

Application Number **DA/2020/0479**

Location Description **LAND TO EAST OF BRINGTON ROAD, FLORE,
NORTHAMPTONSHIRE**

Site Details **OUTLINE PLANNING APPLICATION OF UP TO 45
DWELLINGS, TO INCLUDE 40% AFFORDABLE
DWELLINGS (7 ONE BED HOMES, 5 TWO BED
HOMES AND 6 THREE BED HOMES),
INFRASTRUCTURE AND OPEN SPACE. (ALL
MATTERS RESERVED OTHER THAN ACCESS).**

Applicant **BARWOOD HOMES LTD**

Agent **MS JENNY KEEN, MARRONS PLANNING**

Case Officer **NISAR MOGUL**

Ward **LONG BUCKBY WARD**

Reason for Referral **MAJOR APPLICATION**

Committee Date **2 NOVEMBER 2022**

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION:

That the application be approved subject to conditions and subject to a section 106 agreement being completed.

Proposal:

This proposal is for an outline application for up to 45 dwellings to include 18 affordable dwellings. The means of access is the only detailed matter to be considered at this outline stage and everything else is to be considered at the reserved matters stage. An illustrative layout has been submitted in order to show how the site could be developed.

Consultations – Based on final amended plans under consideration:

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

- Flore Parish Council

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

- WNC Conservation Officer, WNC Landscape Officer, WNC Local Highway Authority,
- WNC Environmental Health Officer, WNC Ecology Officer, WNC Archaeology Officer, Natural England, Environment Agency and WNC Planning Policy

17 letters of **objections** were received following the final amended plans relating to (up to) 45 dwellings to include 40% affordable dwellings and 0 letters of support have been received.

Conclusion

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

The key issues arising from the application details are impact on:

- Principle of the development
- Impact on the area and the adjacent Conservation Area
- Impact on neighbour residential amenity
- Impact on highway safety
- Impact on ecology
- Impact on archaeology

The report looks into the key planning issues in detail below, and Officers conclude that the proposal is acceptable and should be approved.

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

MAIN REPORT

APPLICATION SITE AND LOCALITY

The application site lies on the east side of Brington Road on the corner with High Street on the edge of the village of Flore. The village is around 1.8 miles from Junction 16 of the M1 motorway. The nearest railway stations are located in Northampton and Long Buckby, providing national rail services to

urban centres including Rugby, Birmingham and London. Flore benefits from a range of local services and public amenities including a primary school, a post office and convenience store and public house.

The application site is roughly rectangular in shape and approximately 2.9 hectares of pasture land, located on the north-east edge of the village. The site is bounded by open fields to the east, residential properties to the south and a recently completed residential development immediately west of Brington Road. The A45 Daventry Development Link Road and M1 motorway run to the north of the site.

The site is relatively flat, with a gentle fall from north to south. The site is split into three paddocks, with some small sheds but no other built structures. Existing established trees and hedgerows line the site boundaries and internal paddock boundaries. There is also a small group of trees in the north-east corner of the site.

The site is not located within a conservation area or area of outstanding natural beauty. The boundary of the Flore Conservation Area runs along High Street directly to the south of the site. The raised bank between the north of High Street and the application site forms part of Flore 'linear village green', as set out on the Flore Neighbourhood Development Plan 2016. A public Right of Way runs along the southern and south west and south eastern boundaries of the site.

The site is accessed directly off Brington Road and the proposals would provide a single dedicated point of vehicular access, with a new access road built to adoptable standard.

CONSTRAINTS

The site is situated on the edge of the village with open fields to the north and east and does not form an intrinsic part of the character of the village but is seen in the wider context of open countryside. The site is largely contained and bounded by trees which are to be retained and there still remains open countryside beyond the site to the north and east of the site. The Flore Conservation area lies adjacent to the south of the site boundary.

DESCRIPTION OF PROPOSED DEVELOPMENT

The initial proposal was for up to 70 dwellings, to include 28 affordable units, associated site infrastructure and open space.

Following, concerns raised by various consultees and following the completion of the Flore Housing Needs Survey undertaken by the WNC (Daventry Area) the proposal has been reduced to up to 45 dwellings with 40% affordable dwellings which equates to 18 affordable units in total. On a site of 45 dwellings, 12 affordable or social rented dwellings and 6 shared ownership

would be expected, which should reasonably reflect the needs identified in the 2021 Housing Needs Survey Report.

The indicative affordable need and mix breakdown is as follows:

1 bed flat/maisonette - 4 identified need and 4 are proposed

2 bed houses – 2 identified need and 2 are proposed

3 bed houses – 5 identified need and 6 proposed

1 and 2 bed bungalows – 7 identified need and 3 one bed and 3 two bed proposed.

The overall indicative mix of house types proposed are as follows:

7 one bed homes (15%)

10 two bed homes (22%)

24 three bed homes (53%)

4 four bed homes (9%)

The proposal includes a single vehicular access via the existing access from Brington Road and it is proposed to retain the existing service run (with easement) which crosses the site from west to east and enhancement of this to make it a feature of the site by way of a Green Corridor through the site.

