

Application Number: DA/2018/0526

Location: Land at Mickle Well Park, Ashby Road, Daventry

Development: Reserved matters application (appearance, landscaping, layout and scale) for development of 344 dwellings (including 17 self build plots) pursuant to condition 1 of outline planning permission DA/2014/0869 in addition to discharge of conditions, 10, 15, 21, 22, 26 & 32

Applicant: Orbit Homes

Agent: Marron Planning

Case Officer: Chuong Phillips

Ward: Daventry East

Reason for Referral: Major Development

Committee Date: 9th May 2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION BE GRANTED DELEGATED POWERS TO FINALISE MATTERS AS SET OUT WITHIN THE REPORT AND THEN TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AS DEEMED APPROPRIATE.

Proposal

This current application seeks approval of reserved matters relating to appearance, landscaping, layout and scale pursuant to condition 1 outline planning permission DA/2014/0869 for construction of the remaining 344 dwellings (including 17 self build plots) with discharge of conditions 4, 11, 15, 21, 22, 26 and 32.

Consultations

There have been several 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. The following forms the latest and most up to date responses.

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

- WNC Strategy Service, WNC Highways, Crime Prevention Design Advisor, WNC Fire & Rescue

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

- Northants Wildlife, Natural England, Daventry Town Council, Welton Parish Council

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

- WNC Environmental Health

0 letters of objection and no letters of support were received.

Conclusion

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

The key issues arising from the application details are:

- Appearance
- Layout
- Landscaping
- Affordable Housing
- Highway & Transport
- Ecology and Biodiversity
- Noise

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions to be agreed. 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 344 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 The (outline) application site comprises 38.1 hectares of undulating agricultural land in the open countryside to the north of Daventry and to the south west of Welton village. The site is separated from the existing built up area of Daventry by the intervening Northern Valley Linear Park and Bridge Spinneys, beyond which lies the Lang Farm housing development to the south. The Middlemore housing development lies to the south west of the site beyond an area of intervening open land and the A361, which defines the western boundary of the application site. Open countryside lies beyond the A361 to the west, beyond Welton Lane to the east, and to the immediate north of the application site.

- 1.2 The Grand Union Canal runs east-west to the south of the site, within a deep cutting through Bridge Spinneys before continuing through a tunnel that runs under a portion of the application site and emerges some way west near Braunston. The route of the canal and its immediate surroundings and physical features, including the overland 'boat-horse road' that runs between the tunnel portals across the application site, is designated as a Conservation Area.
- 1.3 The current application (Phase B) encompasses the eastern, southern and northern areas of the outline application site.

2. CONSTRAINTS

- 2.1 The identified planning constraints affecting the application site are:
 - The application site lies adjacent the Braunston Canal Tunnel and Conservation Area.
 - Part of the site lies within the canal tunnel "No build Zone"
 - Public footpaths run alongside the site

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Outline permission was previously granted consent for the construction of up to 450 dwellings, provision of 1.9ha site for a 2 form entry primary school (class D1), community hub (classes D1, D2 and A1), public open space, allotments and associated infrastructure.
- 3.2. Following approval of the outline application, non material applications were submitted and approved to explicitly allow reserved matters information and discharge of conditions to be phased. The granting of the non material applications did not alter the timescale for the submission of reserved matters.
- 3.3. Having regard to the above, the principle of residential development has been established. However, details relating to the reserved matters and conditions remain to be considered.
- 3.4. A reserved matters application (Phase A) for 106 dwellings (including 7 self build plots) (appearance, landscaping, layout and scale) 815 sqm of commercial space, a roundabout from Ashby Road, landscaping and areas for attenuation with discharge of conditions 4, 6, 8, 9, 11, 14, 15, 16, 21, 22, 26 and 32 of the outline consent was submitted and approved under application DA/2014/0869.
- 3.5. This current application (Phase B) seeks approval of reserved matters relating to appearance, landscaping, layout and scale pursuant to condition 1 outline planning permission DA/2014/0869 for construction of the remaining 344 dwellings (including 17 self build plots) with discharge of conditions 4, 11, 15, 21, 22, 26 and 32.
- 3.6. The conditions seeking to be discharged are as follows:

Condition 4: The self-build / custom build areas of the development shall follow a Design Framework which shall have been submitted to and approved in writing by the local planning authority prior to the submission of any reserved matters applications for these plots. The Design Framework shall set out the overarching design principles for the self-build / custom build plots' including (but not necessarily limited

to) landscaping, treatment of public boundaries, access design, height parameters, set-back of principal buildings within each plot, developable / secondary / non-developable zones within each plot, garage dimensions, parking provision and space standards around the buildings. The reserved matters applications for each self-build / custom build plot shall accord with the approved Design Framework.

