

<b><u>Application Number:</u></b>	WND/2021/0700
<b>Location:</b>	Overstone Leys, Overstone Lane, Overstone
<b>Proposal:</b>	Reserved matters application – Zone 4 – 223 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).
<b>Applicant:</b>	BDW Trading Ltd (David Wilson Homes South Midlands)
<b>Agent:</b>	N/A
<b>Case Officer:</b>	Rebecca Grant
<b>Ward:</b>	Moulton
<b>Reason for Referral:</b>	Relates to Overstone Leys Sustainable Urban Extension
<b>Committee Date:</b>	15/08/2021

## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

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

### **Proposal**

The application is a reserved matters application for Zone 4 of Overstone Leys Sustainable Urban Extension.

Outline planning permission was granted in 2015. A number of reserved matter applications have since been approved for Zones 1, 2, 3, 5, 8 and 9 together with a food store and care home within the local centre.

Following negotiations, the applicant now proposes 223 dwellings. A number of amendments have been made to ensure that the development is in accordance with the Design Code approved by a discharge of condition application.

The site proposes a total of 47 affordable units which is 21% of the units. The S106 requires 15% of dwellings to be affordable and therefore the application is in accordance with the S106 agreement.

## **Consultations**

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

- WNC Highways, WNC Ecology, WNC Environmental Health, WNC Policy Team, WNC Archaeology, Moulton Parish Council, Overstone Parish Council.

No representations have been received in response to the application.

## **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

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

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

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

## **MAIN REPORT**

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

- 1.1 Overstone Leys is located to the north of Northampton. The overall site has direct access via 2 roundabouts and a signal controlled crossing off the A43. A spine road travels through the site and links to Sywell Road. The spine then continues south adjacent to the local centre (Aldi and care home) to a signal controlled access further along the A43. Whilst the infrastructure is in place, this spine road is not yet fully open.
- 1.2 Outline planning permission (ref DA/2013/0850) was approved in 2015 for the Sustainable Urban Extension (SUE) which comprises up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings. This forms part of the West Northamptonshire Joint Core Strategy (WNJCS) policy N3.
- 1.3 The SUE application site is defined by the existing settlement edge of Northampton to the south, which includes the Round Spinney Industrial Estate. Immediately to the east of the site is the A43, to the south is partly the local centre and partly Sywell Road, to the north and west are further residential phases of development.
- 1.4 The first phase was split into two sections phases 1A (104 dwellings) and 1B (96 dwellings). Construction of the approved Phase 1A development has commenced.

Planning permission was granted in 2019 for the primary infrastructure to Zone 2 and 207 dwellings within Zone 2. Work has progressed on site and a number of dwellings are occupied. Work has also now commenced on Zones 3 and 8. The site is progressing at some speed.

- 1.5 The remainder of WJCS policy N3 falls Overstone Green SUE (planning reference DA/2020/0001). This is an outline application for an urban extension consisting circa 1600 dwellings, a new section of A43 dual carriageway, local centre, care home, community hub, employment, primary school and associated open space and infrastructure. This application has a resolution to approve subject to agreeing the S106 agreement.
- 1.6 This application forms Zone 4 of the development. Zone 4 is bound by the A43 to the west and the proposed primary street corridor is to the east. Vehicular access is taken from the northern roundabout to the A43/Kettering Road through the development via the approved spine road off Sywell Road.
- 1.7 To the north of the application site is Zone 2 and to the south is Zone 5. Both of these Zones have reserved matters approval. Work has commenced on Zone 2.

## **2. CONSTRAINTS**

- 2.1. The application site falls within the Overstone Leys Sustainable Urban Extension. There are no constraints within the application site.