The surface water drainage system includes the formation of an attenuation basin located in the south eastern corner of the site which can also act as additional wetland habitat.

The proposal includes the creation of recreational walking and cycling routes throughout the site (including the retention of the existing public right of way) providing linkages into the wider village and a significant area of public open space whilst retaining existing trees and hedgerows where possible and the provision of new trees and planting as part of a landscaping scheme.

RELEVANT PLANNING HISTORY

There are no relevant planning applications on this site. However, planning permission was granted for 67 dwellings to the west of the site (separated by Brington Road) under application DA/2013/0703 – Approved 02/04/2015.

RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Development Plan

The Development Plan comprises: the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; and the adopted Settlements and Countryside Local Plan (Part 2) (2020). The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (2014) (Part 1) (LPP1)

- Policy S1 Development will be primarily in and adjoining the principal urban area of Northampton. Development in the rural areas will be limited with the emphasis being on maintaining the distinctive character and vitality of rural communities. Priority will be given to making best use of previously developed land.

- Policy S3 Provision to be made for 12,730 additional dwellings in Daventry District 2011 – 2029.

- Policy S10 Sustainable Development Principles

- Policy BN5 Historic environment and landscape

- Policy H2 Affordable housing

- Policy R1 Spatial Strategy for the rural areas

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

- Policy SP1 Daventry District Spatial Strategy
- Policy RA2 Secondary Service Villages

- Policy HO8 Housing Mix and Type

- Policy ST1 Sustainable transport infrastructure

- Policy CW1 Health and wellbeing
- Policy CW2 Open space requirements
- Policy ENV1 Landscaping

Policy ENV5 Biodiversity

Policy ENV8 Renewable energy and low carbon development

Policy ENV10 Design

Flore Neighbourhood Development Plan

F2 - Scale and type of new residential development

F5 – Design of Development

F9 –protection of local green spaces

F12 – the new linear village green

National Planning Policy Framework (NPPF) (2021)

Presumption in favour of sustainable development

Para 9 Take local circumstances into account

Para 11 Approve proposals that accord with the dev plan without delay. Where plan is absent, silent or out of date, grant permission unless adverse impacts significantly and demonstrably outweigh the benefits

Chapter 5 Delivering a sufficient supply choice of homes

Para 68 Need to maintain a 5 year land supply plus 5%

Chapter 9 Promoting sustainable transport

Chapter 12 Achieving well designed places

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received under the second and final amended plans (Up to 45 dwellings):

Consultee Name	Position	Comment
Flore Parish Council	Object	it does not accord with planning policy in both the Flore Neighbourhood Plan (Made September 2016) and the adopted Daventry Settlements and Countryside Plan (Part 2) 2011-2029 (Adopted February 2020).

		Highways and drainage issues should be assessed at this stage. Harm to character and form of the village.
WNC Local Highways Authority	No Objection	S106 contributions required
WNC Archaeology	No objection	Condition relation to programme of archaeology works to be included
WNC Ecology	No objection	Conditions relating to CEMP and LEMP to be included
WNC Environmental Health Officer	No objections	Subject to conditions
Environment Agency	No objections	
Natural England	No comments on this application	
Crime Prevention Officer	No objections	
Lead Flood Authority (WNC)	No objections	Subject to conditions
Ramblers Society	No objections	Public rights of way should not be affected
NCC Developer contribution	No objections	Subject to S106 contributions towards schools and libraries
WNC Conservation Area Officer	No objections	The eastern boundary is now shown with a more continuous belt of green which is welcomed. With regard to the heritage impacts of the proposal I would conclude that, if the existing boundary vegetation is retained and, where appropriate, enhanced, there is unlikely to be substantial harm to the setting of the Flore conservation area. Main weaknesses of this scheme are the planning and design issues associated with the location and topography of the site and its relationship to existing built form.

<p>WNC Landscape Officer</p>	<p>No objections</p>	<p>Certainly positive that the northern edge of development has now been relocated south in line with line of existing development west of Brington Road.</p> <p>In addition to a full detailed landscape scheme and aftercare that can be conditioned there is also a need for details of temporary protective fencing as well as its location to also be conditioned if the application is to be approved.</p> <p>Need careful consideration especially the detailed planting on the bank impacted by the proposed roadside footpath.</p>
<p>WNC Planning Policy- (Daventry Area)</p>	<p>No objections</p>	<p>Policy H2 sets out the requirement for affordable housing and states that in the rural parts of the District all developments of 5 or more dwellings should provide 40% affordable housing. Therefore, in line with Policy H2 of the Joint Core Strategy, 40% or 18 affordable dwellings are being provided.</p> <p>Policy Ho4 of Daventry's Housing SPD specifies a preferred housing tenure mix of two thirds rented and one third intermediate housing. On a site of 45 dwellings, 12 affordable or social rented dwellings and 6 shared ownership would be expected, which should reasonably reflect the needs identified in the 2021 Housing Needs Survey Report.</p> <p>The mix largely meets the affordable housing needs identified in the most recent Housing Needs Survey Report (2021).</p>

Anglian Water	No objections	

RESPONSE TO PUBLICITY

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

Site Notice expired – 14/7/2022.

