As was the case with Overstone Leys the proposed development will not provide any formal sports facilities on-site, however contributions towards the provision and/or enhancement of off-site facilities have been identified and will be addressed via the S106 agreement. Assuming that this is carried out, the application will be policy-compliant.

#### **TREES, LANDSCAPE AND VISUAL IMPACT**

- 8.144 WNJCS Policy N3 allocates the sizeable area of land comprising the Overstone Leys and Overstone Green developments for major residential-led development but does not specifically reference landscape impacts, although it does, at N3 i), stipulate that provision shall be made for structural greenspace and for wildlife corridors. Within the supporting text to Policy N3 it is noted that: *'The area is presently intensively farmed arable land and the Northampton Landscape Sensitivity and Green Infrastructure Study identifies the landscape in the area as being of low to medium sensitivity and therefore*

*less sensitive to change.....Due to the landscape features and topography the SUE has a high level of visual containment although this diminishes to the north of the site.'*

- 8.145 In the light of the acknowledgement that the Overstone Green element of the SUE will be more visible in the landscape than some of the more southerly elements of the SUE, indicative structural greenspace is indicated along the northern, western and eastern boundaries of the Overstone Green component on the Northampton North SUE Policy N3 Inset Map. Policy BN3 which supports and encourages woodland enhancement and creation is however applicable, and the proposals reflect this.
- 8.146 Policies ENV1 and ENV4 within the Local Plan (Part 2) address Landscape and Green Infrastructure respectively, and the submitted illustrative details reflect these policies, however these principles will need to be secured by condition and followed through via the submission and implementation of reserved matters.
- 8.147 The applicants have submitted a Landscape and Visual Impact Assessment (LVIA) as part of the Environmental Statement (Part 7) which assesses the landscape and visual effects of the proposed development, and this was used to inform the Landscape Strategy and associated primary landscape mitigation measures that are incorporated within the development parameters. The visual setting of the site was considered through the application of a Zone of Theoretical Visibility, which led to the identification of 26 representative views taken from publically accessible locations within the study area. Whilst the sensitivity of receptors local to these views varies, it was generally concluded that users of the local highway network were found to be of more limited sensitivity to change whereas users of the local public rights of way (PROW) network, plus those with private views, have a higher sensitivity to change. This is not unsurprising given that the latter category is more likely to include a majority of local people.
- 8.148 The assessment of landscape impacts identified likely significant short-term adverse effects in relation to the immediate site character and the localised setting of the Moulton Slopes and Sywell Plateau landscape character areas. This is considered inevitable due to the significant transformation that will occur once undeveloped agricultural land is redeveloped. In the short term however it concluded that any wider landscape impacts beyond the setting of these character areas would be unlikely to result in any significant landscape impacts. However, significant shorter-term adverse impacts were identified with respect to receptor groups of increased sensitivity in close proximity to the site, i.e. from the local highway and PROW users, plus some local residents.
- 8.149 Mitigation is proposed over the lifetime of the development via a series of primary mitigation measures that include:
- The substantial retention of existing field boundary hedgerow and tree cover
  - A wide landscaped buffer between built development and Cowpasture Spinney
  - The creation of landscape buffer strips along the exposed northern and western site boundaries
  - The retention and incorporation of the public footpath through the site
  - A scale of development consistent with that already approved and/or is underway on the adjoining segment of the North of Northampton SUE; and
  - The securing of a number of mitigation measures via planning conditions and detailed reserved matters applications such as detailed planting and lighting design, selection of locally appropriate building materials, and the adoption of a Landscape and Ecological Management Plan and a Construction Environment Management Plan.

The assessment of long-term landscape and visual impacts found therefore that any likely significant adverse effects would be strictly localised to the site and its immediate boundaries. There will be a material change to the character of the site from its pre-existing state, however this is unsurprising given the existing setting of the site and the scale and nature of the proposed/allocated development.

#### Overall conclusions on Trees, Landscape, and visual impacts

- 8.150 The site comprises part of an allocated major development site, to meet the housing needs of Northampton, which is continuous with earlier phases that are approved and where development is already underway. The site and surrounding landscape is not identified as being especially attractive landscape but does include several features worthy of retention, in particular Cowpasture Spinney plus existing hedgerows and trees along established field boundaries. The site will, once developed, comprise the new 'edge' to Northampton at this point along the A43, so whilst it cannot be hidden the effective use of landscaping will help to soften and assimilate the appearance of the site.
- 8.151 Any loss of countryside has to be balanced against the need to provide the identified amount of development and the sustainability of the site. To ensure that the visual impact of the development is controlled, and to allow for the illustrative masterplan concept to be delivered, adherence to the illustrative masterplan and supporting material will be the subject of a planning condition to ensure that the subsequent phases and reserved matters applications are supported by more detailed guidance for each phase, and are delivered in accordance with these. Officers are satisfied that the submitted indicative scheme and details corresponds with the provisions of Policy N3 and the relevant policies in the Local Plan (Part 2).

### **LOCAL CENTRE**

#### Community Building

- 8.152 The local centre and associated community facilities for Overstone Green are shown located at the northern end of the site, on the internal loop road with good accessibility via foot and cycle to the rest of the site. The initial pre-application (March 2018) iteration of the illustrative masterplan indicated a relatively more central position for the local centre, associated with a larger school site along the western A43 boundary. Subsequently however it was confirmed by the education authority that a smaller school site would be sufficient and that a position close to the A43 would not be appropriate for a primary school, and in all subsequent masterplan iterations the local centre and school sites have been shown located adjacent to one another at the northern end of the site.
- 8.153 This is also influenced by other factors, including the wish to incorporate the revitalised farm buildings as a community hub, plus a pragmatic/commercial imperative to locate the shops etc. adjacent to the A43 where they will have enhanced visibility to potential passing trade and thus enhanced commercial viability. Given the desirability of keeping some separation between the busy A43 and residential development/primary school, the proposed local centre position is reasonable. The commercial element is envisaged to comprise a range of small and medium sized commercial/shop units plus potentially coffee shop/co-work space with residential above, in order to be responsive to changing work patterns. A section within the Design Code provides illustrative detail for this important element of the development, incorporating a pedestrian courtyard space with separate parking and servicing areas, which will also be accessible on foot from the adjacent employment area.

- 8.154 The approved layout for Overstone Leys to the south includes a centrally-located local centre, adjacent to the new A43 roundabout affording access to Overstone/Sywell and to Moulton, to feature a food store (now built) and other retail units. At the time of writing this report the details and precise composition of the Overstone Leys Local Centre have yet to be finalised, however there was no requirement to deliver an on-site community hall at Overstone Leys. Instead, offsite contributions were included within the Overstone Leys S106 agreement, with the principal contribution going towards the sizeable new Moulton Community Centre nearby, and a smaller contribution towards improvement works to Overstone Village Hall. There is therefore no overarching requirement in policy for Overstone Green to provide a community facility to serve the whole SUE, however it does need to make provision for a community facilities commensurate with its predicted population.
- 8.155 In terms of the form and quantum of the potential community hub, careful design at the reserved matters stage will be required to ensure that a fit-for-purpose facility is provided, with an appropriate trigger for timely provision incorporated into the phasing programme/outline planning approval. The 2019 Overstone Green Sports & Open Space Needs Report commissioned by DDC from Nortoft Planning found that the predicted Overstone Green population (based on 1600 dwellings) would generate a demand for a minimum of 347m<sup>2</sup> of community/village hall space. It also recommended that the land area for the community/village hall, together with sufficient ancillary space for car parking etc., should be provided free of charge. A figure for a financial contribution on this basis was generated within the 2019 Nortoft report based on a 347m<sup>2</sup> community hall being delivered on-site, with monies potentially being made available as a commuted sum to help support staff costs, as this is expected to be necessary to ensure long-term viability.
- 8.156 The applicant is proposing to adapt the former stone and redbrick barns on-site as a flexible community space, however the existing built form will not accommodate an appropriate community hall without additions. The applicant had also suggested that this element could be augmented via dual-use of the adjacent primary school hall. Whilst dual-use of school halls etc. does occur in village situations, it can be difficult to secure in perpetuity, especially as many schools are now independent academies that function with a large degree of autonomy. An example of a S106 clause used outside of Northamptonshire was provided by the applicant, however the Education Authority does not accept this as being an appropriate way of delivering the core provision for a community facility. This is due to difficulties with ensuring that the community use can be delivered when potentially the academy operator may not wish to open the facilities outside of normal school hours, or may not wish to offer as extensive a range of access as the local community may desire.
- 8.157 There are also concerns that opening school facilities to the community may incur additional liabilities and/or costs to an academy operator, and the specification of a primary school building may not be appropriate for some community uses without further amendment/expense, such as increasing hall height to accommodate community sports.
- 8.158 The applicants propose to restore and re-use the existing former farm buildings and to add to these to provide a minimum of 347m<sup>2</sup> floorspace required for a dedicated community facility. The applicant has suggested restoring a 'missing' single-storey wing which formerly enclosed the east side of the farmyard prior to its removal in recent decades; and that this could be augmented by an addition to the rear/north of the existing principal barn to provide a main hall if required. In support of this model the applicant has provided an example of a community hall recently delivered as part of their Wixams development, as a comparable template for provision at Overstone Green. This is an impressive and more substantial facility serving a greater population, however a smaller version tailored to suit Overstone Green's requirements could and should be provided

on-site, with any potential shared use of primary school facilities being additional but not regarded as a core provision.

### Library Provision

- 8.159 With respect to library provision, the Library Service has confirmed that contributions towards enhancing the library service locally to meet the needs of the future Overstone Green population can be based on the same formula as was adopted for Overstone Leys. This involves a bespoke approach to the standard NCC multiplier being adopted, based on applying a £100 per dwelling figure, with reference to overall scheme cost and viability considerations.
- 8.160 WNC Developer Contributions have confirmed that potential additional Library Service capacity improvements would primarily be directed towards plans for relocating and expanding the existing Library Plus facility at Weston Favell, as part of a wider Community Hub development there. The Weston Favell Centre is some 3 miles away from Overstone Green, to the south. Any such contributions would enhance the current facilities at Weston Favell and provide an increased range of services and capacity to meet the growing needs of the wider area, which will be heavily impacted by the planned growth at Overstone. Current library use figures suggest that the existing Weston Favell library serves a very broad population, including residents of Overstone parish, and has a high number of active users. The existing library at Weston Favell is however unsuitable for the population it serves. Any enhancements should ensure its longer-term sustainability whilst also broadening its capacity to respond to changing needs of library users and partners. This would include, for example, enhanced IT and digital facilities; specialist facilities for children and young people; and expanding the reach of existing projects and programmes currently operating at Northampton Central library. The Weston Favell Library project is still however at an early stage so no project detail and potential costs can be identified at present, however the WNC Library Service would expect a proportion of any S106 monies secured from Overstone Green to be allocated towards supporting the delivery of this enhanced library provision.
- 8.161 Moulton PC have also made a separate request for S106 funding from Overstone Green to meet the costs of any future expansion of the services provided from the community-owned Moulton Library to meet Overstone Green residents' needs. This is envisaged by MPC as potentially taking the form of a satellite library facility within the proposed Overstone Green Local Centre once it is delivered (estimated to be some 5 years into the construction). MPC have also sought a contribution towards the cost of providing an additional 'Community Connector' post to lead the rollout of community Health and Wellbeing services, currently delivered from Moulton Library, to Overstone Green residents.
- 8.162 There is thus a spectrum of aspirations and possibilities regarding the potential use of any library contributions arising from an Overstone Green S106. WNC (as service provider) maintains a relationship with the community-run Moulton Library, however WNC remains the Library authority for the area and as such has a statutory responsibility in this regard. Moulton Community Library operates in part through equipment, IT and support provided by WNC, which is an ongoing cost. As such, whilst WNC continues to work closely with all community-run libraries, it still has the overarching responsibility for Library provision and therefore considers that any S106 funding secured via Overstone Green should be directed to the Council's library service in the first instance.
- 8.163 The possibility of establishing a satellite library at the new Overstone Green community hub may potentially be an appropriate use of S106 monies. However, a project of this nature is not something that the Council's Library Service are able to support at this time,

given the potential longer-term cost and maintenance requirements that the WNC would incur. The Library Service therefore intends to continue to work closely with MPC and to develop further projects utilising S106 funding to improve, enhance and expand capacity and infrastructure in the local area generally. The additional 'Community Connector' post requested by Moulton PC for Overstone Green, whilst laudable, is not considered sufficiently directly related to the provision of library services to be eligible for direct S106 library funding. Furthermore, such community services should, strictly speaking, be provided by Overstone Parish Council as the development falls within OPC's area. This could be funded by Overstone PC's CIL receipts if OPC so chooses.

#### Overall conclusions on Local Centre

- 8.164 Objections have been received concerning the scale, nature and position of the proposed local centre for Overstone Green. A particular concern is that the local centre and community building are too small to serve the whole SUE, and that these should be situated more centrally within the development or closer to the southern boundary with Overstone Leys where they would be readily accessible to all residents of the whole SUE.
- 8.165 In terms of siting, a more central position was considered in earlier pre-submission iterations of the masterplan but the current location emerged due to viability concerns and the desire to utilise the existing farm buildings as the basis of a community hall in order to give a strong focal point to the local centre. The local centre for Overstone Leys will be located closer to the geographical centre of the SUE, with vehicular access close to the reconfigured A43/Moulton/Overstone roundabout. No community facility was specified there, however a substantial contribution was made towards the new Moulton Community Centre, in recognition that during the early years of the development the new residents would be making use of these existing local facilities nearby. At the time that the outline application for Overstone Leys was determined it was acknowledged that the two parts of the SUE would be developed as distinct but complimentary areas, with no overall single local community centre being provided for the entire SUE.
- 8.166 The key development parameters for the on-site community provision, plus the timing of delivery, can be prescribed by planning conditions and/or S106, and the operational details will be considered under subsequent reserved matters applications. On this basis it is considered that the outline planning application will facilitate the appropriate provision of local centre facilities at Overstone Green.