Condition 11: No development shall commence until a detailed scheme (including a full set of engineering drawings) for off-site highway improvement works has been submitted to and approved in writing by the local planning authority. The scheme for the off-site highway improvement works shall comprise the following works which (1) shall be completed in accordance with the approved details, and (2) written confirmation shall have been gained from the local planning authority that the works are acceptable, within the respective timescales stated below:

A roundabout to access the site (ITB9044-GA-002 Rev I), prior to the commencement of any part of the development;

A footway/cycleway connecting the development site with the existing footway/cycleway north of the Farnborough Drive roundabout (ITB9044-SK-011 Rev G), prior to first occupation of any part of the development;

A toucan crossing at the Farnborough Drive roundabout, prior to first occupation of any part of the development;

Improvements to the footway/cycleway between the Farnborough Drive roundabout and the Drayton Way roundabout, including a toucan crossing at the Drayton Way roundabout (ITB9044-SK-003 Rev E), prior to the first occupation of any part of the development;

Improvements and extension to the footway along Welton Lane to the development site (ITB9044-SK009 Rev G), prior to the first occupation of any part of the development.

Measures to facilitate pedestrian crossing of the A361 from the north-western corner of the site to the public footpath, prior to first occupation of any part of the development.

Condition 15: Prior to the commencement of each phase of development a scheme and timetable for the provision of the fire hydrants for the development shall be submitted to and agreed in writing by the Local Planning Authority and provision of the fire hydrants shall be made in accordance with the approved scheme and timetable.

Condition 21: Prior to the commencement of each phase of development a detailed scheme for the location, design and construction of noise barriers/bunds shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings hereby approved and retained thereafter in perpetuity.

Condition 22: Prior to the commencement of the development hereby approved a scheme to demonstrate that the internal noise levels within the residential units will conform to the guideline values for indoor ambient noise levels identified by BS 8233 2014 shall be submitted to and approved in writing by the local planning authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details and be retained thereafter.

Condition 26: Prior to the commencement of each phase of development an Ecological Management Plan (EMP) shall be submitted to and approved in writing by the local planning authority and implemented thereafter. The EMP shall include, but not necessarily be limited to: details of a lighting strategy for the proposed development; a scheme for the provision of bird and bat boxes; a set of ecological management

prescriptions for enhancing the value of habitats; and a related programme of ongoing monitoring measures.

Condition 32: With submission of each reserved matter, a plan showing the proposed phasing of the development shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history relates to Mickle Well Park and is considered relevant to the current proposal

Application Ref.	Proposal	Decision
DA/2014/0869	Outline application for development of up to 450 dwellings, provision of 1.9ha site for 2 form entry primary school (Class D1), Community hub (Classes D1, D2 & A1), public open space, allotments and associated infrastructure.	Approved with condition & subject of Sect 106 Agreement.
NMA/20170074	Non-material amendment to outline application DA/2014/0869 for development of up to 450 dwellings, provision of 1.9ha site for 2 form entry primary school (Class D1), Community hub (Classes D1, D2 & A1), public open space, allotments and associated infrastructure to allow phased discharge of conditions 6,7, 8, 10, 15, 16, 17, 18, 21, 22, 24, 26, 28, 29 and 32	Approved subject to revised conditions
NMA/2017/0074	Non-material amendment to outline application DA/2014/0869 for development of up to 450 dwellings, provision of 1.9ha site for 2 form entry primary school (Class D1), Community hub (Classes D1, D2 & A1), public open space, allotments and associated infrastructure to allow phasing plan to be submitted with each reserved matter application.	Approved subject to revised condition
DA/2018/0140	Reserved matters application for 106 residential (Phase A) for 106 dwellings (including 7 self build plots) (appearance, landscaping, layout and scale) 815 sqm of commercial space, a roundabout from Ashby Road, landscaping and areas for attenuation with discharge of conditions 4, 6, 8, 9, 11, 14, 15, 16, 21, 22, 26 and 32 of the outline consent was submitted and approved under application DA/2014/0869.	Approved with conditions