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

- 3.1. The application is a Reserved Matters Application for Zone 4 of the Overstone Leys Sustainable Urban Extension (SUE). The proposal is for 223 dwellings of which 47 units will be affordable. This equates to 21% affordable units. 15 of which are to be shared ownership and 32 units are to be affordable rent.
- 3.2. The scheme will deliver;  
Affordable units;  
One bed maisonette x 2 units  
Two bed house x 21 units  
Three bed house x 20 units  
Four bed house x 4 unit  
  
Market units;  
Two bed houses x 10 units  
Three bed houses x 66 units  
Four bed houses x 100 units
- 3.4 The location of the affordable housing within Zone 4 has been positioned to be within close proximity to the local centre for good access to public transport links and local services.
- 3.6 With regards to the amended proposal, the following changes have been made;
  - A43 frontage – plots repositioned and apartment block removed
  - Primary Street – boulevard trees now shown on layout to align with landscape drawing.
  - General Neighbourhood – character area has been amended to show a more informal setback with varied gaps between dwellings.

- Garages – house type pack updated with note to identify different colour garage doors between various character areas to aid legibility.
- Ecology – enclosures updated to secure 1 hedgehog hole per dwelling.
- Housing mix – updated to include more 3 bed units as highlighted by WNC’s Affordable Housing Officer.
- Density – removal of 6 units (from 229 to 223) to reduce density to 39 dph in line with discussions held with Overstone Parish Council.
- Highways – a number of revisions have been made to address outstanding issues raised by the LHA.

#### 4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
DA/2013/0850	Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access	Approved 28.08.2015
DA/2015/0263/NCC	Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	No objection
DA/2016/0082	Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch, construction of connection ditch and balancing pond	Approved 14.04.2016
NMA/2016/0084	Non material amendment to application to application DA/2013/0850 (Outline application for up to 2000 dwellings) Change of house types for Phase 1 – approved 20.02.17 DA/2013/0850 (Outline application for up to 2000 dwellings) Change to house types	Approved 20.02.2017

DA/2017/0010	Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure	Approved 26.10.2017
NMA/2017/0036	Non material amendment to application DA/2013/0850 (Outline application for up to 2000 dwellings) to revise house types (New Plot Nos 20-34 (inclusive) and 47-53 (inclusive)) and amend layout	Approved 14.06.2017
NMA/2017/0082	Non material amendment to application DA/2013/0850 (outline application for up to 2000 dwellings) to revise access arrangement for Phase 1A – approved 12.10.17 DA/2017/1262 Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works	Approved 20.06.2018
NMA/2018/0077	Non material amendment to planning consent 15/00022/CCDFUL for the replacement of acoustic bund – withdrawn DA/2019/0067 Reserved matters application (access – primary infrastructure or Phase 2) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015 for outline application of up to 2000 dwellings	Approved 15.04.2019
DA/2019/0260	Reserved matters application (appearance, landscaping, layout and scale) for construction of 207 dwellings (Phase 2) pursuant to Condition 1 of outline planning permission DA/2013/0859 in addition to the discharge of Condition 19 (surface water drainage)	Approved 24.10.2019
DA/2020/0950	Construction of 66 bedroom care home with associated access, car parking and landscaping	Approved 26.04.2021
DA/2020/0490	Reserved matters application for 172 dwellings and supporting infrastructure including details of appearance, landscaping, layout and scale pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (Travel Plan) and Condition 38 (public rights of way)	Approved 17.03.2021
DA/2020/1034	Reserved matters application (access, appearance, landscaping, layout and scale) relating to application DA/2013/0850 for the erection of a food store within the local centre, including discharge of Condition 18 (foul water disposal), Condition 19 - partially discharged (surface water drainage), Condition 20 (ground investigation), Condition 23 (closure report), Condition 25 (ground gas) and	Approved 27.04.2021