#### **CULTURAL HERITAGE AND ARCHAEOLOGY**

- 8.167 Section 66 of the Planning (Listed Buildings and Conservation Areas) act 1990 (as amended) states that *'in considering whether to grant planning permission for development which effects a listed building or its setting, the local planning authority....should have regard to the desirability of preserving the building or its setting or any features of archaeological or historic interest which it possesses. Therefore, significant weight must be given to these matters in the assessment of these planning applications.'*
- 8.168 Policy N3 of the adopted West Northamptonshire Joint Core Strategy states, at N3 k), that development proposals will make provision for: *'Archaeological and ecological assessment of the site and required mitigation'*. WNJCS Policy BN5 reinforces that *'designated and non-designated heritage assets and their settings and landscapes will be conserved and enhanced in recognition of their individual and cumulative significance and contribution to West Northamptonshire's local distinctiveness and sense of place.'* It also requires development to *'be sympathetic to locally distinctive landscape features,*

*design styles and materials in order to contribute to a sense of place*; and encourages the retention and sensitive re-use of disused or underused heritage assets and structures, in order to maintain local distinctiveness, and to contribute towards a sense of place.

- 8.169 Policy ENV7 within the Local Plan (Part 2) addresses the historic environment and requires proposals to demonstrate a clear understanding of any potential impact on the significance of heritage assets and their setting.
- 8.170 The submitted Environmental Statement addresses Cultural Heritage at Chapter 9, and considers potential effects upon the significance of cultural heritage receptors, including buried archaeological remains, historic earthworks, structures, landscapes and all other aspects of the historic environment. This confirms that there are no designated heritage assets located within the application site, and that the site does not contribute to the setting or heritage significance of any assets within its wider locality, including any nearby listed buildings. There is a small number of dispersed grade II listed houses and farm buildings to the north-west and south-east of the site boundaries, the closest being some 250m away; it is not considered that any of these would have their setting directly impacted by the proposed development.
- 8.171 WNC Archaeology has confirmed that the Environmental Statement provides details of the assessment works undertaken within the proposed development area together with a Desk Based assessment, geophysical survey and an archaeological evaluation report. This confirms that the evaluation has identified areas of archaeological activity ranging from early prehistoric through to medieval, including the remains of a potential linear round barrow cemetery; a middle-late Iron-Age enclosed farmstead; and a Roman ditch. Whilst no Saxon activity was identified on the site, it is also noted by the WNC archaeological advisor that the surrounding area has produced a wealth of both settlement and burial activity from this period. This included early Saxon burials and settlement activity associated with the barrow cemetery and it is possible this activity may extend into the current application area. Medieval and early post-medieval ridge and furrow cultivation was also recorded across the site during the evaluation.
- 8.172 The survey work underpinning the ES also noted that the current A43 forms the approximate line of part of the Jurassic Way, a regional ridgeway and major pre-historic thoroughfare, whose exact course probably varied over time but is likely to have passed through the western part of the site, parallel to the current main road. It is considered that this explains the distribution of prehistoric settlement on either side of the route, as well as subsequent Romano-British settlement.
- 8.173 The archaeological mitigation strategy is to be undertaken in consultation with the council's archaeological advisor, and details of the mitigation areas and methodology were provided in November 2019, and made provision for areas of excavation and strip, map and sample. Subsequent discussions with the Council's Archaeological Advisor generated a Brief describing the areas that will require mitigation in advance of development, in order to facilitate the production of a Written Scheme of Investigation. It is also noted that trial evaluations, and those carried out in conjunction with the neighbouring Overstone Leys development, have found poor levels of preservation of remains and an accompanying dearth of material remains (pottery etc.). Given this, it is not anticipated that in-situ preservation would be warranted, but that mitigation can be addressed via a programme of targeted excavation and recording, agreed in liaison with the council's archaeological advisor.
- 8.174 Advice received from the Council's Archaeological advisor also notes that the illustrative masterplan shows discrete areas of residential and other development, and that it is very

likely that the archaeological mitigation areas will not fit conveniently into these parcels. The advice therefore is that provision should be made to undertake the archaeological mitigation on a site-by-site basis rather than be fragmented to fit into the phases as illustrated. Archaeological mitigation should also be undertaken in advance of any infrastructure works, landscaping, tree planting, ecological or water management works.

8.175 Archaeological mitigation areas have accordingly been agreed between the county archaeological advisor and the applicant's archaeological consultant. These are a combination of open area excavation and strip, map and sample investigation, indicated on a map accompanying the revised comment from the county archaeological advisor. There will be some contingency to allow extension of the strip, map, and sample areas if required, and a scheme of archaeological work should be secured by a suitable staged condition, as recommended. The text of the proposed condition includes a modification to ensure that mitigation is undertaken in relation to areas of archaeological activity, and is not confined to development phases.

8.176 The site also features a range of nineteenth-century stone and brick-built barns within the northern sector of the site, located adjacent to a public right-of-way. Whilst these are not identified as having any specific heritage value they are nevertheless attractive remnants of the more recent agrarian history of the land, and it is proposed to retain, restore and extend these to form a focus for the Local Centre within the development.

#### Overall conclusion on Archaeology and Cultural Heritage

8.177 The proposed development will have a detrimental impact upon any archaeological assets above and below ground, however this is an allocated strategic development site and this does not represent an over-riding constraint on the development, if adequate provision is made for the investigation and recording of any remains that are affected. In order to secure this a condition for a programme of archaeological work as per NPPF paragraph 199 should be incorporated into any permission granted in respect of this application. The wording of the Council's current updated recommended multi-stage condition has been supplied, and includes a modification to ensure that mitigation is undertaken in relation to areas of archaeological activity not development phases.

#### **ECOLOGY AND BIODIVERSITY**

8.178 The Conservation of Habitats and Species Regulations 2017 (as amended in 2019) transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites. The Regulations still apply within England, and local planning authorities are still subject to a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Bird Directive.

8.179 Specified destructive actions are a criminal offence but can be made lawful through the granting of licenses by the appropriate national authorities, which have to satisfy stringent conditions. Natural England's standing advice sets out habitats that may have the potential for protected species, and in this regards this site, although consisting predominantly of arable land, does contain hedgerows and hedgerow trees, as well as the Cowpasture Spinney Local Wildlife Site along its eastern border.

8.180 Paragraph 180 of the NPPF states that when determining planning applications, local planning authorities should look to avoid harm, and/or apply a number of prescribed

principles. These include: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; and d) development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

8.181 Policy N3 of the adopted West Northamptonshire Joint Core Strategy states, at N3 k), that development proposals for Overstone Green will make provision for: '*Archaeological and ecological assessment of the site and required mitigation*'. Policy BN2 of the WNJCS requires development to maintain and enhance existing designations and assets, or to deliver a net gain in biodiversity. It states that: '*Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate:*

- *The methods used to conserve biodiversity in its design and construction and operation*
- *How habitat conservation, enhancement and creation can be achieved through linking habitats; and*
- *How designated sites, protected species and priority habitats will be safeguarded.'*

Policy BN3 is also of relevance here as it supports the management and enhancement of existing woodland, which in this case relates to Cowpasture Spinney.

8.182 Policy ENV5 of the Local Plan (Part 2) includes specific provisions that relate to this site. It notes that the Council 'will support proposals that conserve and enhance designated and undesignated sites and species of national and local importance for biodiversity and geodiversity, and contribute towards a resilient ecological network'. The policy goes on to specify that:

- B) - All proposals likely to affect biodiversity will be expected to assess their impact through an ecological assessment and include details of mitigation and compensation where harm would be caused;
- C) - Proposals should seek to achieve a net gain for biodiversity, including the creation and management of new habitats, strengthening existing networks of habitats, avoiding the fragmentation of habitats and links and addressing the Northamptonshire Biodiversity Action Plan local priorities for habitats and species; and
- D) - Proposals should comply with the principles set out in the Biodiversity Supplementary Planning Document for Daventry District to ensure that biodiversity and the impact of development on biodiversity is given appropriate consideration.

8.183 The applicant's submitted Environmental Statement addresses biodiversity and ecological impacts and opportunities at Chapter 8. Here it is noted that extensive ecological surveys carried out to determine the effects of the proposed development on biodiversity confirmed that habitats within the site are largely of low ecological value, due to the bulk of the site being dominated by intensively managed arable farmland under active production. However, a number of faunal species were recorded within the application site, including some such as bats, badger and nesting birds that benefit from varying degrees of statutory protection. The habitats that support these species are largely retained under the applicant's proposals, with measures to safeguard these proposed where unavoidable encounters are predicted.

8.184 Generally, the ES considers that the effects of the proposed development on statutory and non-statutory designations, habitats and faunal species will not be significant at the District level, once the embedded mitigation-by-design is taken into account. The ES

considers that whilst the site incorporates Cowpasture Spinney Local Wildlife Site LWS along its eastern edge, the development proposed will have no significant impacts due to the wide area of green open space that will separate it from the LWS. Furthermore, ecological best practice and sympathetic design have underpinned the masterplanning process, with sensitive habitats and faunal species largely being accommodated within retained and enhanced habitats; where this has not been possible proportionate safeguarding and mitigation measures are proposed to avoid breaching relevant wildlife legislation. More specifically, works that may adversely affect protected species will be undertaken at less sensitive times of year, and additional proactive measures are also proposed including woodland protection, bat roost safeguards, barn owl nest box provision, and implementing a sensitive lighting strategy.

- 8.185 Opportunities for enhancements to biodiversity are identified, including the creation of new high quality foraging and commuting habitats; managing retained habitats to maximise their wildlife value; and the creation of new species-specific roosting/nesting habitats. The applicants state that the proposed enhancements will deliver significant benefits in terms of green infrastructure, providing an extensive network of green links and corridors through and around the application site, linking it with the neighbouring Overstone Leys development and ensuring that the ecological connectivity of the wider site is increased from what it currently is. It is concluded that no habitats or species will be significantly adversely affected by the development proposals, and furthermore that the Overstone Green development would result in a net overall ecological gain over the existing ecological interest supported within the application site, with consequential benefits in terms of habitats and faunal species.
- 8.186 The ecological advice received from the Northamptonshire Wildlife Trust (NWT) in response to the application is that generally the proposed retention of trees and hedgerows on-site is to be welcomed, albeit any gaps created should be made good with enhancements elsewhere, plus all trees and hedgerows will need to be robustly protected during and after construction works. The inclusion of part of Cowpasture Spinney Local Wildlife Site (LWS) is noted, with the Illustrative Masterplan including buffering between the LWS and the proposed development. This buffering is a key positive feature that should not be eroded during or after development. The Ecological Baseline Assessment has identified ways in which the LWS would benefit from additional management to enhance its importance for wildlife, including diversifying the structure of the woodland and improving the pond, and should the application receive permission these enhancements should be clearly included alongside the management of the other green spaces within the proposal.
- 8.187 Furthermore, the Wildlife Trust has also advised that to enable the hedgerows and trees to continue to act as habitat corridors in the long term they will require suitable management and the development of a sensitive lighting scheme that maintains the hedgerows as a dark corridor. The effective management of the hedgerows, and of Cowpasture Spinney LWS, will be required for the lifetime of the development.
- 8.188 It was also strongly recommended by the NWT that a biodiversity metric be used to demonstrate how this development might achieve a measured net gain in biodiversity, as is required by the NPPF. Advice received was that a metric could be used at all stages of the application process to guide the proposal. Although the retention of the LWS and the majority of hedgerows and trees is welcomed, the advice received from the NWT is that the use of a metric would clarify and enhance the proposal; these measures can be secured by the use of appropriate planning conditions.
- 8.189 Advice received from the NWT has also confirmed the presence of some priority and protected species, particularly in association with the habitat features previously

discussed, including bats, birds, and particularly badgers. Even at this outline planning permission stage the advice confirms that if works affecting roosting bats (in buildings or trees) are proposed a condition requiring the submission of a copy of the EPS licence would be useful, and that conditions should also be used to address the protection of badgers on construction sites, and to protect breeding birds during construction. Furthermore, if a Local Environment Management Plan (LEMP) is used then a range of measures to enhance the site for priority species, including hedgehogs and swifts, should be clearly included.

8.190 The site and surrounding area is well known locally to be home to a significant and active badger population, and advice was therefore sought from the Northamptonshire Badger Group. They have expressed concern that the badgers are in danger of being constrained and there is a real danger that they will come into much more contact with residents, as can already be seen in the increase in badger activity in the Overstone village area in the past year now that consecution work on Overstone Leys is well underway. Moreover, given that there is activity in multiple locations locally beyond the current proposed development site the wider picture with respect to local mobile badger populations needs to be appreciated and addressed based on the whole locality.

8.191 The Wildlife Trust had also provided additional comment in response to the October 2020 revisions to the submission, which included additional illustrative and explanatory landscape detail, and has confirmed that these are an improvement. Specifically, the additional illustrative detail for the open space adjacent to Cow Pasture Spinney now includes permanent water features within the SUDS basins made up of a series of ponds, some connected by small watercourses with marginal planting. The rest of the basin indicates wetland planting at the base and meadow planting on the edges, and overall the permanent water is an improvement to the scheme for biodiversity. Additionally, the illustrative landscaping scheme now includes species that would provide food sources for badgers, given the level of badger activity adjacent to the site. This needs to be integrated with the hedgerow mitigation requirements and NWT is now satisfied that the scheme indicates crab apple and cherry within the open space tree planting, along with hazel within the public open space shrub species. These would provide additional foraging sources for the badgers during some points of the year. Relatively high levels of these fruiting shrubs and trees should be included to maximising feeding opportunities, and these details will need to be carried through to the reserved matters stages.

#### Overall conclusion on Ecology

8.192 Detailed proposals and advice have been received regarding biodiversity and ecological matters, however as this application is in outline only then most of these will need to be addressed by conditions to subsequent reserved matters applications. Any grant of outline permission should be on the basis that reserved matters submissions will be closely guided by the submitted illustrative details, particularly given the long build-out that is necessary for a scheme of this size and complexity.

8.193 Concern has been expressed by OPC and others over the relationship of the proposed development to Cowpasture Spinney, and in particular the inclusion within the application boundary of the eastern-most part of Cowpasture Spinney, which is excluded from the NRDA boundary as shown in the WNJCS and the Local Plan (Part 2). The Cowpasture Spinney Local Wildlife Site (LWS) is included within the application boundary and this is justified by the applicant based on land ownership and, mainly, that to do so will allow the whole of the LWS to be managed on a comprehensive manner including, where appropriate, with restricted public access in order to protect the LWS. This approach has been supported by the Northamptonshire Wildlife Trust and it is considered that the

future wildlife value of the whole of Cowpasture Spinney would best be safeguarded by having the whole resource under single oversight and management.