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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; the Settlements & Countryside Local Plan for Daventry District (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 -
- S3 - Scale and Distribution of Housing Development
- S10 – Sustainable Development Principles
- S11 – Low Carbon
- C1 - Changing Behaviour and Achieving Modal Shift
- C2 - New Developments
- RC2 - Community Needs
- H1 - Housing Density and Mix and Type of Dwellings
- H2 - Affordable Housing –
- H4 - Sustainable Housing
- BN2 - Biodiversity:
- BN5 - Historic Environment and Landscape
- BN7A - Water Supply, Quality and Wastewater Infrastructure
- BN7 - Flood Risk
- INF1 - Approach to Infrastructure Delivery

Settlements & Countryside Local Plan for Daventry District (Part 2) (LPP2)

- 5.4. The relevant policies of the LPP2 are:

- SP1 - Daventry District Spatial Strategy
- HO2 – Micklewell Park Extension
- HO3 – Micklewell Park Development Principles
- HO8 - Housing mix and type
- ST1 - Sustainable Transport Infrastructure
- ENV1 - Landscape
- ENV5 – Biodiversity –
- ENV10 - Design

Material Considerations

- 5.5. 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):
 - Determining a planning application
 - Environmental Impact Assessment
 - Flood Risk
 - Historic Environment
 - Housing needs of different groups
 - Housing Supply and Delivery
 - 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)

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 presented chronologically.

Consultations – first consultation exercise, January 2020

Consultee Name	Position	Comment
Daventry Town	No objections	Will accept the planning officers advice

Council		
Welton Parish Council	No observations	No observations
WNC Highways	Further information required prior to full discharge of condition 11	<p>The reserved matters details are acceptable to the Local Highway Authority. Please ensure that the development is built out in accordance with the submitted drawings (Feb 2020)</p> <p>With regards to condition 11, the LHA can confirm that the following off site Sect 278 highway works have technical approval from the HA:</p> <ul style="list-style-type: none"> • A roundabout to access the site • A footway connecting the development with the existing footway/cycleway north of the Farnborough Drive roundabout. • A toucan crossing at the Farnborough Drive roundabout. <p>The following works required by condition 11 do not have technical approval from the HA;</p> <ul style="list-style-type: none"> • Improvements and extension to the footway along Welton Lane to the development • Measures to facilitate pedestrian crossing of the A361 from the north western corner of the site to the public footpath. <p>Reference is made to drawings relating to these works within the Transport Statement, however, no details appear to be submitted as part of this application.</p> <p>A toucan crossing at the Drayton Way roundabout also required by Condition 11 has been completed.</p> <p>The LHA require completion of the A361 site access roundabout prior to construction works beginning. The roundabout is the only means of access for construction traffic off the A361.</p>
Northants Wildlife	No objections	Reference is made to document "Landscape & Ecological Management Plan" dated Feb 2018 Version 4 and the Review Addendum For Submission B. This is jointly prepared by consultancies SLR (for the landscape elements) and Ecology Solutions (for the ecology elements).

		<p>I find the content and scope of the reports to be acceptable and satisfactory</p> <p>Subject to implementation of the measures as set out within these documents I can advise that condition 26 can be discharged.</p>
<p>WNC Local Strategy Service</p>	<p>Amendments to the house types and number of affordable units required to ensure provision meets policy requirements.</p>	<p>This is a reserved matters application for 344 dwellings following the grant of outline planning permission. Consequently this advice focuses on the detailed matters rather than the principle of development specifically the provision of affordable housing, housing mix, the level of open space and integration of the site with allocation HO2.</p> <p>HO8 identifies the housing mix and type for the market and affordable dwellings that proposals are largely required to reflect. The mix being proposed on this phase cannot be views in isolation but should be assessed as a whole with Phase A.</p> <p>When assessed against policy HO8, the market housing is largely consistent with the need for 2 bedroom and 5 bedroom dwellings.</p> <p>However, on each of the phases and on the site as a whole there a shortage of 3 bedroom properties (36% against a requirement of 56%) and surplus of 4 bedroom properties (36% against requirement of 22%).</p> <p>The mix of market housing should be adjusted to provide a greater proportion of 3 bedroom houses and reduce the number of 4 bedroom dwellings.</p> <p>There is a good mix of affordable types. However, there is a under supply of two bed houses and an over supply of four bed houses. At least 10 of the four beds within Submission B should be converted into two bed flats to meet the policy requirement of HO8.</p> <p>Policy H2 Affordable Housing states that housing development of 5 or more dwellings 25% should be affordable. On a development of 344 dwellings, 86 affordable homes would normally be expected.</p> <p>Reserved matter application for Phase A only included 15 shared ownership dwellings and thus there was under provision. Reserved matters Phase B sought to bring the affordable</p>