	Condition 43 (Compensatory Habitat Creation)	
DA/2020/1178	Reserved matters application (access, appearance, landscaping, layout and scale) for 129 dwellings within Zone 5 pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (soft landscaping), Condition 18 (foul water drainage), Condition 26 (acoustic report), Condition 30 (fire hydrants), Condition 37 (travel plan), Condition 39 (arrangements for management and maintenance of proposed streets), Condition 42 (soil management plan) and Condition 43 (compensatory habitat creation and management scheme).	Refused 29.10.2021
WND/2021/0072	Reserved Matters application (Zone 8) (Appearance, landscaping, layout & scale) for 64 dwellings and supporting infrastructure pursuant to outline approval DA/2013/0850 and approval of Condition 36 (bus stops), Condition 37 (travel plan), Condition 38 (public right of way) and Condition 16 (tree protection).	Approved 26.10.2021
WND/2021/0132	Reserved matters application (access - primary infrastructure for Zone 9) pursuant to Condition 1 of outline planning approval DA/2013/0850 granted approval on 27.08.2015.	Approved 26.10.2021
WND/2021/0152	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Phase 9) pursuant to outline approval DA/2013/0850 and approval of Condition 14 (finished floor levels), Condition 15 (details of open space), Condition 26 (internal noise levels), Condition 36 (Bus stops), Condition 37 (Travel Plan) and Condition 41 (external lighting)	Approved 29.10.2021
WND/2021/0172	Reserved matters application (access, appearance, landscaping, layout and scale) for 350 dwellings (Zone 10) pursuant to outline approval DA/2013/0850 and approval of Condition 18 (foul water drainage), Condition 19 (surface water drainage), Condition 26 (noise) and Condition 37 (travel plan)	Refused 10.05.2022
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),	Approved 23.02.2022

	Condition 18 (Foul 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.	
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 & 119 parking spaces & 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.	Still to be determined.
WND/2022/0234	Reserved matters application (appearance, layout and scale) for construction of 69 dwellings (Zone 10) pursuant to outline approval DA/2013/0850.	Still to be determined.

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

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

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

- 5.3. The relevant policies of the LPP1 are:

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

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

5.4. The relevant policies of the LPP2 are:

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

## Neighbourhood Plan (NHP)

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

### **Material Considerations**

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

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

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

### **Daventry Supplementary Planning Documents**

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

## **6. RESPONSE TO CONSULTATION**

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

<b>Consultee Name</b>	<b>Comment</b>
Moulton Parish Council	<b>No objection</b>
Overstone Parish Council	<b>Support</b>
WNC Local Highway Authority	<b>No objection</b> All comments have been addressed.



Northants Police	<b>No comments</b> received at time of drafting the report. No comments on the original application.
WNC Ecology	<b>No objection</b>
WNC Environmental Health	<b>No objection</b>
WNC Landscape Officer	No comments received at time of drafting the report
WNC Policy Team	<b>No objection</b>
WNC Archaeology	No comments on amended scheme

## 7. RESPONSE TO PUBLICITY

- 7.1. Below is a summary of the third party and neighbour responses received at the time of writing this report.
- 7.2. No representations have been received in relation to the consultation.

## 8. APPRAISAL

### Principle of Development

- 8.1. The application site falls within the policy N3 allocation of the WNJCS. Policy N3 states that the development will make provision for:
- In the region of 3,500 dwellings;
  - Primary school provision to cater for the needs of the development;
  - A total of approximately 10ha of land for local employment opportunities;
  - At least one local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
  - A contribution towards the provision of a high quality public transport corridor to Northampton town centre;
  - A local multi modal interchange;
  - A43 corridor mitigation measures
  - An integrated transport network focused on sustainable transport;
  - Structural greenspace and wildlife corridors
  - Sports and leisure provision;
  - Archaeological and ecological assessment of the site and required mitigation; and
  - Flood risk management
- 8.2. The principle of the development on this site was established through the granting of outline planning permission in 2015 (planning application reference DA/2013/0850). Planning permission was granted for;

Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision

for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access.

- 8.3. Planning permission has now been approved for residential Zones 1, 2, 3, 5, 8 and 9. Planning permission has also been granted for an Aldi convenience store and a care home, both of which are within the southern part of the local centre. A hybrid application (outline and full planning permission) has recently been submitted for a local centre to the north of Sywell Road. This is still to be determined.
- 8.4. The application is in accordance with policy N3 of the WNJCS.
- 8.5. Other material considerations will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

#### Impact on Highway Safety

- 8.6. Policy C1 of the WNJCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car based travel within urban area.
- 8.7. Policy C2 of the WNJCS expects new development to achieve modal shift targets set out in the JCS by maximising travel choices from non-car modes.
- 8.8. A Transport Assessment was approved under the outline planning application. This reserved matters application is in accordance with the principles established under the outline consent and approved Transport Assessment.
- 8.9. The revised scheme submitted has addressed all of the issues raised by the LHA. The LHA have no objection to the application.
- 8.10. WNC Highways approve the submitted Travel Plan and are satisfied that the condition can be discharged.
- 8.11. Given that there are no highway reasons to warrant refusal of the application, the application is considered to be acceptable.