- 8.194 The applicant has indicated that the easternmost part of the Spinney would probably be subject to very limited public access in any case, and this and other detailed measures can be addressed by planning conditions. It must be noted that there are no proposals to use this or any other part of Cowpasture Spinney for built development (Cowpasture Spinney is also covered by a Tree Preservation Order), and that as this south-eastern fringe of the site is also very important to the hydrology and management of surface water for the site then it would not be feasible to do so.
- 8.195 Concern has also been expressed by some consultees at the potential impact of the proposals on local wildlife, in particular badger populations, which are already facing disturbance due to development at Overstone Leys; and also to any barn owls that may occupy the existing barns. Advice that has been received from the Northamptonshire Wildlife Trust and from the Northamptonshire Badger Group considers that any potential impacts upon local populations can be addressed by strict adherence to planning conditions. Given that any development on-site will not start until sometime after any approval has been issued and that development will be phased over many years, conditions will also need to specify that contemporary re-surveys for protected species are carried out prior to the commencement of each phase/parcel, and that the findings of the surveys inform any mitigation measures required. The fact that badger populations tend to be highly mobile reinforces the need for this precaution.
- 8.196 The original ecological and biodiversity advice received by the local planning authority recommended that a biodiversity metric be used to demonstrate how the development might achieve a measured net gain in biodiversity. This is because a metric could be used at all stages of the application process to guide the proposal, and would clarify and enhance the proposals to retain the LWS and the majority of hedgerows and trees. However, the use of a metric is not yet mandatory, albeit it may become so when the Environment Bill becomes law, which is anticipated to potentially be from autumn 2023 at the earliest. In this context that it is considered that the scheme will accord with Policies BN2 and BN3 of the WNCJS; and with Policy ENV5 within the Part 2 Local Plan.

## **DRAINAGE AND FLOOD RISK**

- 8.197 Policy BN7 in the WNCJS is concerned with Flood Risk, setting out general development principles and requiring that development proposals include adequate provisions for foul and surface water drainage, incorporating appropriate allowances for climate change. As well as advocating a sequential approach to site selection, which will have been undertaken when the site was selected as an additional element of the North of Northampton SUE, the policy also addresses the use of sustainable urban drainage system (SuDS) and the need for these to be accompanied by a long-term management and maintenance plan.
- 8.198 Policy BN7A addresses water supply, quality, and wastewater infrastructure, requiring that adequate infrastructure is in place to support the additional requirements arising from new development, and that water quality is protected. This policy also stipulates the use of SuDS wherever practicable, and requires all new development to attain a minimum standard for water conservation. Policy HO8 in the Settlements and Countryside Local Plan (Part 2) requires, at C iv, that all new dwellings shall include water efficiency measures to comply with a limit of 110 litres per person per day.
- 8.199 The NPPF, at paragraph 163, advises that local planning authorities should, when determining planning applications, ensure that flood risk is not increased elsewhere. At

paragraph 165 the NPPF advises that major developments should incorporate sustainable drainage systems unless there is clear evidence that to do so would not be appropriate in any given site or circumstance.

8.200 Flood Risk and drainage is addressed within the ES at Chapter 14, which is supported by a site-specific Flood Risk Assessment (FRA), which is appended to the ES. This appraises the existing hydrological conditions in and around the site and anticipates that most rainfall within the site naturally infiltrates beneath the site with any excess water predominantly flowing into a tributary of the Billing Brook running through Cowpasture Spinney to the east, or into the tributary of the Brampton Branch that flows alongside the A43 on the opposite side of the site. No significant sources of flood risk to the proposed development have been identified and there are no records of historic flooding within the site. The areas of proposed built development are located within Flood Zone 1, which is the categorisation with least predicted risk, where development can usually occur and there is no risk of fluvial flooding.

8.201 In terms of predicted effects, the ES notes that development will inevitably increase the risks of silt and site contaminants during the construction phase which has the potential to impact upon the quality of the groundwater table and downstream watercourses. During the operational phase, increased impervious areas will lead to increased surface water run-off and thus a greater risk of downstream flooding offsite. Furthermore, the proposals include for the provision of new surface water and foul sewerage networks that will run through the proposed development and these may potentially give rise to an increased risk of flooding to the development site and the surrounding area.

8.202 In order to reduce or to alleviate any adverse impacts on the water environment various measures have been designed into the proposal, in particular the use of a SuDS attenuation strategy that will reduce flood risk arising from the development via the collection, storage, and treatment of surface water onsite. Central to this approach is the creation of a series of attenuation basins parallel to the watercourse along the eastern edge of the site that will provide the required onsite water storage plus an additional element of pollutant removal. This system has been designed to accommodate rainfall events up to the 1 in 100-year event (plus climate change allowance) and will ensure that offsite discharge is restricted to green field rates (so no more than that as-existing, without development) with a reduced potential for any pollutants to enter the watercourse. Additionally, detailed foul and sewer network designs will be generated in accordance with this strategy, which will enable the new development to be accommodated into the public sewer network and watercourse.

8.203 The creation of a strong SuDS network will also provide amenity and biodiversity benefits, subject to the adoption of an appropriate management and maintenance plan. Any potential for issues arising from surface water run-off during the construction phase can be addressed via a Construction Environment Management Plan. The Lead Local Flood Authority and the Environment Agency have both agreed to the applicant's approach and have recommended detailed conditions to ensure that the development proceeds on this basis.

#### Overall conclusion on Drainage and Flood Risk

8.204 The proposed development will be situated within an area of low flood risk however to ensure that the risk remains low both within the development and further afield the applicant's proposed SuDS-based drainage strategy needs to be consistently adopted and backed up with a long-term maintenance and management regime. These can be enforced by means of planning conditions and legal obligations at the outline permission stage, reinforced by appropriate conditions in the subsequent reserved matters as

required. Subject to the imposition of planning conditions, it is considered that the proposed development would be in accordance with Policies BN7 and BN7a of the JCS, and the overarching intentions of the NPPF.

## **NOISE IMPACTS**

- 8.205 Policy S10 of the adopted WNJCS requires new development to minimise pollution from noise. The NPPF, at 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 giving rise to significant adverse impacts on health and the quality of life.'*
- 8.206 An assessment of the likely impact of the proposed development on the noise and vibration climate of the surrounding area is included within Chapter 12 of the submitted Environmental Statement. This confirms that a detailed baseline environmental noise survey was undertaken in order to establish the existing noise climate across the site, and that this was used as a basis for noise modelling and predictions. This exercise established that the noise climate at the application site is dominated by road traffic noise from the immediate road network, and is affected by air traffic noise associated with Sywell Aerodrome. The relative isolation of the site means that there are very few potential noise receptors close by to the site boundaries, these principally being the small number of scattered rural properties to the west of the A43.
- 8.207 Predictions were undertaken by the applicant's technical consultants to provide an estimate of the noise emissions from the site during the construction phase at the nearest sensitive receptor, and it was concluded that construction noise levels are likely to result in minor adverse effects for the duration of the works. Given the distances between the proposed works and the nearest sensitive receptors, it is considered unlikely that any construction vibration would be perceptible. During the construction phases, it is anticipated that appropriate design and construction practices applied via a Construction Environmental Management Plan (CEMP) will ensure that residual significant adverse effects would not arise during the construction phase.
- 8.208 Changes in noise levels on the surrounding road network arising from the operational phase of the proposed development are predicted to result in a magnitude of change ranging from Low to Very Low. Consequently, whilst being permanent, the acoustic impacts of resultant off-site road traffic are considered to be of no worse than a Minor Adverse level of effect, which is not deemed significant. Whilst tall continuous acoustic barriers to protect residential properties from traffic noise from the re-routed A43 are present with the earlier phases of the Overstone Leys development, these do not appear alongside the adjacent parts of Overstone Leys. They are not proposed as part of the current scheme. Such solutions are only necessary where predicted impacts are likely to be major, and are undesirable from an urban design and landscape impact viewpoint. Rule 6 within the revised Design Code for Overstone Green also prohibits them.
- 8.209 However, existing road (and to a lesser extent, air traffic) noise levels are likely to result in significant adverse effects on prospective residents of Overstone Green, and could potentially impact on the proposed primary school environment, and so will require some mitigation. It is not considered that the off-site road traffic noise, whilst permanent, would be significant.
- 8.210 Mitigation options required include the use of building design measures to reduce noise entering buildings, as well as selective use of appropriate fencing to reduce external noise levels nearby to the main road (subject to compliance with Rule 6 within the Design Code). Covered areas may be required in the school if outdoor teaching is envisaged.

Whilst it is noted within the ES that noise levels within outside amenity areas are predicted to be below guideline limits across the majority of the site, but that air-traffic noise levels in outside spaces could be higher for shorter periods. Potential mitigation measures may therefore need to be used in these cases, although these are not specified. It is also noted that a limited number of residential gardens may still experience noise levels in excess of the guidelines due to road traffic noise, even with close-boarded fencing. This would need to be addressed by layout and design at the reserved matters stage, and is not considered significant in the ES given that it should only potentially apply to a limited amount of external amenity space. A planning condition has been recommended by WNC Environmental Health in order to address potential acoustic impacts from external noise sources, and potentially from the proposed local centre upon nearby proposed residential properties.

8.211 In response to the most recent suite of revisions (December 2021), the council's Environmental Health Officer has emphasised that the applicant's noise contour maps show that the site exceeds the noise standards of BS8233 and WHO by day and night due to traffic noise. The site is inevitably subject to noise, and normally would not be favourably regarded for residential development. However, given that the site is already allocated for housing, the local planning authority needs to identify the best possible solutions to reduce noise intrusion and to provide a good acoustic environment for residents.

8.212 As there is no definitive layout proposed at this outline stage, the applicant has suggested the use of a 'barrier block' alongside the A43 side to help reduce the noise to the other properties and provide some amenity space that complies with the standards. A noise barrier alongside the A43 is not favoured for design reasons. The submitted noise contour maps show that even with these barrier blocks in place, noise will still exceed the required standards in outside amenity areas by day and at night internally in bedrooms, unless fitted with non-standard enhanced double glazing and alternative ventilation. This 'sealed box' living does not however protect residents from potential overheating and would not meet the requirements of Approved Document F of the Building Regulations, which sets out ventilation requirements.

8.213 From this perspective, future applicants will need to retain some open-mindedness about the types of accommodation that this site can feasibly support. It is not going to be possible for the whole site to be houses with private gardens, especially those in such close proximity to the A43, whether dual or single carriageway. The design of the scheme must be in accordance with prevailing noise conditions and designed with good acoustic principles in mind. Different types of housing styles will be required, and it may not be possible for parts of the site to be used for housing at all. However, this will not be known until a noise assessment is submitted for each phase of the scheme, informed by a detailed layout at the reserved matters stage. Therefore, an additional planning condition is recommended to enable this to be addressed at the reserved matters stage, as was done with Overstone Leys (condition 26 to DA/2013/0850).

8.214 Objections have been received from the operator of nearby Sywell Aerodrome, which are echoed in the formal comment received from the relevant neighbouring local authority (formerly the Borough of Wellingborough, now North Northamptonshire Council). These objections consider that the introduction of a substantial number of new dwellings on the application site will eventually have an adverse impact upon the ability of the airfield to operate with only limited constraint, as it currently does. The objector considers that potential complaints about noise nuisance from overflying aircraft may start to grow once the development becomes occupied, particularly given that the application site is directly beneath the approach/departure circuit for Sywell Aerodrome. The objector considers that the submitted noise assessment does not pay due regard to

national guidance as found in Planning Policy Guidance 24 (PPG 24) and that it is flawed; and also does not pay sufficient attention to the likelihood of 'extreme' noise events, when airfield-related activities may generate short-lived but loud events which would lead to 'significant community annoyance'. Concern is also expressed that the assessment fails to acknowledge that current activity/flight levels at the aerodrome could legitimately be notably increased, up to the airfield's current permitted frequency of 92,000 Air Traffic Movements (ATM's) per annum.

8.215 The relationship between the operation of the aerodrome and this allocated housing site has been considered by WNC's Environmental Health Officers, and it is considered that any future adverse impacts upon Aerodrome operation potentially arising from overflying on the residential amenity of future residents can be addressed by planning conditions, particularly with respect to the acoustic environment within buildings. Effective mitigation against potentially intrusive noise within the external environment (including private gardens) is more difficult to achieve but on balance, it is not considered that this is likely to be extreme and frequent enough to prohibit development in accordance with the strategic allocation. It must be remembered that Overstone Green is part of a larger allocated SUE, much of which is approved and already under development, and that this issue will have been considered prior to allocation.

8.216 Of potential relevance is a recent (December 2021) case involving a legal challenge by an airfield operator near Windsor in response to the grant of outline planning permission for adjoining residential development. The challenge related to the operator's concerns that the external noise environment within the proposed development would lead to complaints that may in future constrain the operation of the established airfield. The grounds of the challenge were that:

- the noise assessment was flawed;
- that the council had failed to take into account all of the airfield activities including those not covered in the noise assessment, and that it had thus acted contrary to PPG guidance; and
- that it had applied the wrong noise threshold (66bD LAeq (16 hrs) instead of the lower threshold of 55dB LAeq (16 hrs).

In its judgement, the High Court ruled that any errors in that assessment were not crucial as the planning officer's report recognised that the housing would be prejudicial to the business, and that the assessment would be likely to underestimate noise. It was also noted by the High Court that as the airfield had not submitted its own noise assessment to support its assertions then the submitted noise assessment was the sole technical assessment available to the local planning authority in making its decision. The judgement also noted that it was 'inconceivable' that the planning officer had not taken due regard of the NPPF and the PPG in relation to noise issues, and reiterated that the PPG is '*merely practice guidance, which is intended to support the policies in the NPPF.*'

8.217 There are similarities and differences in the details and context of the Windsor case that limit its applicability to this application. Specifically, in the Windsor case the proposed development was sited adjacent to the airfield boundary; Overstone Green is in excess of 1,000m from the aerodrome perimeter so will be less subject to direct invasive noise. Additionally, the Windsor airfield operator was already subject to complaints from nearby residents of previous new housing built in close proximity to the boundary.