		<p>provision up to policy compliant figure of 97 dwellings.</p> <p>Policy HO4 of the Daventry Affordable Housing SPD refers to the preferred housing mix of two thirds rented and one third intermediate housing. The plans for Phase B shows a provision of 22 shared ownership and 75 affordable rent. Over reserved matters Phases A and B (450 dwellings) 113 affordable dwellings would be expected. There should be 75 affordable and 38 shared ownership. There is a shortfall of one shared ownership dwelling.</p> <p>Current plans show 19 four bedroom shared ownership dwellings. The 2017 Daventry Housing needs survey didn't identify any need for four bedroom shared ownership properties within the town. There was however need for two and three bed shared ownership properties and the four beds should be converted to meet this need.</p> <p>There are 12 x 1 bed flats over garages. These are unpopular with registered providers and tenants. Several of these dwellings have parking under the flats for market dwellings. The Housing SPD make it clear that parking should relate to properties in the same tenure to avoid disputes and shared service costs.</p> <p>The Housing SPD states that the affordable housing clusters should be between 5 and 20 dwellings in schemes over 200 dwellings. The reserved matters for Phase B shows 8 clusters of affordable housing. The clusters are spread throughout the site in clusters of between 2 and 22. The smaller clusters of 2 dwellings are shared ownership so there should not be management issues relating to these. The larger clusters of 22 dwellings is largely made up of flats and therefore have a slightly bigger cluster is acceptable in this case.</p> <p>There are two clusters quite close together. One cluster of 22 includes the flats and the other is next to this with 15 dwellings. Greater separation distance of these two clusters would be preferable. This could be achieved by moving plot no 56 to an area away from the flats.</p> <p>Policy CW2 of the S&CLP part 2 sets out the open space typologies required from developments of 10 or more dwellings. The</p>
--	--	---

		<p>developer is invited to demonstrate against the open space requirement having regard to this policy.</p> <p>Policy HO2 provides a allocated extension of Mickle Well Park with HO3 providing guiding principles for Mickle Well Park as a whole to enable the allocation to integrate with this site including potential routing of public transport. It is important to ensure that internal estate roads are sufficient width and appropriate alignment to accommodate vehicles and public transport connectivity and that there is good footway/ cycleway between the two sites.</p>
Natural England	No comments	No comments
Crime Prevention Design Advisor	Advises amendments	<p>The layout is broadly in accordance with our best practice guidance in that the majority of houses have back to back gardens with parking to the front or side of dwellings. The following measures are recommended to reduce the potential for crime:</p> <p>Where houses are in terraces the alleyways which provide access to the rear should be gated in line with the front building line. The gates should be fitted with a mortice lock operable from both sides for convenience. Plots 307/308 and 309/310 as examples.</p> <p>Where the side fence line of a plot directly abuts open space there should be a planted buffer and a trellis topping to the fence line to reduce opportunities for climbing. See plots 323 – 325; 142, 157 – 158; 109 – 110 as examples.</p> <p>There are two odd open spaces by the side of plots 173 and 174 which ensure that all the garden boundaries in this parcel are exposed. The space has all the hallmarks of an area which will cause annoyance and nuisance to the residents around it. What is its purpose? To protect the gardens which abut the space trellis toppings should be added.</p> <p>Where parking is to the side of a dwelling it should be under supervision from routinely inhabited ground floor rooms. More windows in side elevations are required.</p> <p>Where parking is positioned behind the rear fence line of a dwelling – plots 253/254/ 401</p>