#### Impact on the Character of the Development

- 8.12. The design principles for the development were established through the Design and Access Statement submitted with the outline planning application and the discharging of Condition 12 attached to the outline planning permission (ref DA/13/0850). Condition 12 required a Design Code to be submitted and approved prior to any works commencing to the east of the A43.
- 8.13. The Design Code set parameters for the subsequent phases of development, for example, setting out different frontages e.g. A43 Corridor, Primary Streets, General Neighbourhood and Rural Edge. It also established street hierarchy and set out generic

design principles. It is considered that the layout is in accordance with the approved Design Code and also follows the principles established with the approved scheme for Phase 1 and 2. A variety of house types are proposed in order to create an interesting residential environment and one which has character. The layout is designed around the spine road which leads off to further phases of the development.

8.14. Policy ENV10 states;

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

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

8.16. The A43 is characterised by;

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

A section of the site fronts the A43. A number of revisions have been made to this character area. Plots have been repositioned to ensure that gardens are to the rear and no longer side on to the A43. A number of plots have also been reoriented so that the roof of the dwelling no longer appears at odds due to differing ground levels. The house type pack has been updated to ensure that house types are more contemporary and align with Zone 5. The apartment block has also been removed from the scheme.

The design of the dwellings along the A43 frontage are contemporary with the use of flat roof porches and non-standard window design with grey frames. The dwellings are all red brick.

8.18 The Primary Street is characterised by;

- Semi-detached/terraces/some large detached
- Symmetry and formality
- Regular set backs
- Boulevard trees with regular spacing
- More contemporary design

- Limited materials palette (Primary red/Secondary up to 20% buff, up to 20% render grey/red roof tiles).

The Primary Street follows the design approach to the A43 with a more contemporary feel. The dwellings along the Primary Street are predominately semi-detached with detached dwellings on the corner plots. There is one row of 3 terraced properties but this is set back from the road with open space to the frontage. Whilst the majority of dwellings are red brick, three corner units are built in buff bricks with gable ends facing the Primary Street. The use of flat roof porches and non-standard window design with grey frames add to the more contemporary feel. The front doors are however a different colour to the A43 frontage. Boulevard tree planting is a feature along the Primary Street.

8.19 The General Neighbourhood is characterised by;

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

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

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

#### Density

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

8.17. The proposed layout achieves a density of 39 dph for Zone 4. Overstone Parish Council originally raised concern with the density of Zone 4 as it was over 40 dph. The applicants have worked with Overstone Parish Council to reduce the density of this phase. With the removal of 6 units, the density is now 39 dph.

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

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

Approved Zone 1A and 1B	31 dph
Approved Zone 1 and 2	33.5 dph
Approved Zone 3	31 dph
Submitted Zone 4	40 dph (adjacent to A43)

Submitted Zone 5	44 dph (adjacent to A43)
Indicative Zone 6	29 dph (adjacent to rural edge)
Indicative Zone 7	27 dph (adjacent to rural edge)
Approved Zone 8	29 dph (mixture of character areas including rural edge)
Resolution to approve Zone 9	32 dph
Approved Zone 10	34 dph
Overall Site Average	33.05 dph

8.20. Whilst the density within Zone 4 is slightly higher than other Zones within the SUE, this is due to its location adjacent to the A43 and its proximity to the local centre. The higher density within this Zone will create a specific character area and will help to create a sense of place and will aid way finding across the site. Zone 4 (and approved Zone 5) for example will be significantly different from Zones 3, 6 and 7 which back on to the rural edge where densities are considerably lower as there is a looser form of development.

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

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

8.22. The materials palette across the three character areas within Zone 4 accords with the approved Design Code. The areas are set out below;

8.23. A43 corridor – The materials palette is limited with the use of red bricks and grey roofs.

8.24. Primary Street – Again limited palette of materials with predominately red bricks with the introduction of the occasional use of render of the gable element of the Hesketh house type.