8.218 The Overstone Green applicant's noise assessment has been judged by WNC Environmental Health Officers to be sufficiently robust to enable the potential noise impacts of airfield activity upon residential properties to be considered, and mitigation

proposed. The potential impacts on future residential amenity in relation to road traffic noise from the adjacent A43 have also been considered, which is likely to be more invasive than aircraft noise due to its magnitude, proximity, and continuous nature.

8.219 Air traffic noise is not a statutory nuisance that local authority Environmental Health departments can enforce. The Civil Aviation Authority (CAA) monitors air traffic noise but does not provide advice on what is an acceptable level; Sywell Aerodrome is already subject to restrictions on the total number of air traffic movements it can generate, which were imposed by an Inspector at the grant of planning permission at appeal for the Aerodrome's hard runway in 2007.

#### Overall conclusions on Noise

8.220 The Council's Environmental Protection Officer is satisfied that noise assessments have been undertaken in accordance with the relevant standards and procedures, and concurs with the conclusions reached. The design of this outline planning permission has taken into account the site constraints from noise sources. Issues relating to noise arising during construction can be satisfactorily controlled through appropriately worded conditions. Road traffic noise from the adjacent A43 has been identified as being the principal impact upon residential amenity, with overflying light aircraft being a much lesser impact. Planning conditions have been specified to provide protection to the internal noise environment of future buildings and to minimise the likelihood of potential conflicts in the future, albeit this is more difficult to address in respect of external areas. In this context of this site being an allocated development site, that it is considered that the impacts of external noise would not prevent the careful development of the site in accordance with Policy N3, and that the scheme will accord with Policy BN9 of the WNJCS, and with the overarching intentions of the NPPF.

#### **AIR QUALITY**

8.221 Policy BN9 of the WNJCS sets out criteria for the control of pollution from new development, including *'Maintaining and improving air quality, particularly in poor quality areas, in accordance with the national air quality standards and best practice.'*

8.222 The NPPF, at paragraph 181, states that *'planning policies and decisions should sustain and contribute towards compliance with relevant limit value or national objectives, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, green infrastructure provision and enhancement.'*

8.223 The submitted ES notes that existing air quality in the area is generally good, and that there are not any Air Quality Management Areas (AQMA's) within the vicinity of the application site. However, even without the proposed development exceedances of the nitrogen dioxide (NO<sub>2</sub>) objective in the anticipated first year of opening (2023) have been predicted at a single constrained location in Moulton where conditions result in reduced dispersion of road traffic emissions. There are no designated ecological sites within the vicinity of the site that are likely to be potentially affected by air quality changes.

8.224 Works during the construction phase have the potential to create dust, and therefore mitigation measures will be required. It is proposed that these will be addressed via measures included within a Dust Management Plan and/or the Construction Environment Management Plan, such as regular monitoring at receptors, erection of dust screens where appropriate, use of dust suppression techniques etc.

8.225 Post-construction, the key contributor to air quality concerns will be traffic emissions arising from new residents and businesses, and concentrations of nitrogen dioxide and specific particulates have been modelled at 99 receptors, representing residential properties where the impacts are anticipated to be greatest. Impacts of potential traffic emissions on air quality for future residents have also been assessed at 9 locations within the proposed development. Overall, these projections have not found the projected operational effects to be significant, this judgement concluding that air quality for future residents will be within acceptable limits, with only slight adverse impacts predicted at two isolated locations across the study area representative of a small number of receptors. As a consequence, no further specific mitigation measures are proposed for the operational phase, however good design/best practice measures will be employed, such as ensuring that the primary school and dwellings are set back from roads; and the provision of measures to offset the use of private motor vehicles, such as pedestrian and cycle access/routes, bus stops, and electric vehicle charging points within the site.

8.226 The council's Environmental Health Officer concurs that traffic generation is considered to be the most significant contributor to future air pollution, especially in predominantly rural areas such as this. It is also noted that the existing air quality in the area is good, but that 1600 dwellings and the associated development will inevitably generate traffic. For this reason, it is stated that the approach to mitigating and minimising air quality impacts needs to look principally at the proactive control of traffic generation and traffic emissions, in addition to considering the impacts of heating systems etc.

8.227 This is supported by the WNJCS Policy C1 – Changing Behaviour and Achieving Modal Shift; Policy C2 New Development (Sustainable Transport); Policy S10 Sustainable Development; and Policy S11 – Low Carbon and Renewable Energy. In addition, a key theme of the NPPF is that developments should enable future occupiers to make green vehicle choices and incorporate facilities for charging plug-in and other ultra-low emission vehicles. It is recommended that some electric vehicle charging provision should therefore be incorporated into the scheme, at a provision rate of 1 vehicle charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking for dwellings or non-residential properties such as the local centre). To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

8.228 In addition, it is also recommended that a number of specific measures should be incorporated into any permission via the use of planning conditions, to include a travel plan, pedestrian and public transport priority etc. Many of these options are already demonstrated in the illustrative details and Design Code and/or can be specified by conditions or S106 clauses. Some will need to be further addressed at the reserved matters stages and others are not currently directly controllable via the land use planning system but enforced by other codes, such as the Building Regulations.

#### Overall conclusions on Air Quality

8.229 The Council's Environmental Protection Officer has expressed concerns over the potential longer-term impacts of this scale of development, principally arising from increased traffic emissions, however these can largely be addressed via the use of planning conditions and associated measures at the outline planning permission stage and thereafter. The illustrative design of this outline planning permission incorporates instances of good practice, and any issues arising during the construction phase can be addressed by careful management, prescribed by planning conditions. Additionally, for some time careful attention will have to be paid subsequently to ongoing conditions on-site, as both the construction and operational phases will continue in parallel until the

development is complete. In this context that it is considered that the scheme will accord with Policies S10, C1, C2 and N3 of the WNJCS; and with the overarching intentions of the NPPF.

## **GROUND CONDITIONS**

- 8.230 Policy BN9 of the WNJCS requires that proposals for new development which are likely to cause pollution, or to result in exposure to sources of pollution, will need to demonstrate that they provide opportunities to minimise and where possible to reduce any pollution. As well as ground pollution, this encompasses air quality, noise, surface and groundwater quality, and minimising light pollution. Policy BN10 relates to ground instability and states that development on sites comprising unstable or potentially unstable ground will only be permitted where the nature of the ground stability has been assessed and mitigated.
- 8.231 The NPPF requires that decisions ensure that a site is suitable for its new use, taking account of ground conditions and any risks arising from land instability and contamination. The majority of the site, some 90%, comprises intensively farmed arable land, with the remainder comprising woodland (Cowpasture Spinney) plus existing access track and buildings. 59ha or 68% of the site is land considered the 'best and most versatile' farmland, which would not normally be considered appropriate for conversion to built development. The ES notes that this permanent loss of predominantly good agricultural land would constitute a significant negative effect, however in this instance this is in the context of the site already being allocated for strategic development to meet the needs of Northampton.
- 8.232 Furthermore, a potential has also been identified for significant adverse effects to result from the loss of topsoil during the construction phase and for subsoil compaction to compromise or remove vital soil properties (in particular moisture storage) for the operational phase. It is proposed in the ES (Chapter 10) that the on-site soil resource can be protected by means of a Soil Management Plan, created in accordance with the Construction Code of Practice for Sustainable Use of Soils on Construction Sites. This should include the identification of valuable soil resources plus detailed methodologies for soil handling in order to minimise compaction damage and, if properly conceived, implemented, and monitored, the ES states that the effect of the proposed development on the soil resource would be negligible.
- 8.233 Chapter 15 within the ES looks at existing ground conditions and potential historic contamination. Given the historic agricultural usage of the vast majority of the site, no abnormal ground contamination is deemed likely and no potential ground instability has been identified. However without suitable measures there could be adverse significant effects including impacts on controlled waters (ground waters and surface waters) arising from contamination from both construction and operational phases; impacts upon construction workers from soil contamination during the construction phase; and impacts on residents over time from any contamination during the operational phase. All are considered to be potentially significant effects if no mitigation is employed.
- 8.234 The proposed suite of mitigation measures includes mitigation by design (such as foundation design etc.), as well as any impacts on ground waters and surface waters to be addressed by applying further mitigation where evidenced by site investigation, if necessary. Potential impacts on construction workers may be mitigated through the identification and use of appropriate Personal Protective Equipment and work practices, supported by appropriate training and facilities.

8.235 The Council's Environment Health Section advocate the use of a Construction Management Plan to cover all aspects and potential impacts during construction, including dust, noise, and a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works. In terms of land contamination, it is acknowledged that the development area is situated on agricultural land so the risk of land contamination is very low. However, due to the underlying geology present throughout Northamptonshire the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use. In addition, it is possible that unforeseen contamination may be discovered or caused during development that needs addressing. A comprehensive planning condition is therefore recommended, which allows for a staged discharge of the condition. This will address Site Characterisation; the submission of a remediation scheme as required; implementation of the remediation scheme; and the reporting of any unforeseen contamination.

#### Overall conclusion on Ground Conditions

8.236 The proposed development will, by definition, have a detrimental impact upon the national reserve of good quality agricultural land, as it will be lost to permanent development. This impact will already have been considered however when the decision was taken to allocate the eight fields as an extension to the North of Northampton SUE, and found to be acceptable given the overriding need for additional housing land to be provided to meet the needs of Northampton. There are no significant ground contamination issues and therefore no impacts upon the locality or upon future residents arising from ground contamination, subject to the application of good practice measures to address any issues that may arise and to protect soil quality; these can be addressed by use of planning conditions as appropriate.

#### **MINERALS**

8.237 The Minerals Planning Authority has advised that part of the proposed site is located within a sand and gravel Minerals Safeguarding Area (MSA) for sand and gravel. Therefore prior to any development taking place, the applicant should demonstrate how it meets Policy 28 of the Northamptonshire Minerals and Waste Local Plan (MWLP). Policy 28 relates specifically to the MSAs and ensures that they are protected from sterilisation by incompatible non-mineral development. Taking the Mineral Assessment Report into account, the applicant should demonstrate that significant sterilisation of proven mineral resources will not occur as a result of the development. If this cannot be demonstrated, prior extraction will be sought where practicable.

8.238 A similarly sized portion of the adjoining Overstone Leys site, the majority of the land to the north of Overstone Farm, also comes within the MSA. This is shown on the proposals map for WNJCS Policy N3 but is not referenced in either the policy or in the supporting text.

8.239 Section 15 of the Environmental Statement (Ground Conditions) references the presence of the MSA via a separate Mineral Assessment Report, which considered the likely viability of mineral extraction from the site. This found that planning permission for large-scale sand and gravel extraction is unlikely to be granted as only part of the current application site (roughly 50%) falls within the MSA, and the site is constrained by the electricity power lines and high-pressure gas main that traverse it. Furthermore, there are currently six other existing sand and gravel extraction sites with planning permission in the locality.

8.2340 Whilst therefore prior extraction is potentially possible, this would necessitate the physical removal of the material followed by the importation of replacement inert material (at significant cost and environmental impact) or significant regrading within the excavated area. This would have major impacts upon the delivery of the development on the allocated site as well as environmental impacts due to traffic, noise and dust. Incidental excavation is therefore advocated, involving any gravel extracted from footings, landscaping, and drainage works etc. can be sustainably re-used on-site, regulated by an appropriate Minerals Management Plan and earthworks regime.

#### Overall conclusion on Minerals

8.241 Officers consider that the impacts of the proposed development with respect to the underlying sand and gravel resources will be relatively minor and outweighed by the benefits of developing the remainder of this allocated major development site. This consideration would have been taken into account at the time that the site was originally allocated.

### **SUSTAINABILITY**

8.242 One of the core planning principles as outlined in the NPPF is for land-use planning to support and facilitate a transition to a low-carbon future in a changing climate and through this is the encouragement of the use of renewable resources. The NPPF identifies the role planning plays in helping to shape places to secure reductions in greenhouse gas emissions, providing resilience to the impact of climate change and supporting the delivery of renewable and low carbon energy associated infrastructure.

8.243 Policy S10 of the WNJCS seeks to reduce the impact of climate change through reducing carbon emissions by the application of sustainable design principles. Policy S11 seeks greater energy efficiencies in building construction and use and through the increased use of low carbon and renewable energy. The policy identifies key considerations in the assessment of development proposals for renewables, which include sensitively locating proposals to minimise the impact on people as well as the built, natural and cultural environment.

8.244 Policy ENV9 of the Local Plan (Part 2) states that where appropriate and viable, new development should utilise the availability of any local energy network, such as combined heat and power (CHP) systems, or generate their own energy from low carbon technology.

8.245 Following the technical housing standards review, the Government withdrew the Code for Sustainable Homes in order to simplify the regulatory procedures that apply to house building. National Government has set out that whilst the Code cannot be applied in full, local planning authorities can continue to set and apply policies that require compliance with the energy performance requirements that exceed Building Regulations requirements. The intention is that in accordance with Policy S11 of the WBNJCS and DDC Housing SPD Policy Ho10, dwellings shall include energy efficiency measures equivalent to those required to achieve level 4 of the former Code for Sustainable Homes.