		<p>and 402 the fence line should be supplemented with a trellis topping to reduce opportunities for climbing.</p> <p>The flats – plots 241 – 250 and 216 – 225 should be provided with private residential amenity space around the block to protect the privacy of the ground floor inhabitants and to reduce opportunities for night time burglaries.</p>
WNC Fire & Rescue Service	Insufficient information to discharge condition 15	<p>Preferred water mains is 100mm or above and absolute minimum is 90mm (below this the mains cannot support a hydrant).</p> <p>The general suggested location of hydrants looked Ok for covering the site assuming the water mains are at those locations to feed the hydrants. Until I see the planned water mains, I cannot confirm 100% the location of hydrants.</p>
WNC Environmental Health	Requirement of conditions 21 & 22 have been met and can be discharged.	<p>The report confirms that the acceptable noise criteria required by condition can be achieved without the use of acoustic bunds or barriers, and as such no information is required to be submitted in accordance with Condition 21 and I recommend this condition be discharged. Reference is made to this in section 7.8 and 10.3 of the report.</p> <p>I note that section 8 of the report provides an assessment of the noise impact generated through the construction phase, I would expect this information to be used to inform the Construction Environmental Management Plan required to fulfil condition 24.</p> <p>I consider the requirements of condition 22 have been met, and provided the recommendations and specifications detailed within the report are adhered to, the proposed development will meet the requirements of this condition.</p> <p>Condition 23 refers to fixed building services plant, provided this is installed in accordance with best practice and in line with the proposed Plant Sound Rating Limit (as per Table 9.1), I consider this condition can be discharged. However, please note we require further details before condition 23 can be discharged</p>

7. RESPONSE TO PUBLICITY

7.1 No third party or neighbour responses received at the time of writing this report.

8. APPRAISAL

- 8.1. The site benefits from outline consent for the construction of development of up to 450 dwellings provision of 1.9ha site for 2 form entry primary school (class D1), community hub (classes D1, D2 and A1) public open space, allotments and associated infrastructure. In approving the application conditions were imposed and sect 106 secured for contributions.
- 8.2. Phase A for the approval of reserved matter for 106 residential dwellings (including 7 self build plots) (appearance, landscaping, layout, scale), 815sqm of commercial space, a roundabout from Ashby Road, landscaping and areas for attenuation pursuant to condition 1 of outline planning permission DA/2014/0869 in addition to the discharge of conditions 4, 6, 8, 9, 11, 14, 15, 16, 21, 22, 26 and 32 was approved but affordable housing provision was under the policy requirement with only 15 units being provided. However, it was advised that the shortfall would be made up over the remainder of site to ensure policy compliance.
- 8.3. The current application description Phase B for the remaining 344 residential (including 17 self build units) has been amended since its initial submission to withdraw reference to the discharge of conditions relating to drainage, surface water flooding and the impacts on the Brauston Canal Tunnel. The revised description is as set out within Chapter 2 of this report.
- 8.4. The removal of these conditions from the current application will not obviate the need to address these matters. These matters alongside other outstanding pre-commencement and occupation restricted conditions relating to archaeology, off site mitigation, travel plans, bus stop provision, contaminated land and structural landscape planting will need to be addressed in due course.
- 8.5. The main considerations in the determination of this application are:
- Appearance
 - Scale
 - Layout
 - Landscape & Open space provision
 - Affordable Housing Provision
 - Design Framework for Self Build
 - Highways & Transport
 - Fire & Rescue Infrastructure
 - Noise
 - Ecology
 - Phasing

Principle of Development

- 8.6. 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 the development plan consists of the policies within the WNJCS, the Settlements and Countryside Part 2 Local Plan.

- 8.7. 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.
- 8.8. 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.
- 8.9. 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.
- 8.10. 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.
- 8.11. The preceding chapters of this report have set out that the principle of development for the provision of 450 dwellings has already been established and that the current application for Phase B seeks consent the remaining 344 residential units following approval of Phase A for the construction of 106 units.