8.25. General Neighbourhood – an extensive materials palette is proposed with the general neighbourhood area.

8.26. The materials proposed are as approved on other phases of development and are therefore considered to be acceptable.

#### Impact upon Residential Amenity

8.27. Currently the nearest residential properties are within Zone 2 to the north of the application site. These dwellings are on both zones (2 and 4) are separated by the SUDS. There are therefore no issues of potential overlooking/overshadowing to existing/proposed dwellings due to the substantial distance between properties. Zone 5 is to the south of the site and again there are SUDS separating both developments so again no issues of potential overlooking.

8.28. The layout has been assessed to ensure that distances between habitable windows conform to our guidelines to prevent issues of overlooking.

8.29. A significant constraint on the site is the difference in levels within three of the development blocks. The site has been designed to take account of the levels with dwellings being offset from each other, having tiered gardens, pushing back distances between properties as far as possible and removing the need for significant retaining walls. Sections have been provided to illustrate the relationship between dwellings. Four different sections have been provided to illustrate how boundary treatments will be dealt with around the site. Rather than the use of 2/3m retaining walls on top of which

boundary screening would be required, where levels are most significant, the applicants propose to tier the gardens for both properties. This prevents overlooking from the properties on the upper side and creates private amenity space for residents. This results in the boundary only being a standard 1.8m close boarded fence with a small retaining wall. A drawing has been provided to illustrate which section will be used in which scenario.

- 8.30. At the time of drafting the report, the applicant is reviewing if the dwellings can be pulled back even further from each other to increase the back to back distance between properties. An update will be provided at committee.
- 8.31. Notwithstanding the submission of revised drawings, on balance, it is considered the layout has been designed to take account of levels and how dwellings will relate to each other in terms of overlooking and overshadowing. It is therefore considered that the proposal is in accordance with Policy ENV10 of the Daventry Local Plan (Part 2).

#### Landscape and Open Space

- 8.32. Policy ENV1 is concerned with ensuring that the proposal maintains the distinctive character and quality of the District's landscapes. ENV4 also aims to protect, enhance and restore the District's green infrastructure network, again relating to the Spinney and ensuring that an appropriate network of green infrastructure leads from the Spinney through the development linking on-site greenspace.
- 8.33. The approved indicative Masterplan sets out the principles of development and provides an indication of where open space will be located. There is also a plan (Plan 2) attached to the S106 which outlines where open space will be provided.
- 8.34. Condition 15 of the outline planning consent requires details of proposed areas of open space, including any playing fields, green infrastructure, structural landscaping, play areas and equipment to be submitted prior to development commencing on any phase. The applicant has submitted information to discharge Condition 15 under this application.
- 8.35. This reserved matters application includes landscaping for the site. A Neighbourhood Equipped Area of Plan (NEAP) is proposed in the north east corner of the site adjacent to the SUDS to the north and spine road to the east. The NEAP is 1000m<sup>2</sup> and is positioned in accordance with the Masterplan. The NEAP is offset 30m from the nearest dwellings and is surrounded by open space which extends south fronting the spine road. Seven pieces of equipment will be provided within the NEAP and differences in ground levels will be utilised in order to add interest.
- 8.36. Given that the scheme complies with the parameters set in the outline planning approval and additional incidental open space has been provided, it is considered that the level of open space is sufficient for the development.
- 8.37. It is considered that the landscaping details are acceptable and as such in accordance with ENV1 of the Daventry Local Plan (Part 2).