8.246 Paragraph 8 of the NPPF emphasises that there are three dimensions to sustainable development; economic, social, and environmental. The proposal for this development has been prepared to address each of these three dimensions in order to deliver a new sustainable community, as the second element of a strategic housing site to meet the identified needs of Northampton:

- *Economic* – the site, as part of a larger allocated site on the northern fringe of Northampton, is well located with respect to existing and potential future employment sites within the urban area. The site includes an area for new employment with a dedicated access directly on to the A43, and new employment opportunities will also be provided within the site at the proposed primary school and new retail and community facilities, including the care home. Jobs will also be created during the lengthy construction phase and subsequently spending by the new residents will filter down as economic benefits to local businesses and employees. Contributions by developers towards new highways infrastructure will also have an overall positive effect on the locality.
- *Social* – the proposal will provide for some 1600 homes, which will include a range of types and tenures over time and will help to meet the identified private and affordable housing needs within the area, specifically relating to Northampton. Local services within the site such as the primary school and community facilities will avoid the potential for over-capacity within existing nearby facilities. However, not all of the needs arising from the proposed development can be addressed on-site so, as with the initial element of the SUE at Overstone Leys, contributions will be provided where necessary for capacity improvements to nearby off-site facilities (e.g. formal sports provision) where these are not being provided on-site. Additionally, the provision of on-site open space with leisure and recreation facilities including pedestrian and cycle links to Overstone village and Overstone Leys and beyond, will provide opportunities for future residents to live a healthy lifestyle.
- *Environmental* – the proposal includes the retention of the existing landscaping, retaining the key elements from what is otherwise a relatively bland agricultural landscape, as well as key biodiversity features, allied to new landscape planting. New footpaths, cycleways, and public transport links (connected through to Overstone Leys) will help to reduce reliance on use of the private car and its resultant effects on air quality and amenity. Locating key facilities on-site in close proximity to each other should also help to reduce private vehicle use as they will be accessible to residents by a variety of modes and the need for subsequent trips should be reduced. The illustrative masterplan provides connectivity through to Overstone Leys for pedestrians, cyclists and vehicles by providing links through both sites.

The proposed surface-water drainage system, as informed by the Flood Risk Assessment, takes into account the risks of climate change such that the development proposals can mitigate and adapt to these risks. The outline proposals include sustainable measures for dealing with both on-site drainage and to avoid increasing the risk of flooding elsewhere.

The new homes covered by this outline application will be built in accordance with the prevailing building regulations (as prescribed nationally) to ensure that their performance and methods for achieving Zero Carbon Homes status is achieved. The approach and technologies will be addressed and confirmed at the reserved matters stages and secured via planning conditions, and the detailed design of the homes and neighbourhoods will also be subject to the provisions of the Overstone Green Design Code.

#### Overall conclusion on Sustainability

8.247 The proposed development has been designed to take advantage of opportunities offered by the site and to provide benefits for the future occupants, in response to the requirements of WNJCS Policy N3. In addition, and in accordance with Policy S11 and

with DDC Housing SPD Policy H010 and Local Plan (Part 2) Policy HO8, conditions can be applied to ensure that dwellings include energy and water efficiency measures equivalent to those required to achieve level 4 of the former Code for Sustainable Homes.

## **SOCIO-ECONOMIC IMPACTS**

8.248 Chapter 8 of the NPPF contains guidance relating to “promoting healthy and safe communities”. It directs that planning policies should aim to achieve healthy, inclusive and safe places that promote social interaction, are safe and accessible and support healthy lifestyles. Chapter 5 contains guidance relating to “delivering a sufficient supply of homes”, ensuring that a sufficient amount and variety of land is available in areas in which it is needed, that the housing needs of specific groups are addressed and to ensure that land with planning permission is developed without unnecessary delay. Chapter 6 contains guidance seeking to encourage “building a strong, competitive economy”. It directs that there should be a strong focus on encouraging economic growth and productivity, accounting for both business needs and wider opportunities for development.

8.249 Specifically, the Framework sets out the economic and social roles as follows:

- *An economic role* – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth, innovation and improved productivity, and by identifying and coordinating the provision of infrastructure; and
- *A social role* – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and by fostering a well-designed and safe built environment with accessible services and open spaces that reflect current and future needs and support communities’ health, social, and cultural well-being.

8.250 The proposed development will bring a number of socio-economic benefits. The total population when the development is complete is estimated by the applicant to be approximately 2,100 economically-active and employed residents. As with most similar such large urban extensions it is expected that a range of new residents will eventually populate it but particularly families with adults of working age. This diversity of housing is likely to help maintain a balanced population within the locality, supporting both aging members of the population and the relatively high proportion of young and working age residents.

8.251 It is estimated by the applicant that the development will create some 324 temporary jobs over the construction phase (over an estimated 13-year build period) and a net 267 additional jobs in the former Daventry District economy once completed. In addition the applicant estimates that the completed development will in time also generate substantial figures for the local authority (in terms of household expenditure; Council Tax payments; New Homes Bonus; Business Rates; CIL payments to the district and parish councils; and also an estimated £11.6million of Gross Value Added (GVA) per annum in the former DDC area (pre-April 2021), or £100million over the next 10 years (present value). Whilst the former Daventry DC economy is specified in the ES as the recipient of various financial benefits, it will now be West Northamptonshire Council that will reap any benefits from the proposed development. It should also be noted that the North of Northampton SUE was principally allocated in order to meet Northampton town’s needs, although impacts will accrue wider afield.

8.252 With regards to the operational phase a range of measures and/or contributions to address ongoing impacts arising from, and also addressing, the needs of the new population and their activities are proposed; these are itemised in the sections above and also summarised below under the heading 'Infrastructure and developer Contributions'.

#### Overall conclusion on Social & Economic Impacts

8.253 For the reasons outlined above, Officers consider that the socio-economic impacts of the proposed development will largely be positive and where they are considered to have an impact, can be suitably mitigated through onsite provision, planning conditions, or by offsite contributions via S106 and/or CIL.

#### **IMPACTS ON LOCAL RESIDENTIAL AMENITY**

8.254 There are very few residential properties within reasonable proximity to the site, particularly to the Overstone side (east and south) as the village is separated from the development site/SUE boundary by some 400m of large open fields that are classified as Green Wedge under Local Plan Policy ENV2. A small number of properties exist however to the east and north, within open countryside on the far side of the A43, and the occupants have expressed concern at potential impacts upon their amenity, especially during the construction phase, and associated with the access and future widening of the A43. There will inevitably be some disruption to these properties during construction works, including any eventual A43 widening, which may affect those closest. These impacts can be addressed to some extent by planning conditions to regulate the timing and methodology of construction works as recommended by the council's Environmental Health Officer.

8.255 No permanent adverse impacts upon residential amenity are predicted at this stage, however particular attention will have to be paid to these relationships when the reserved matters applications are considered. The current illustrative details do include a setback for proposed development fronting the A43, with new landscaping and a footpath/cycleway included. Allied to concerns over impacts on residential amenity, the Northamptonshire Police Crime Prevention Design Advisor expressed concern over the potential for the potential for crime and criminality arising from the development as this issue is not explicitly addressed in the outline application. Many elements of the Design Code do however address relevant factors (street design, design of public and private spaces, means of enclosure etc.) and this issue can therefore be properly addressed at the reserved matters stages. Careful consideration of reserved matters applications for both Overstone Leys and Overstone Green will help to address any potential issues over relationships between the two sites, both of which are part of the same overall allocation.

#### Overall conclusion on Impacts on local residential amenity

8.256 For the reasons outlined above, Officers consider that there will be little lasting impact upon the residential amenity of the relatively small number of properties within the vicinity of the site. Any temporary impacts that may arise due to the construction phases of the development, and particularly the accompanying A43 works, can be addressed via planning conditions.

#### **INFRASTRUCTURE AND DEVELOPER CONTRIBUTIONS**

8.257 All large-scale development, with the resultant increase in population, will put pressure on existing community facilities. Some facilities may have spare capacity but others will require expansion, improvement, or additional provision to enable them to accommodate

the increase in population from the proposed development. Work has been undertaken to identify the necessary community infrastructure to support the application proposals and mitigate their impact. This has identified a mixture of on-site and off-site provision, direct provision of facilities, and financial payments to facilitate provision by others.

8.258 Section 106 of the Town and Country Planning Act allows for planning obligations to be entered into in connection with any appropriate development. Specific regulations (linked to the introduction of the Community Infrastructure Levy, or CIL) introduced in 2010 and 2011 make it unlawful for a planning obligation to be taken into account when determining a planning application if the obligation does not meet the following tests:

- a) Necessary to make the development acceptable in planning terms
- b) Directly related to the proposed development; and
- c) Fairly and reasonably related in scale and kind to the development.

8.259 The community infrastructure identified as necessary in this instance (so meeting the tests set out above) covers a broad range of items, similar to those previously identified in relation to Overstone Leys. Some of these are necessary for the development to go ahead, such as the provision of safe vehicular access, whilst others are necessary to meet the National Planning Policy Framework and Local Plan requirements, for example, the measures to achieve biodiversity impact mitigations. A long list of mitigation items has been identified by the Council, and by other external bodies such as the NHS.

8.260 Extensive discussions have taken place with the applicant regarding the nature of the planning obligations that would be necessary to be included in a Section 106 (S106) agreement, in order ensure that the planning policy requirements are addressed as fully as is possible, and all impacts arising from the proposed development are properly addressed and mitigated. These items are largely driven by local and national policy, and closely align with the measures previously identified in the context of the planning application for Overstone Leys (DA/2013/0850), however this is also influenced by the inputs of planning consultees and by the discussions over scheme viability. The S106 or 'Planning Gain' will include the following areas or topics (the timing of payments, or 'triggers', will be clarified through the viability assessment and S106 negotiations):

- **Affordable Housing** – provision of minimum 35% affordable housing across the development or as agreed through an assessment of the overall scheme viability
- **Highways and transport** –
  - Contribution of £1,280,000 towards Northampton Growth Management Scheme
  - Contribution of £8.0m towards A43 dualling
  - Contribution of £300,000m towards the provision of off-site traffic mitigation schemes in nearby villages plus minor works to specified village junctions, by agreement with affected parish council
  - Contribution towards public transport provision comprising Travel plan/public transport improvements (£1,600 per dwelling) and making travel cards available to residents to encourage travel by public transport (one per dwelling or £121,600)
- **Education** –
  - Primary education, including early-years provision - on-site provision, involving £6.5m for delivery of new primary school and 2hs site plus additional primary contribution of £794,000 and
  - a contribution of £7,360,000 towards off-site secondary education IF required (not payable if an independently-funded academy and sixth-form at Wantage Farm, Moulton, is provided by others)
- **Libraries** – Contribution of £160,000 towards the improvement, enhancement or expansion of Library facilities to serve the area

- **Primary Health Care** - £1,071,630 towards the provision of additional services at Moulton Surgery
- **Community Facilities** –
  - provision of a facility on-site of minimum 350m<sup>2</sup> floor area, to be delivered at or before the 300<sup>th</sup> dwelling;
- **Off-site formal sport & recreation facilities** – contribution of £742,500 towards enhancement of nearby off-site sports facilities:
  - Contribution of £742,450 towards the renewal/replacement of an artificial grass pitch at Moulton College, which will increase the capacity at MC for grass-roots football, hockey & rugby plus additional changing room capacity at Moulton College to support the increase in capacity, and/or qualifying alternative schemes if these come forward; and
  - Contribution of £50,000 towards the expansion of facilities at Overstone Park Cricket Club
- **On-site Public Open Space and informal recreation facilities** –
  - Provision of greenways, linear park, pocket parks, childrens’ play areas (1 x LEAP; 2 x NEAP) and natural informal recreation areas
  - Provision of minimum 0.65ha of allotment/community orchard land
  - **On-site POS maintenance** obligation OR commuted sum for management by parish council or another third-party – sum of £3,140,806 identified by DDC’s Nortoft Report
- **S106 monitoring fee.**

In addition, National Highways (formerly Highways England) has requested a contribution towards the Northampton Growth Management Scheme, equating to £800 per dwelling and amounting to £1,280,000 in total for the proposed development of 1600 dwellings. It is anticipated that this contribution to be paid by the applicant directly to National Highways by entering into an agreement under Section 278 of the Highways Act 1980 with them prior to the first occupation of the proposed development.

#### Overall conclusion on Infrastructure and developer Contributions

8.261 This is a large and very complex development with significant potential impacts, positive and also perhaps some less so. Subject to considerations of scheme viability, see below, it is considered that if the elements covered by the S106 agreement and by planning conditions are addressed then the application is policy-compliant.

#### **OVERALL SCHEME VIABILITY**

8.262 The applicants have undertaken an assessment of the viability of the scheme in order to assess the levels of affordable housing and of community infrastructure that it is considered the scheme can deliver, taking account of the significant infrastructure costs that will be required for the development to acceptably mitigate its impacts. The NPPF, at paragraph 58, notes that *‘Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision-maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.’*

8.263 The viability exercise has been undertaken by Tustain Associates Ltd. on behalf of the applicants, and has been assessed by White Land Strategies Ltd. on behalf of the council, both consultants working at the applicant’s expense. WLS are an established

scheme viability specialist and have worked for DDC and other local councils on similar cases before in respect of development viability matters.

8.264 The applicant's Development Viability Assessment is based upon a residual land value exercise that has been produced by establishing the following elements:

- **Serviced Land Costs and Revenue** – Costs and revenue of the development parcels that exclude all site wide and off-site abnormal and servicing costs.
- **Infrastructure Budget** – All works associated with servicing the development parcels that include all abnormal site costs outside of the development parcels, such as the off-site highway works, site access junction works, abnormal and off-site utilities and drainage, ground remodelling and remediation, strategic landscaping, site wide ecology and archaeological costs.
- **Plot Abnormals** – Costs associated with features such as abnormal foundations, retaining structures, underbuild (additional sub-ground floor works) and other additional specification requirements.
- **Section 106 Budget** – Section 106 and CIL related costs.
- **Cash flow** – A unit delivery exercise and phasing plan has been established in order to facilitate a cash flow exercise.
- **Residual Appraisal Summary** – The combination of the above costs and revenue, finance costs, developer's profit and SDLT is used to determine an indicative residual land value.

8.265 The applicant's viability exercise begins by taking into account the fully policy-compliant scenario that is predicated on the provision of 35% affordable housing across the site, plus all other expected S106 infrastructure requirements. Two further alternative scenarios are also presented that show the impact of a number of affordable housing scenarios and affordable housing split; and the inclusion or exclusion of the secondary schooling contribution. This latter option is a response to the potential building of a new government-funded secondary school nearby, at land at Wantage Farm in Moulton, which, if it goes ahead, would mean that the Overstone Green development is not required to contribute towards the provision of off-site secondary education.

8.266 In brief, the three alternative scenarios presented are as follows:

**Viability Scenario 1 -**

- Compliant private dwelling mix.
- Compliant affordable housing provision at 35%.
- Compliant S106 that includes the secondary school education contribution of £7.3m.