Appearance, Scale & Layout

- 8.12. Development Plan policy ENV10 seeks to ensure that developments are of high quality that reflect and integrate with the surroundings and create a sense of place. This is supported by NPPF paragraph 130 which advises that planning policies and decisions should ensure that developments
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting , while not preventing or discouraging appropriate innovation or change (such as increased densities)
 - d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
 - e) Optimise the potential of a site to accommodation and sustain an appropriate amount and mix of development (including green and other public space) and support the local facilities and transport networks; and
 - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 8.13. Indicative plans primarily illustrate traditionally designed 1- 5 bedroom units accommodated within 3 storey flats, maisonettes, bungalows, 2 storey and 2.5 storey properties with pitched roofs and gables. The design and scale of the dwellings are more traditional in appearance than those approved within Phase A but remain to be consistent in scale. The changes in appearance reflect the change of immediate character from the urban approach into the site to a more rural character when passing through the centre site towards the copse of woodland trees and beyond.
- 8.14. The proposed layout is centred around the copse of woodland trees which are to be retained with 3 phased areas of residential development. The majority of properties have been laid out to provide outward looking and active frontages with residential amenity areas backing onto each other.
- 8.15. It is noted that some concerns have been raised by the Crime Prevention Design Advisor as to a small number of design elements. However, it is considered that these requested amendments may be easily accommodated within the application proposals and subject of revised plans.
- 8.16. Development plan policies BN5 and ENV7 recognise the value of designated and undesignated heritage assets and seek to ensure that their significance, setting and contribution to local distinctiveness are conserved or enhanced. Policy ENV7 advises that any harm to a designated heritage asset requires clear and convincing justification. Proposals that lead to substantial harm to or total loss of a designated heritage asset or less than substantial harm to a designated heritage asset will be judged against the tests in the NPPF.
- 8.17. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.18. The NPPF paragraphs 199-208 set out the tests for considering potential impacts of developments and advise that substantial harm to or loss of assets of the highest significance should be wholly exceptional. Where a proposed development would lead to substantial harm or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that would outweigh that harm or loss or all the following would apply:
- a) The nature of the heritage asset prevents all reasonable uses of the site; and
 - b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) Conservation by grant- funding or some form of not profit, charitable or public ownership is demonstrably not possible; and
 - d) The harm or loss is outweighed by the benefit of bringing the site back into use.
- 8.19. Where a development would lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal including the where appropriate, securing its optimum viable use.
- 8.20. The site lies north of the Braunston Canal Tunnel Conservation Area and the impacts on this heritage asset will need to be assessed in consideration of the application.

- 8.21. The proposal will have an impact on the character and appearance of the canal itself which sits in a deep cutting. The Canal Conservation Area designation continues at ground level along the route of the canal where it passes through Braunston Tunnel and the overland Boat Horse path between the tunnel portals and the southern edge of Phase A. Having regard to the approval of Phase A which provided large swaths of open space to the southern and eastern boundaries, the inter-visibility between the application site and the Braunston Tunnel Conservation Area would be limited and no visual harm would arise as a result of the proposal.
- 8.22. It is therefore considered that the visual impact on this heritage asset would be acceptable

Landscape & Open Space Provision

- 8.23. Policy ENV1 requires developments to maintain the distinctive character of the landscape. Of particular relevance is the requirement to avoid creating hard developed edges to the open countryside.
- 8.24. 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.
- 7.27 Policy CW2, at part A, sets out the required open space standards for new residential development outside the Northampton Related Development Area and of more than 10 dwellings.
- 8.25. The proposals make use of the existing landscape features by retaining the central copse of woodland trees and integrating this as part of the layout. Further open areas are proposed immediately adjacent the copse with further woodland planting along the northern boundary to ensure a soft edge to the development.
- 8.26. A request has been received from the Local Strategy Service to demonstrate the differing open space typologies have been met. It should be noted that Phase A secured large swaths of open space to the south and east of the outline application site accommodating the typologies referred to. It is accepted that whilst this information remains outstanding therefore is sufficient capacity on the overall site to ensure that the open space typologies can be met and this information can be secured prior to approval of the application.

Affordable Housing Provision

- 8.27. 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.'

- 8.28. 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.
- 8.29. The starting point for determining the appropriate proportion of affordable housing that should be provided within the Daventry Town is 25% affordable housing as advised within Policy H2. 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,
- 8.30. The proposed development is required therefore deliver at least 25% affordable housing in totality, or 113 dwellings out of the 450 total proposed on the outline site.
- 8.31. 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.
- 8.32. Within Policy HO8 a breakdown for target market and affordable housing that developments should be meet. The policy accepts that exceptions to this mix will be accepted where robust evidence is provided to justify exceptions.
- 8.33. Policy H2 sets out the proportions of affordable housing provision that will apply across the plan area.
- 8.34. In addition, Policy Ho4 of Housing SPD inherited from the former Daventry District specifies a preferred housing tenure mix of two thirds rented and one third intermediate housing. The Housing SPD states that the affordable housing clusters should be between 5 and 20 dwellings in schemes over 200 dwellings.
- 8.35. Based on the plans to date it is unclear as to whether policy requirements have been met or that the concerns raised regarding the affordable housing provision have been satisfactorily addressed. That said, there is scope within the application to allow these matters to be resolved.