#### Affordable Housing

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

- 8.39. The applicants submitted an affordable housing viability assessment with the outline planning application stating that the Overstone Leys development would not be financially viable if they were required to provide 35% affordable housing. The Council employed an external consultant to verify the applicant's viability report. The conclusions of the report confirmed that the quantum should be reduced to 15%. Therefore, on a scheme of 223 dwellings we would expect 33 affordable housing units to be provided.
- 8.40. Plan submitted illustrate that 47 units (21%) affordable dwellings within Phase 4. It has been agreed that there should be some flexibility allowed in the zones to allow for more affordable dwellings to be delivered near to the local centre. Zone 4 is over providing affordable dwellings and together with Phase 5 (which has been approved) will correct the under delivery in Zone 3 (which is adjacent to the rural edge).
- 8.41. The scheme will provide 21% affordable units which comprise;
- One bed maisonette x 2 units
  - Two bed house x 21 units
  - Three bed house x 20 units
  - Four bed house x 4 unit
- 8.42. The applicants have submitted information to show how the overprovision in Phase 4 will be resolved in other phases (phase 3 for example where there is a lower number of affordable units) to make the numbers overall compliant with the viability case. 21% affordable housing provision is therefore acceptable.
- 8.43. Policy H04 of Daventry's Housing SPD specifies a housing tenure mix of 70% rented and 30% intermediate housing. Viability work undertaken for the outline application was based on this mix. The mix for the whole of the development has been agreed recently. It was agreed to take an overall development approach and to allow flexibility in the phases to allow more affordable to be delivered near the local centre. The tenure split for this zone is 32 rent and 15 shared ownership. Whilst this is not quite policy compliant (33 affordable rent/14 shared ownership) this is considered to be acceptable as the mix must be viewed as the whole of the site so this slight discrepancy is acceptable for this phase.
- 8.44. The Affordable Housing Officer has confirmed acceptance of the approach and mix proposed. It is therefore considered the proposal is in accordance with the principles of Policy H2 of the WNJCS.

#### Other considerations

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

(together with any relevant planning condition detail requirements) there is no ability to seek to impose further restrictive details.

#### Discharge of Conditions.

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

- 8.46. Condition 15 – Open Space – Seeking confirmation from WNC Landscape Officer (Daventry Area). An update will be provided at Committee.
- 8.47. Condition 26 – Acoustic Report – Environmental Health Officers have confirmed that the noise report is satisfactory and the condition can be discharged.
- 8.48. Condition 36 – Bus stops – No bus stops are proposed adjacent to this Zone along Sywell Road or the spine road. A plan illustrating bus stops is included within the Travel Plan which has been approved by the LHA. A bus stop is provided just north and south east of the application site.
- 8.49. Condition 37 – Travel Plan – The LHA have confirmed that the Travel Plan is acceptable and the condition can be discharged for this zone of development.
- 8.50. Condition 38 – Public Rights of Way – There are no public rights of way affected by the development.

### **9. FINANCIAL CONSIDERATIONS**

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

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

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

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



**RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING TO GRANT PERMISSION, SUBJECT TO:**

- 1. FINAL LAYOUT PLANS BEING SUBMITTED AND CONSIDERED SATISFACTORY WITH REGARDS TO THE BACK TO BACK DISTANCE BETWEEN DWELLINGS, AND**
- 2. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS OR ADDITIONAL CONDITIONS AS DEEMED NECESSARY)**

CONDITIONS

**Approved plans**

1. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

(Drawing numbers to be updated following amendments. To be set out in late items)

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

**Removal of PD Rights for Means of Enclosure to Fronts**

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

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

**Soft Landscaping**

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

Reason: In the interests of the visual amenity of the area and in accordance with Policy ENV1 of the Settlements and Countryside Local Plan (Part 2).

### **Access and Parking**

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

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

### **Boundary Enclosures**

5. The approved boundary enclosures (walls and fences), in respect of those dwellings which are intended to be enclosed//screened, shall be erected prior to the first occupation of those dwellings.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the privacy and amenities of the occupants of the existing and proposed dwellings in accordance with Policies ENV10 of the Daventry Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Affordable Housing**

6. The quantum, disposition and type of affordable housing within the site shall as shown on the Affordable Tenure Plan 1032\_008 A and the tenure and phasing of the affordable housing shall be as set out in the existing Section 106 agreement for the site, in all cases, unless otherwise agreed in writing by the Local Planning Authority, in the context of a viability assessment for the site.

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

### **INFORMATIVES:-**

1. As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies:  
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.
2. Your attention is drawn to the need to comply with the conditions and the Section 106 Agreement imposed on the outline planning permissions DA/2013/0850.