This is the fully policy-compliant scenario that demonstrates the full impact of the compliant affordable housing provision of 35%; the council's preferred private dwelling mix; and the inclusion of the £7.3m secondary school contribution.

**Viability Scenario 2 –**

- Non-compliant private dwelling mix.
- Affordable housing provision at 7%.
- Compliant S106 that includes the secondary school education contribution of £7.3m.
- Affordable housing provision adjusted to achieve £100k / acre.

This viability scenario shows the required reduction in the affordable housing provision necessary to maintain the proposed threshold land value of £100k per gross acre and

the secondary education contribution of £7.3m. This includes a revised private dwelling mix that increases the coverage in order to provide a higher level of affordable housing.

### **Viability Scenario 3**

- Non-compliant private dwelling mix.
- Affordable housing provision at 15%.
- Exclusion of the secondary school education contribution of £7.3m.

This final viability scenario demonstrates the impact on the level of potential affordable housing provision of excluding the secondary education contribution (due to the implementation of the independently-funded Wantage Farm academy scheme). Following further discussion with the applicants, the potential level of affordable housing provision has been increased to 17.5%.

8.267 The report then goes into much detail regarding the effect of factors such as serviced land development costs and revenues; infrastructure and plot abnormal costs; Section 106 costs and Community Infrastructure Levy (CIL); phasing, unit delivery, and cash flow; and the commercial land component of the scheme. The exercise then looks at how to arrive at a reasonable residual land value that would provide what is considered a competitive and sufficient return for the landowner. This, it is stated, requires a 'threshold land value' to be determined upon which to gauge an appropriate level of affordable housing provision and S106 infrastructure contributions (a 'threshold land value' is generally accepted as meaning '*the value at which a typical willing landowner is likely to release land for development, before the payment of taxes*').

8.268 There is no specific set may of determining a threshold land value, and the applicant's viability appraisal alights on a value of £125,000 per gross acre, after studying national advice and local land values and transactions. The conclusion drawn from the applicant's viability exercise is that a threshold land value of £100,000 per gross acre is proposed upon which to base the affordable housing and section 106 contributions provision. In justification of this conclusion it considers that the proposed site demonstrates a number of viability challenges in the form of upfront cash flow requirements; significant access and highway improvements works; off-site utility and foul drainage costs; on site earthworks; and remediation requirements together with significant open space provision. Based upon the site-specific factors and constraints, the compliant viability scenario at 35% affordable housing is shown to be unviable. It is therefore proposed to reduce the affordable housing provision to a level that is viable in combination with an agreed affordable tenure split, private housing mix and coverage target, and s106 contributions.

8.269 The applicants' report has been considered and analysed by the council's own viability specialists, who have to-date advised that further exploration of the rates and assumptions underpinning the applicant's assessment should be undertaken. The council's advisors consider that it should be possible to increase the overall percentage of affordable housing provided from 17.5% to a level closer to the policy requirement of 35%. Discussions are ongoing and the outcome of further negotiations will be reported at the committee meeting.

### Overall conclusions on scheme viability

8.270 As the viability position currently stands (at the time of writing this report), officers are not convinced that it is sustainable development because it has not been demonstrated that the developer contributions would either be fully policy compliant, or that the maximum that it is possible to achieve from the development. The question of whether the affordable housing provision should be subject to a review mechanism (which is a

common practice with large development schemes with a long build-out) also remains unresolved at the time of writing. However, this is not unusual for a large and complicated site such as this, especially at this stage of negotiation, and the council's advisors are continuing to work with those employed by the applicants to reach agreement. The key pressure is the relationship between the affordable housing contribution and the abnormal infrastructure costs, and officers are, at the time of writing, continuing to scrutinise the applicant's viability appraisal. A written update will be provided to the Committee, ahead of the meeting on 23<sup>rd</sup> March 2022, to inform its resolution.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1 Section 70(2) of the Town and Country Planning act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, will be, or could be, provided to a relevant authority or Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).
- 9.2 Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body.
- 9.3 In deciding an application for planning permission or appeal where a local financial consideration is material, decision makers need to ensure that the reasons supporting the decision clearly state how the consideration has been taken into account and its connection to the development. New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. Even where anticipated Bonus payments are not a material consideration in making planning decisions, they can be noted for information in committee reports on applications for housing. Where this is done, care will be required not to imply that Bonus payments are relevant to the decision before the committee.
- 9.4 The accommodation proposed within the application will also attract payments under the Community Infrastructure Levy. Daventry DC brought the CIL regulations into force in the District on September 1<sup>st</sup> 2015 and CIL still applies in the former DDC area. CIL Regulation 123 was subsequently revoked nationally by the Community Infrastructure List (Amendment) (England) (No.2) Regulations 2019; this change to the regulations means that it is also now possible to request a S106 obligation for an item of infrastructure that may also be on the local authority's Infrastructure List, if the request is considered to be justifiable. There are currently a number of categories of infrastructure listed by WNC on its infrastructure list, which generally correspond to the previous Regulation 123 list under DDC, however now the list sets out those elements of infrastructure that the council currently intends will be, or may be, wholly or partially funded by CIL. There is accordingly now less certainty as to how some elements of infrastructure may be funded or delivered. The inclusion of specific projects in the list does not signify a commitment from the council to fund all the listed projects, or the entirety of any one project, through CIL. The council's list is reviewed annually.
- 9.5 Due to this current planning application being in outline the CIL figure is currently unknown, and proposed CIL-liable development will only be identified and quantified at the reserved matters stages. Certain reliefs and exemptions are available and if claimed could result in a zero charge for some types of development, unless disqualifying events occur.

9.6 There are therefore not considered to be any financial considerations, as defined above, which are directly material to the determination of this outline planning application.

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

- 10.1. This proposal is for the final portion of an allocated site and follows on from the approval of planning permission for Overstone Leys, which forms the southern part of the allocation. The form and content of the current application broadly reflects that for Overstone Leys, with appropriate updates and improvements to reflect progressions in planning policy, guidance, and legislation that have occurred in the interim. It is therefore considered to be in broad conformity with WNJCS policies, in particular S1(A), S3, S4, S5 (1 b), S8 1 (d), S10, RC2, H1, BN2, and N3. This proposal also conforms with LPP2 policies, and in particular policies SP1, HO8, ST1, ENV1, ENV4, ENV5, ENV10, ENV11, and CW2.
- 10.2. In the context of the presumption in favour of sustainable development as set out in the NPPF, it is considered that, on balance, the proposal would result in sustainable development. The application accords with the development plan for West Northamptonshire Council and would, over the lifetime of the project, deliver a balanced and sustainable development of 1600 homes and associated community infrastructure in an attractive and pleasant well-designed environment. The proposed arrangements for accessing the site will potentially link into planned upgrades to the strategic A43 route and enable it to be conveniently accessed by car and public transport without significant adverse impacts on the existing highway network. The scheme will also promote sustainable transport within and beyond the site, and will complement the emerging Overstone Leys development adjacent whilst establishing its own identity.
- 10.3 The scheme will protect and enhance the site's biodiversity and will not cause flooding. No other significant adverse environmental impacts have been identified that would warrant the refusal of outline planning permission, subject to appropriate planning conditions and obligations to provide or contribute towards supporting infrastructure both on- and off-site. The scheme will inevitably extend into open countryside, taking up open agricultural land and, inevitably, will permanently change the character and appearance of the countryside and of the immediate locality. This level of significant impact was however considered and accepted when the site was originally allocated for a sustainable urban extension, and therefore it is considered that, on balance, the change is justified by the positive contribution that the scheme will make to the supply of new housing.
- 10.4 It is recommended therefore that outline planning permission be granted for the development, subject to the imposition of the conditions listed in the attached schedule and to the satisfactory completion of an agreement under Section 106 of the Town and Country Planning Act 1990.

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

**11.1. THAT THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION BE GRANTED DELEGATED POWERS TO FINALISE MATTERS ASSOCIATED WITH THE FOLLOWING AND THEN TO GRANT OUTLINE PLANNING PERMISSION SUBJECT TO:**

**1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**

**2. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**

- Affordable Housing provision
- Contributions towards Highways and Transport Improvements, off-site traffic mitigation; and public transport provision
- Provision of and/or contributions towards primary and (if required) secondary education
- Contribution towards the improvement, enhancement or expansion of Library facilities to serve the area
- Contribution towards the provision of additional Primary Healthcare Services in the locality
- Provision of an on-site community facility
- Contribution towards the provision of enhanced off-site formal sport and recreation facilities
- Provision of on-site open spaces, play areas, allotment/community orchard, and natural informal recreation areas, plus provision for the ongoing management thereof
- Payment of the Council's monitoring costs necessary to mitigate and manage the impact of the proposed development in accordance with relevant policies and having regard to those matters that would be covered by the Community Infrastructure Levy; and

**In the event that the planning committee refuse to grant planning permission the Assistant Director for Growth, Climate and Regeneration seeks delegated authority to agree the content of a S106 Agreement in the event that an appeal is received.**

**FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 25<sup>TH</sup> MARCH 2022. IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:**

- 1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate off-site traffic and highways mitigation and an appropriate level of affordable housing provision 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 and contrary to West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1), Policies H2 and N3; and Daventry District Local Plan (Part 2) (LPP2), Policy H08.**

## **Draft Conditions –**

### **TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS –**

#### **Time Limits -**

1. (a) Application for approval of all the reserved matters for the first Phase or the first Sub-Phase of the development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Development within the first Phase or the first Sub-Phase shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last reserved matters to be approved for the first Phase or first Sub-Phase whichever is the later.  
  
(b) Application for approval of all the reserved matters for the subsequent Phases or Sub-Phases of development shall be made to the Local Planning Authority before the expiration of 11 years from the date of this permission. Development within those subsequent Phases or Sub-Phases shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved for that Phase or Sub-Phase.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

#### **Submission of Reserved Matters -**

2. No part of the built development hereby permitted on a development parcel shall be commenced on a particular phase or sub-phase (as referred to in Condition 6) until full details of the layout, scale, appearance and landscaping within the parcel (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and in the interests of highway safety and to protect wildlife etc. in accordance with Policy ENV5 of the Daventry District Local Plan (Part 2).

#### **Compliance with Approved Plans and Documents -**

3. The development shall be carried out in accordance with the approved plans:
  - Site Location Plan - P17-1499\_003 sheet No. 01 Rev. C, validated on the 9<sup>th</sup> January 2020; and
  - Illustrative Masterplan - P17-1499\_007-01 Rev: Q
  - Parameter Plan - P17-1499\_017-01 Rev: M
  - Single Carriageway Alignment - W17223 Drawing no:SK\_111 Rev: P6,

Received by the Local Planning Authority on the 14<sup>th</sup> December 2021; and

- Landscape Framework - Figure 7.24B
  - Open Space Typologies - GL0894 SK2B
  - Landscape Sections North & West Boundaries – Figure 7.26B
- Received by the Local Planning Authority on the 7<sup>th</sup> January 2022;

And the following submitted documents:

- Environmental Statement dated December 2019, ref: P17 1499, as amended by Volume 1A – Addendum to the Environmental Statement, October 2020; and Volume1B – Addendum to the Environmental Statement, December 2021
- Design & Access Statement, Ref: P17-1499\_200A, December 2019, as amended by DAS Addendum Ref: P17-1499\_203, October 2020; and by DAS Second Addendum Ref: P17-1499\_204A, December 2021
- Overstone Green Design Code, December 2021 Edition;

Received by the Local Planning Authority on the 14<sup>th</sup> December 2021; unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason : To clarify the permission and for the avoidance of doubt and to ensure compliance with the Environmental Statement dated December 2019 (as revised by the Addendum dated October 2020) and its technical appendices and Addendums as the application was determined on the basis of the submitted plans and development parameters, as were the significant environmental effects; and to ensure that the principles established in the outline application are reflected in the development and all applications for the approval of reserved matters.

#### **Development Parameters -**

4. The Development hereby permitted (The Development) shall comprise no more than:
  - 1,600 dwellings;
  - 5.73ha. of commercial land including:
    - Local Centre – use classes A1/A3/A5/D1 with car parking, service areas, and public courtyard
    - Assisted Living/Residential Care Home (Class C2)
    - Conversion of former agricultural building to community hub (Classes D1/A3); and
    - Employment Area (Classes B1/B2/B8)
  - Primary School – 1x 2.5 form entry school (2 ha.).
  - Green Infrastructure and public open space.

Reason: For the avoidance of doubt, as the application was submitted and considered on this basis, as were all significant environmental effects; and in order to limit the quantum and mix of development (in accordance with the conclusions of the Transport Assessment) and the impact of traffic generated on the highway network.

#### **Design Code -**

5. All subsequent applications for built development of a development parcel on a particular phase or sub-phase (as referred to in Condition 6) for full details of the layout, scale, appearance and landscaping within the parcel ("the reserved matters") shall be submitted in full compliance with the provisions of the Overstone Green Design Code, December 2021 Edition, or any subsequent editions as agreed in writing with the Local

Planning Authority. All development shall thereafter be carried out in accordance with the principles and details of the approved Design Code.

Reason: To ensure that the development is to an acceptable standard of design and incorporates acceptable levels of residential amenity in accordance with Policy ENV10 of the Daventry District Local Plan (Part 2) and Para 58 of the NPPF.

#### **Phasing Plan -**

6. The development phasing shall be carried out in accordance with the submitted scheme 'Indicative Phasing Plan, DRG: P17-1499\_021 Sheet No: 01 Rev: B' dated 09/01/22. Thereafter each reserved matters application shall refer to a phase, phases or part thereof identified in the approved phasing plan. The development shall be carried out in accordance with the approved Phasing Plan. Any subsequent amendment to the development shall be submitted to the Local Planning Authority in the form of a revised phasing plan and approved in writing by the Local Planning Authority.

Reason: To ensure that the development progresses in an orderly manner, having regard to the necessary requirements for access.

#### **Ecology Survey Updates -**

7. If a phase or sub-phase of the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of this planning consent, any approved ecological measures secured through condition 34 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to
  - i) establish if there have been any changes in the presence and/or abundance of relevant habitat and/or species and
  - ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of that phase or sub-phase of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Where the approved development is to proceed in a series of phases over 11 years, further supplementary ecological surveys for relevant habitats and/or species shall be undertaken relevant to that phase or sub-phase to inform the preparation and implementation of corresponding phases of ecological measures required through Condition 34. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guidelines.