Design Framework for Self Build

- 8.36. Condition 4: The self-build / custom build areas of the development shall follow a Design Framework which shall have been submitted to and approved in writing by the local planning authority prior to the submission of any reserved matters applications for these plots. The Design Framework shall set out the overarching design principles for the self-

build / custom build plots' including (but not necessarily limited to) landscaping, treatment of public boundaries, access design, height parameters, set-back of principal buildings within each plot, developable / secondary / non-developable zones within each plot, garage dimensions, parking provision and space standards around the buildings. The reserved matters applications for each self-build / custom build plot shall accord with the approved Design Framework.

8.37. In support of the application and in seeking to discharge the above condition, a Self Build Design Code document has been submitted. The document provides an analysis of the site context and sets out the parameters for development for each individual self build plots. The document set out a requirement for a consistent building line along the front of the plots to ensure that there is coherent layout with shallow depth planting zones as defensible space running to the boundary walls and public footpaths.

8.38. Plot principles dictate that:

- Individual homes must be built within the build zone and must not exceed the maximum permissible gross internal floor area specified within the plot guideline. The footprint does not need to fill the entire build zone and can be positioned anywhere within it.
- The plot will accommodate one detached unit with maximum of 5 bedrooms. The merging of plot or subdivision of plots is not permitted.
- At least 50% of the plot frontage area must be of permeable material such as grass/ shrubs/ gravel etc. On the remaining plot frontage area, any hard surface that is used must be made of porous materials or provision of direct water run-off from the hard surface to a permeable or porous area or surface area within the curtilage of the home.
- The development must be no more than the specified maximum building height in the relevant plot guidelines. This equates to 2 storey with a pitched roof (max height of 10m from base to slab level) although alternative roof forms will be permissible. Room in the roof accommodation will be permitted where the maximum ridge height is not exceeded.
- Each plot must have minimum of 1 cycle parking space of per bedroom (secure and undercover) located within the rear garden or garage. Cycle parking for dwellings should not involve having to pass through it as prescribed by the Highway Authority.
- Storage must be provided for at least 2x 240 litre bins for general waste and recycling and a 5 litre food waste caddy. Each house should have rear access garden areas and waste storage and have identified location to which the bins will be taken on collections days.
- A double garage can be counted as two parking spaces; a single garage can be counted as one parking space as long as additional ancillary storage is provided such as a shed (this would only apply to the third space on 4bed units and above).
- Terraces, balconies and raised platforms above ground level are not permitted where they would extend beyond the identified build zone.
- Boundary treatments must comply with the plot guidelines specific to the allocated plot.

8.39. It is considered that the document submitted satisfactorily addresses the requirements of the condition and it may be discharged accordingly.

Highway and Transport

8.40. Condition 11: No development shall commence until a detailed scheme (including a full set of engineering drawings) for off-site highway improvement works has been submitted to and approved in writing by the local planning authority. The scheme for the off-site highway improvement works shall comprise the following works which (1) shall be

completed in accordance with the approved details, and (2) written confirmation shall have been gained from the local planning authority that the works are acceptable, within the respective timescales stated below:

- A roundabout to access the site (ITB9044-GA-002 Rev I), prior to the commencement of any part of the development;
- A footway/cycleway connecting the development site with the existing footway/cycleway north of the Farnborough Drive roundabout (ITB9044-SK-011 Rev G), prior to first occupation of any part of the development;
- A toucan crossing at the Farnborough Drive roundabout, prior to first occupation of any part of the development;
- Improvements to the footway/cycleway between the Farnborough Drive roundabout and the Drayton Way roundabout, including a toucan crossing at the Drayton Way roundabout (ITB9044-SK-003 Rev E), prior to the first occupation of any part of the development;
- Improvements and extension to the footway along Welton Lane to the development site (ITB9044-SK009 Rev G), prior to the first occupation of any part of the development.
- Measures to facilitate pedestrian crossing of the A361 from the north-western corner of the site to the public footpath, prior to first occupation of any part of the development.

8.41. The comments of the WNC Highway identify that some elements of the highway improvements are yet to be agreed and as such advises that the condition can only be partly discharged at this stage. It is considered that further submissions and agreements are achievable to deliver the required highway improvements in accordance with the condition and should be pursued to approval.

Fire & Rescue Infrastructure

8.42. Condition 15: Prior to the commencement of each phase of development a scheme and timetable for the provision of the fire hydrants for the development shall be submitted to and agreed in writing by the Local Planning Authority and provision of the fire hydrants shall be made in accordance with the approved scheme and timetable.

8.43. The comments from WNC Fire & Rescue also advise that additional information is required before the condition may be discharged. Again it is considered this information should be pursued to ensure compliance of the condition.

Noise

8.44. Condition 21: Prior to the commencement of each phase of development a detailed scheme for the location, design and construction of noise barriers/bunds shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings hereby approved and retained thereafter in perpetuity.

8.45. Condition 22: Prior to the commencement of the development hereby approved a scheme to demonstrate that the internal noise levels within the residential units will conform to the guideline values for indoor ambient noise levels identified by BS 8233 2014 shall be submitted to and approved in writing by the local planning authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details and be retained thereafter

- 8.46. To address the requirements of the above conditions a Noise Assessment was submitted and deemed to be fit for purpose to allow the discharge of condition 21 and 22 of the outline application DA/2014/0869.

Ecology

- 8.47. Condition 26: Prior to the commencement of each phase of development an Ecological Management Plan (EMP) shall be submitted to and approved in writing by the local planning authority and implemented thereafter. The EMP shall include, but not necessarily be limited to: details of a lighting strategy for the proposed development; a scheme for the provision of bird and bat boxes; a set of ecological management prescriptions for enhancing the value of habitats; and a related programme of ongoing monitoring measures.
- 8.48. To address the requirements of the above conditions a Landscape & Ecological Management Plan” dated Feb 2018 Version 4 and the Review Addendum For Submission B was submitted and deemed to be fit for purpose to allow the discharge of condition 26 of the outline application DA/2014/0869.

Phasing

- 8.49. Condition 32: With submission of each reserved matter, a plan showing the proposed phasing of the development shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing.
- 8.50. The submitted plan illustrates this application Phase B as the final submission of this outline application. Phase A is currently under construction and no the additional information is required to discharge this condition.

Sustainability

- 8.51. 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 and assist in the delivery the housing need for Daventry District:
- Economic – the site, as part of a larger approved outline site on the fringe of Daventry, is well located with respect to existing and potential future employment sites within the urban area. The outline site included for a new access with a directly on to the A361 to areas of employment, and new employment opportunities will also be provided within the site at the proposed primary school and new retail and community facilities. 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 344 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 the Daventry District. Local services within the site such as the primary school and community facilities will avoid the potential for over-capacity within existing nearby facilities. The provision of on-site open space with leisure and recreation facilities including

pedestrian and cycle links to Daventry Town Centre 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 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 for pedestrians, cyclists and vehicles by providing links through to neighbouring estates.

8.52. Overall, 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 the Development Plan and the need to achieve sustainable development.

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 Daventry DC brought the CIL regulations into force in the District on September 1st 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 However as the outline planning permission was granted prior to the introduction of the CIL Regulations, the application will not be CIL Liabile.
- 9.6 There are therefore not considered to be any financial considerations, as defined above, which are directly material to the determination of this planning application.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. This proposal is for the final phase of an established site and follows on from the approval of planning permission for Phase A, which forms the western and southern part of the outline application.
- 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 344 homes and associated infrastructure in an attractive and pleasant well-designed environment. The proposed arrangements for accessing the site link in to the existing A361 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 approved Phase A development adjacent.
- 10.3. The scheme will protect and enhance the site's biodiversity. No other significant adverse environmental impacts have been identified that would warrant the refusal of this reserved matters application, subject to appropriate security clarity on some outstanding matters. 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 granted outline consent 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 delegated authority be granted to officers to secure and progress the outstanding matters as identified in the preceding chapters of this report and grant permission subject to conditions as deemed appropriate to the reserved matters.

11. RECOMMENDATION / CONDITIONS AND REASONS

- 11.1. **THAT THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION BE GRANTED DELEGATED POWERS TO FINALISE MATTERS AS SET OUT WITHIN THE REPORT AND THEN TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AS DEEMED APPROPRIATE RELATING TO :**
- Final plans
 - Materials submission
 - Securing parking for private motor vehicles

- Implement ecological and landscape management plan
- Secure self build principles