Reason: In the interests of protecting and preserving wildlife and its habitats in accordance with Policy ENV5 of the Daventry District Local Plan (Part 2).

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

## **Construction Environmental Management Plan (CEMP) -**

- 8 No part of The Development shall take place in any phase, sub-phase or development parcel until a Construction Environment Management Plan for that phase, sub-phase or development parcel has been submitted to and approved in writing by the Local Planning Authority and shall be based upon prevailing British Standards and best practice guidance where relevant. The Construction Environment Management Plan shall include and specify the provision to be made for the following:
- (a) Dust mitigation measures during the construction period;
  - (b) Control of noise emanating from the site during the construction period;
  - (c) The location of the constructor's compound(s) including provision for the storage of plant, machinery and materials.
  - (d) Enclosure of phase or sub-phase development sites;
  - (e) Provision for all site operatives, visitors and construction vehicles loading, offloading, parking and turning within the site during the construction period;
  - (f) Arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways, including wheel-washing facilities;
  - (g) Details for the advisory routing of the Heavy Goods Vehicle construction traffic including full details of the advisory offsite signage for the routing of Heavy Goods Vehicle construction traffic;
  - (i) Full details and drawings of any proposed temporary accesses for construction works, including details of any temporary traffic management measures; arrangements for the removal of temporary accesses and reinstatement of the highway boundary, verge, kerb and any associated foot/cycleway when no longer required for construction traffic; plus remedial works (if applicable) along with any Safety Audit(s), if required by the Local Planning Authority;
  - (j) Details of the route and type of construction of any temporary haul routes across the site;
  - (k) Hours of Work; which should limit the hours of construction work including site clearance and delivery of materials to within the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays;
  - (l) Details of any foundation designs (including piling) and ground source heating and cooling systems using penetrative methods;
  - (m) Details of specific biodiversity protection measures to be submitted, with particular reference to roosting bats, nesting birds, and badgers;
  - (n) Details of a scheme(s) for recycling/disposing of waste resulting from demolition and construction works;
  - (o) measures to control overspill of light from temporary security lighting; and
  - (p) Prior to the commencement of construction works affecting any existing public right of way full details of any enhancement, improvement, diversion or closure to be submitted to the Local Planning Authority.

The construction of The Development shall thereafter be carried out in accordance with the approved Construction Environment Management Plan for each phase or sub phase unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, residential amenity, and environmental protection in accordance with Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy; to protect and prevent the pollution of controlled waters in accordance with Policy ENV11 of the Daventry District Local Plan (Part 2); to protect biodiversity and protected species during construction in accordance with Policy ENV5 of the Daventry

District Local Plan (Part 2); and to accord with the Environmental Statement dated December 2019 and its technical appendices.

### **Tree and Hedge Protection Measures -**

9. No equipment, machinery or materials relating to a particular phase, sub-phase, or development parcel shall be brought on to the site for the purposes of development and no development shall take place on any phase or sub-phase until the existing tree(s) and hedge(s) to be retained within that phase or sub-phase have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority:
- a) Protective barriers shall be erected around the tree(s) and hedges to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees/hedges 10 times the trunk diameter just above the root flare.
  - b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations'
  - c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and/or demolition and shall be maintained until all equipment, machinery and surplus material have been removed from the site.
  - d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.
  - e) No retained tree or hedge shall be removed, cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard BS 3998 (Tree Work).
  - f) If any retained trees or hedges are removed, cut down, uprooted or destroyed or die, they shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the approved plans and particulars detailed under Condition 3 and those approved under Condition 2. Paragraphs (e) and (f) above shall have effect until the expiration of 5 years from the completion of that Phase or Sub-Phase.

Reason: To ensure the continued health of retained trees and hedges and in the interests of the visual amenity of the area and to comply with Policies SP1, ENV1 and ENV5 of the Daventry District Local Plan (Part 2).

### **Highways Works –**

#### **Site Access**

- 10 Prior to the commencement of any works on any phase, engineering drawings of the access junction as detailed on Drawing No: SK\_111 Rev. P7, received by the Local Planning Authority on the 9<sup>th</sup> March 2022, shall be submitted to and approved in writing by the Local Planning Authority. The detailed submission shall include the site access roundabout, Public Right of Way VAS, A43 cycle path, local centre access, and land required for future dualling; and shall also include both vehicular and

pedestrian/cycleway facilities, including inter-vehicular and pedestrian visibility splays, carriageway and footpath/cycle widths, levels, gradients and surfacing proposals. The northern splitter island of the roundabout shall also detail the pedestrian crossing facilities to enable pedestrians to follow the route of the Public Right of Way No DG2. No dwellings in any phase shall be occupied until the works have been constructed in accordance with the approved details.

Reason: To accord with Policy N3 of the adopted West Northamptonshire Joint Core Strategy Local Plan (Part 1) and in the interests of highway safety.

#### **Land Set Aside for Future Dualling**

- 11 The land shown on Drawing No: SK\_111 Rev. P7 to the east of the A43 carriageway and to the west of the applicant's site shall be dedicated as publicly maintained highway land, in order for the eventual dualling of the A43 to be facilitated.

Reason: To facilitate the future dualling of the A43 carriageway.

#### **A43 Shared Cycle/ Footpath**

- 12 Prior to first occupation of the site, the shared cycle/ footway running along the east side of the A43 carriageway from the site access roundabout to the existing Overstone Leys roundabout as shown on Drawing No: SK\_111 Rev. P7, shall be constructed.

Reason: In the interests of highway safety and accessibility.

#### **Local Centre Access/ Internal Roundabout**

- 13 Prior to construction works for the local centre commencing, the Local Centre access, internal roundabout and spine road between the main A43 site access roundabout and internal roundabout as shown on Drawing No: SK\_111 Rev. P7 shall be constructed and open to traffic.

Reason: In the interests of highway safety and accessibility.

#### **Construction Access**

- 14 No works are to take place within the site until the site access roundabout (A43) as shown on Drawing No: SK\_111 Rev. P7 is complete and open to traffic. This access shall thereafter be used for all construction traffic associated with the development.

Reason: In the interests of highway safety

#### **Public Rights of Way**

- 15 The Vehicle Activated Sign and associated infrastructure as shown on Drawing No: SK\_111 Rev. P7 for the pedestrian crossing point on the A43 for Footpath DG4 shall be installed and operational prior to first occupation of the site.

Reason: In the interests of highway safety.

#### **Off-site junctions**

- 16 Prior to the occupation of 50 dwellings the mitigation scheme identified within the Transport Assessment (further response to the Local Highway Authority, March 2022) prepared by Jubb at the A43 Round Spinney roundabout shall have been implemented.

Reason: To accord with Policy N3 of the adopted West Northamptonshire Joint Core Strategy Local Plan (Part 1).

- 17 Prior to the occupation of 50 dwellings the mitigation scheme identified within the Transport Assessment (further response to the Local Highway Authority, March 2022) prepared by Jubb at the A43 Holcot lane-Sywell Road roundabout shall have been implemented.

Reason: To accord with Policy N3 of the adopted West Northamptonshire Joint Core Strategy Local Plan (Part 1).

- 18 Prior to the occupation of 50 dwellings the vehicular and pedestrian link through to the Overstone Leys development to the immediate south shall have been provided.

Reason: To accord with Policy N3 of the adopted West Northamptonshire Joint Core Strategy Local Plan (Part 1).

#### **Surface Water Drainage Scheme –**

- 19 Before any above ground works commence on any phase, sub-phase, or development parcel a detailed design of surface water drainage scheme for the phase or sub-phase based on the approved Flood Risk Assessment & Drainage Strategy document ref. no. 17223-FRA&DS-01 v6 dated 12th October 2020 prepared by Jubb Consulting Engineers Ltd., subsequent rebuttal from Luke Evans ([l.evans@jubb.uk.com](mailto:l.evans@jubb.uk.com)) dated 14/12/2020, and Flood Risk Assessment and Drainage Strategy document ref: 17223 FRA Addendum v1 submitted December 2021, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations demonstrating a discharge rate (Qbar) for the proposed developed area less public open space. The soil factor adopted in calculating the discharge rate should be agreed following the conclusion of detailed site investigation works, with the discharge rate calculated using an approved method and the attenuation volume using FEH rainfall data. If the detailed design uses the complex method to match the respective Q1, Q30, Q100 storms with the additional volumetric runoff restricted to Qbar or 2.0 l/s/ha, whichever is greater, it should be done so in accordance with the Local Standard and Guidance for Surface Water Drainage in Northamptonshire.
- iii) Cross sections of control chambers (including site-specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iv) Detailed scheme for the ownership and maintenance for every element of the surface-water drainage system.

The details to be submitted in accordance with the above shall incorporate the following mitigation measures detailed in the approved FRA:

- The full extent of the proposed development shall be located outside of the fluvial flood zone, within Flood Zone 1.
- The proposed development adjacent to the flood risk areas shall correspond to a level of 105 metres above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding both on and off site by ensuring a satisfactory means of surface water attenuation and discharge from the site in accordance with Government advice in the National Planning Policy Framework, Policy BN7 of the West Northamptonshire Joint Core Strategy, and Policies SP1 and ENV11 of the Daventry District Local Plan (Part 2).

### **Foul Water Drainage -**

- 20 No built development, which comprises the erection of a building required to be served by water services, shall be undertaken in connection with any phase sub-phase, or development parcel until full details of a scheme including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority for that phase, sub-phase or development parcel. No dwellings in that phase, sub-phase or development parcel shall be occupied until the works have been carried out in accordance with the foul water strategy so approved, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property and to comply with Government advice in the National Planning Policy Framework and Policies SP1 and ENV11 of the Daventry District Local Plan (Part 2).

### **Contamination –**

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

#### **A. Site Characterisation: -**

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

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to:
  - Human health
  - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
  - Adjoining land;

- Groundwater and surface waters;
  - Ecological systems;
  - Archaeological sites and ancient monuments.
- (iii) An appraisal of remedial options and proposal of the preferred option(s).

This must be in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' (or any model procedures revoking and replacing those model procedures with or without modification).

**B. Submission of remediation scheme: -**

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

**C. Implementation of Approved Remediation Scheme: -**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**D. Reporting of Unexpected Contamination: -**

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

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

**Electric Vehicle Charging Infrastructure -**

- 22 No built development shall take place on any phase, sub-phase or development parcel until a scheme for the installation of Electric Vehicle charging infrastructure has been submitted to and agreed in writing by the Local Planning Authority for that phase, sub-phase or development parcel. The scheme shall make provision for ducting and shall

include details and locations of such provision taking into consideration the availability of electrical supply (therefore it should be designed with reference to information held by the local distribution network operator) and should aim for a minimum capacity for electric vehicle charging provision at a rate of 1 vehicle charging point up to 7.2kw per unit (dwelling with dedicated parking where feasible in relation to approved layout) or 1 7.2kw charging point per 10 spaces (unallocated parking for dwellings or non-residential premises/locations such as the local centre or employment area). To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Such provision shall be formed and laid out in accordance with the approved details before usage of the parking spaces commences and shall remain in place thereafter.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government advice in the National Planning Policy Framework 2018, paragraph 110 and Policy ENV9 of the Daventry District Local Plan (Part 2).

### **Archaeology -**

- 23 No development shall take place within an individual area of archaeological activity, as identified on the agreed mitigation plan ref: P17-1499 Mit dated 31/01/2022 (whether these occur within or across development phases, sub-phases or development parcels) until the applicant has secured the implementation of a programme of archaeological work for an individual area of archaeological activity in accordance with a written scheme of investigation for an individual area of archaeological activity, which has been submitted by the applicant and approved in writing by the Local Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- i) Fieldwork in accordance with the agreed scheme of investigation for each individual area of archaeological activity, prior to the commencement of any other works within that individual area of archaeological activity;
- ii) Post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- iii) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Local Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To secure that features of archaeological interest are properly examined and recorded and the results made publicly available, in accordance to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16) and ENV7 of the Daventry District Local Plan 2020 (Part 2).

### **Fire Hydrants -**

- 24 No built development shall commence on any phase, sub-phase or development parcel until a scheme and timetable detailing the provision of fire hydrants and their associated infrastructure for that phase, sub-phase or development parcel has been submitted to and approved in writing for that phase by the Local Planning Authority. The fire hydrants

and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

### **Open Space Strategy -**

25 No built development shall take place on any phase, sub-phase or development parcel until there has been submitted to and approved in writing by the Local Planning Authority an Open Space Strategy which shall include the specification, the timing of the completion or and arrangements for the management of: -

- i) All areas of informal and formal open space identified in the Landscape Framework (ref: Figure 7.24B) and Open Space Typologies Plans (ref: GL0894 SK2B); Children's play areas including two LEAP's and one NEAP for the wider site, in general accordance with the Open Space Typologies Plan (ref: GL0894 SK2B)
- ii) Sustainable Urban Drainage Systems, watercourses and other water bodies
- iii) Green Infrastructure linkages including pedestrian and cycle links and public rights of way and bridleways.

The development shall thereafter be carried out in accordance with the approved Open Space Strategy

Reason: To ensure the provision of adequate play areas for residents, to safeguard the long-term future of the play areas and in order to protect the residential amenities of nearby residents and the visual amenities of the area in accordance with Policies CW1 and CW2 of the Daventry District Local Plan 2020 (Part 2).

### **External Lighting -**

26 No built development shall take place on any phase, sub-phase or development parcel until a Lighting Strategy incorporating details of all external lighting (including details of permanent external lighting/security lighting/floodlighting including layout plan, design, position, orientation, lighting types, luminaire type, intensity, mounting height, aiming angles and luminaire profile) for each phase, sub-phase or development parcel have been submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. These details shall incorporate a Sensitive Lighting Strategy (SLS) which shall demonstrate how any retained and/or enhanced habitats will be protected from light spillage and ensure provision of dark corridors for wildlife.

The lighting shall be fully implemented and thereafter operated/maintained as approved for each phase of the development and in accordance with the approved Lighting Strategy/SLS for that phase or sub phase.

Reason: In the interests of visual amenity and highway safety and to comply with Government advice in PPG19: Outdoor Advertisement Control; to protect the amenities of nearby residents; to comply with Policy BN2 of the WNJCS; and to comply with Policy ENV10 of the Daventry District Local Plan 2020 (Part 2).

### **Floor Levels -**

27 No development shall commence on any phase, sub-phase or development parcel until details of existing and proposed ground and finished floor levels for that phase, sub-phase or development parcel, including (where possible) existing levels of adjacent land,

have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the residential amenity of adjoining properties.

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

**External Plant -**

- 28 Prior to the installation of any external plant at any non-residential premises within the development a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142:2014 (or as amended). Once approved the plant hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.

Reason: In the interests of minimising pollution and safeguarding amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy Planning for Pollution Control.

**Commercial cooking uses -**

- 29 Prior to any food preparation and cooking being undertaken at any non-residential premises within the development (other than re-heating food in a microwave or the preparation of hot beverages) full details of any cooking equipment and odour control system to be installed shall be submitted to and approved in writing by the Local Planning Authority, including the acoustic treatment of the odour control system to prevent the emissions of noise affecting noise sensitive premises (including flats above or adjacent to the premises). In submitting schemes for the control of fume, odour and noise the developer shall have regards to physical controls, operational restrictions and administrative controls, where appropriate. The scheme shall thereafter be installed and maintained in accordance with the approved details at all times thereafter. Upon completion of all works to implement the approved scheme with regards to noise, testing shall be carried out and a report submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby permitted to verify the scheme's effectiveness.

Reason: In the interest of safeguarding residential amenity with regard to odour and noise in accordance with Policy B9 of the West Northamptonshire Joint Core Strategy.

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

**Noise –**

- 30 Prior to the first occupation of any development of each phase, sub-phase or development parcel hereby approved, a scheme to demonstrate that the internal noise levels within the residential units of that phase will conform to the guideline values for

indoor ambient noise levels under background ventilation rates as identified within BB 8233 2014 (or as amended) - Guidance on Sound Insulation and Noise Reduction for Buildings, and that the external living area (gardens) noise levels shall conform to World Health Organisation (W.H.O):1999 guidelines – 50-55dB LAeq,16hr, shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation work required by the approved scheme shall then be carried out in accordance with the approved details prior to occupation and shall be retained thereafter.

Reason: In the interests of minimising pollution and safeguarding amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014 Planning for Pollution Control.

- 31 Prior to the use of the proposed school commencing a scheme to demonstrate that noise levels outlined in BS93 2014 (or as amended) can be achieved to protect pupils from excessive noise shall be submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the school in accordance with the approved details and shall be retained thereafter.

Reason: In the interests of minimising pollution and safeguarding amenity in accordance with policy BN9 of the West Northamptonshire Joint Core Strategy 2014 Planning for Pollution Control.

#### **Roads not proposed for Adoption -**

- 32 In the event that any of the streets associated with the residential element of this approved development are not being proposed for adoption as public highway, prior to first occupation of any dwelling within a relevant phase, sub-phase or development parcel, the following details shall be submitted to and approved in writing by the Local Planning Authority;
1. Details of a site Management Company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity.
  2. The streets will be laid out and constructed to adoptable standards.
  3. A legal agreement is provided by the development that the streets will not be put forward for adoption.
  4. The streets will be identified as private through the use of appropriate private street nameplates on the entrances to the development from the public highway.
  5. Any vehicle access to the site from the public highway shall be implemented as standard vehicle cross-overs.

The streets shall thereafter be maintained in accordance with the approved details.

Reason: To accord with Policies SP1 and H01 of the Daventry District Local Plan 2020 (Part 2) which requires that development shall have a satisfactory means of access and in the interests of highway safety and the convenience of users of the adjoining highway.

#### **Travel Plan -**

- 33 No part of the development in any relevant phase or sub-phase shall commence until a Travel plan for that phase or sub-phase, in accordance with the approved Framework Travel plan (ref: 17223 TP01) has been submitted with each reserved matters application and approved in writing by the Local Planning authority. The approved details shall be adhered to in each phase or sub-phase.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government advice in the National Planning Policy Framework.

#### **Biodiversity Management Plan (BMP) -**

- 34 A Biodiversity Management Plan (BMP) for each phase or sub-phase shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of that phase or sub-phase of the development. The content of the BMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures; and
  - i) Details of any European Protected Species Licences and/or Badger Licences (or any equivalents arising from subsequent national legislation) relating to that phase, sub-phase or development parcel.

The BMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body or bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme (the objectives outlined within the qualitative appraisal undertaken as part of the Aspect Ecology response (ref: 1001812) dated September 2020). The approved plan will be implemented in accordance with the approved details.

Reason: In order to safeguard wildlife and its habitats in accordance with Policy ENV5 of the Daventry District Local Plan 2020 (Part 2).

#### **CCTV -**

- 35 None of the buildings within the local centre shall be occupied until a scheme for CCTV monitoring of the local centre has been submitted to and approved in writing by the Local Planning Authority. The CCTV scheme shall be installed and operated in accordance with the agreed details before any of the buildings within the Local Centre are occupied and for the life span of the development.

Reason : To ensure that the development does not give rise to crime and antisocial behaviour in accordance with Government advice in the National Planning Policy Framework and Policy ENV10 of the Daventry District Local Plan 2020 (Part 2).

#### **Verification Report – Surface Water Drainage System –**

- 36 No Occupation of a phase or sub-phase shall take place until the Verification Report for the installed surface water drainage system for that phase or sub-phase based on the approved Flood Risk Assessment & Drainage Strategy document ref. no. 17223-

FRA&DS-01 v6 dated 12th October 2020, and Flood Risk Assessment & Drainage Strategy document ref: 17223 FRA Addendum v1 submitted December 2021, prepared by Jubb Consulting Engineers Ltd; and subsequent details approved under condition 19 has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.;
- e) CCTV confirmation that the system is free from defects, damage and foreign objects
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site

### **CONDITIONS TO BE COMPLIED WITH AT ALL TIMES -**

#### **Landscaping Scheme -**

- 37 All planting, seeding or turfing comprised in the approved details of landscaping for each phase, sub-phase or development parcel (including Advanced Planting) shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of any phase or sub-phase, whichever is the sooner, or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority and shall be maintained for a period of 15 years from the completion of any phase or sub-phase Any trees and/or shrubs which within a period of 15 years from the completion of the phase or sub phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ENV4 of the Daventry District Local Plan 2020 (Part 2).

#### **Reserved Matters to comply with Flood Risk Assessment -**

- 38 All subsequent reserved matters applications for the development plots shall refer to and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site.

### **Local Centre -**

- 39 The Local Centre Area (as indicated on the Illustrative Masterplan (P17-1499\_007-01 Rev.Q) and within the Design and Access Statement dated December 2019 (as revised October 2020 & December 2021) shall permit the inclusion of the following uses within the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order):
- a) Retail uses within Classes A1, A3, and A5 and sui generis;
  - b) Non-residential uses within Use Class D1; and
  - c) Residential uses within Use Classes C2 and C3.

Reason: To ensure that the urban extension has the facilities required to serve the new population without causing harm to the vitality and viability of the town centre in accordance with Policy S9 of WNJCS and Section 7 of the NPPF.

### **Relationship to Mears Ashby/Harpole gas pipeline –**

- 40 All subsequent reserved matters applications for the development parcels or plots shall ensure that no facilities which involve outdoor use by the public such as play areas, football pitches etc. shall be located within the inner zone of the Mears Ashby/Harpole pipeline (as shown on drawing no: P17 -1499\_043, sheet no: 01 Rev: D, dated 03/03/2022) , and that the 'Linear Park' is laid out such that the population is discouraged from congregating within the inner zone of the Mears Ashby/Harpole pipeline, i.e. only landscaping within the inner zone.

Reason: To minimise any risk to the public arising from the relationship of the proposed development with the pre-existing underground gas pipeline.

### **National Housing Space Standards -**

- 41 All subsequent reserved matters application for residential development shall be in accordance with the Technical Housing Standards – Nationally described space standards (2015) or any amended document. The development shall be implemented in accordance with the details approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that minimum housing standards are complied with and in accordance with Policy H08 of the Daventry District Local Plan 2020 (Part 2).

### **Housing Mix and Type –**

- 42 All subsequent reserved matters application for any Phase or Sub-Phase, which includes residential development, shall be in accordance with the housing mix as agreed with the Local Planning Authority and subject to the outcome of a viability appraisal. The development shall be implemented in accordance with the details approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the development provides a mix of dwelling type and size to cater for current and forecast accommodation needs in accordance with identified housing needs.

### **Energy efficiency –**

- 43 All subsequent reserved matters applications for residential development shall demonstrate that they include energy efficiency measures equivalent to those required to achieve level 4 of the former Code for Sustainable Homes; and all non-residential developments over 500m<sup>2</sup> gross internal floorspace shall demonstrate that they include energy efficiency measures equivalent to a minimum rating of at least BREEAM (BRE Environmental Assessment Method) 'Very Good' standard or appropriate equivalent national zero-carbon standard.

Reason: In order to ensure that the approved homes are designed with energy efficiency measures in accordance with Policy S11 of the West Northamptonshire Joint Core Strategy and Daventry District Council's Housing Supplementary Planning Document 2017.

### **Water efficiency –**

- 44 Prior to construction works proceeding above slab level on any phase, sub-phase, or development parcel, details of water efficiency measures for that phase, sub-phase, or development parcel, to achieve a water consumption rate of no more than 110 litres per person per day shall be submitted to and approved in writing by the local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to ensure water resource availability for the West Northamptonshire area in accordance with Policy H08 C) iv) of the Daventry District Local Plan 2020 (Part 2), Policy S11 of the West Northamptonshire Joint Core Strategy and Daventry District Council's Housing Supplementary Planning Document 2017.

### **Public Rights of Way –**

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

Reason: To ensure that established public rights of way are protected, maintained and, where possible, enhanced.

### **INFORMATIVES: -**

#### **Discharge of conditions**

You are reminded that under the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this planning permission. You can apply to discharge more than one condition at the same time. The fee is £116 per request (at the time of this approval). The fee is payable when you submit the details to discharge the condition(s).

The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.

#### **Broadband**

The Northamptonshire vision is for the county to be at the leading edge of the global digital economy. This requires new developments (both housing and commercial) to be directly served by high quality fibre networks. Access to a next generation network (speeds of >30mbs) will bring a multitude of opportunities, savings and benefits to the county. It also adds value to the development and attracts occupiers.

In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable fibre connectivity for all new developments in respect to receiving superfast broadband services. To help developers, some fibre based broadband network providers such as BT Openreach and Virgin Media have dedicated online portals which provide assessment tools and technical help.

There are also other providers may also be able to connect your development: <http://www.superfastnorthamptonshire.net/how-we-aredelivering/Pages/telecoms-providers.aspx>.

Early registration of development sites is key to making sure the people moving into your developments get a fibre based broadband service when they move in. More information can be found in the links below:

- BT Openreach: <https://www.ournetwork.openreach.co.uk/property-development.aspx>
- Virgin Media: <http://www.virginmedia.com/lightning/network-expansion/property-developers>

It is advised that ducting works are carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 – I Series Underground Cable Ducts (see <http://www.dft.gov.uk/ha/standards/mchw/index.htm> ).

For further information on the project please visit [www.superfastnorthamptonshire.net](http://www.superfastnorthamptonshire.net) or contact: Tom Smith - Broadband Delivery Team Tel: 01604 365351 / Email: [tsmith@northamptonshire.gov.uk](mailto:tsmith@northamptonshire.gov.uk)

### **Groundwater and Contaminated Land**

The Environment Agency recommends that developers:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
4. Refer to the contaminated land pages on GOV.UK for more information.

### **Noise**

The applicant shall have regard to the suitability of the type of residential accommodation in the proposed location and its design and layout before consideration of glazing and ventilation specifications which are seen as the last mitigation solution to be considered as supported by stage 2 of the ProPG guidance. The scheme shall also take into account

the requirements of Building Regulations Approved Document F for ventilation and overheating.

It should be noted that the Local Authority, in considering compliance with the noise scheme condition(s) has regard to both internal and external amenity space noise levels. Applications may be refused where the external noise levels or internal noise levels do not meet the standards required. 55dB(A) in an external amenity space is seen as the upper limit. Whilst there is some flexibility to the standards required this can only be applied where planning policy supports the need for the development.

The scheme can be informed by measurement and/or prediction using noise modelling provided that the model used has been verified. Only an appropriately qualified acoustic consultant will be able to carry out an assessment of the noise. The Institute of Acoustics website gives contact details of acoustic consultants – [www.ioa.org.uk](http://www.ioa.org.uk)

The applicant should also have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure that the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces. Approved Document E does not apply to mixed use classes where residential use is situated adjacent to non-residential uses. In this case an assessment under BS8233:2014 (or as amended), BS8233:2014 (or as amended) or the World Health Organisation Community Noise Guidelines 199 (or as amended) will be needed, as required by the Local Planning Authority.

Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health. Works audible at the site boundary outside of the approved hours may result in the service of a Notice restricting the hours. Breach of notice may result in prosecution and an unlimited fine and/or six months imprisonment.

### **Registration of food premises**

Should consent be given the applicant is reminded that the premises must be registered at least 28 days before opening via the GOV.UK website. It is a legal offence to operate as a food premises without this registration.

### **Invasive Weeds**

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

### **Surface Water Drainage**

Details will be required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The maintenance scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to

be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

### **Fire Hydrants**

With reference to Condition 16 above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant and associated infrastructure.

### **High-Pressure Gas Pipeline**

Cadent Gas operates a high-pressure gas pipeline and associated easement running diagonally through the development. Cadent will need to be liaised with and consulted before any work takes place in the vicinity of the HP gas pipeline, and any plant protection measures we deem necessary to protect the integrity of the high-pressure gas pipeline must be employed.

### **Badger protection**

The applicant/future applicants are advised to liaise with the Northamptonshire Badger Group when bringing subsequent development proposals, and to have regard to the Badger Trust's Guidance for Developers booklet published in 2019 when producing a Badger Mitigation Plan(s).