There have been 17 objections raising the following comments:

- It is firmly believed that the District does have more than a five years' housing land supply, and no doubt the District Council will prove that.
- The Design Statement infers the great importance to the setting of the site, which is contiguous to the Conservation Area immediately to the south an highd which contains the highest concentration of Grade 2 Listed Building along the High Street, it then completely ignores this importance.
- No regard has been made to setting buildings back from the southern boundary so that they don't dominate from the substantially higher level above the road and the houses in the Conservation Area. Instead, it is proposed that there be a concentration of higher density units behind the hedge and with parking areas in front of them and behind that hedge, causing noise and disturbance to the residents opposite. I have to say that it is very, very noticeable that all of the Affordable Units have been positioned on the southern and western boundaries.
- Whilst a local area of play could be deemed appropriate for children to use during the day, it has the potential to become an area of anti-social behaviour outside of these times.
- Another concern would be that the development land falls from North to South (as referenced in 00198804.pdf - 1.3.6). Therefore any two storey properties constructed at the Northern end could have both a visual and physical impact on us.
- With an already very limited infrastructure to maintain and provide a quality of healthy, active living for existing and future residents, the development is not sustainable.
- Young families with children will be detached from the village, necessitating vehicle mobility to educational, childcare and open space facilities.
- With an increase of 97 dwellings within the last 6yrs, (providing the allocated rural allocation of expansion to 2029) this is not an ideal addition to the current inadequate living amenities.

- There are serious concerns regarding proper sewerage construction and flow.
- Inadequate village facilities
- This amended application is for appx 60% of the dwellings applied for previously on half the original site, potentially leaving that space for a later application for more houses.
- It will increase traffic on to the High Street and A4500.
- Inclusion of 40% affordable dwellings does not alter the fact the application is in violation of planning policy
- The proposed access and footway arrangements on Brington Road are potentially unsafe
- The Flore Neighbourhood Plan was developed over a period of years to conserve the character of the village, to meet the needs of its residents and should be respected.
- The site entrance would also be positioned shortly after a speed reduction from 60mph to 30mph which is likely to increase the danger of accidents from passing traffic.
- The area is part of a popular walking path used by many people in the local community. This path will end up being along a large number of rear gardens and will be totally spoilt by any proposed development.
- No economic, social or environmental benefits.
- The village school has limited land with which to expand and is almost at capacity when taking all year groups together. The occupants of the proposed houses would therefore need to travel to take their children to another school, causing further traffic problems.
- This proposal contravenes the principles of the Flore Neighbourhood Plan which is part of the Council's planning policy and which should form the basis for all planning proposals within the village.

Relevant Policies:

Applications should be determined in accordance with the development plan, unless other material considerations indicate otherwise. The development plan consists of the West Northamptonshire Joint Core Strategy (WNJCS) and the Settlements and Countryside Local Plan (Part 2). Other material considerations include the National Planning Policy Framework (NPPF).

West Northamptonshire Joint Core Strategy

Policy SA sets a presumption in favour of sustainable development.

Policy S1 seeks to ensure development is concentrated in and adjoining the principal urban area of Northampton. Then there is cascade of other towns and villages. Daventry, and then Towcester and Brackley.

Policy S2 clarifies the hierarchy of Centres.

Policy S3 provides clarity on the number of dwellings which should be constructed in the Daventry Area (Town, Rural Area and Northampton Related Development Area)

Policy S10 covers sustainable development principles.

Policy H1 seeks to ensure the housing density and mix and type are appropriate for the locality, including for the future.

Policy H2 sets out the requirement for affordable housing and states that in the rural parts of the District all developments of 5 or more dwellings should provide 40% affordable housing. Therefore, in line with Policy H2 of the Joint Core Strategy, 40% or 18 affordable dwellings are being provided

Policy H3 seeks to ensure developments for housing in the rural area, which are required to meet an identified housing need, and exception will be allowed. This is providing it adjoins the existing built form, it should be justified through a housing needs survey and arrangements of the management and occupation of the affordable dwellings for the future.

Policy Ho4 of Daventry's Housing SPD specifies a preferred housing tenure mix of two thirds rented and one third intermediate housing. In this case, for a development of this scale we would be expecting 18 affordable or social rented dwellings. Affordable Mix proposed is:

- 7 one bed homes
- 5 two bed homes
- 6 three bed homes

The mix largely meets the affordable housing needs identified in the most recent Housing Needs Survey Report (2021).

Policy BN2 seeks to ensure development maintains and enhances biodiversity.

Policy BN5 seeks to protect the Historic environment and landscape. Development should be sympathetic to locally distinctive landscape features, design styles and materials in order to contribute to a sense of place.

Policy INF2 seeks to ensure developments mitigates the impact on infrastructure off site.

Policy R1 seeks to ensure development in the rural area is guided by the rural hierarchy. Daventry has reached its requirements for dwellings within the rural area, therefore there is additional criteria that housing developments need to comply with the following; it would result in environmental improvements on a site including for example the re-use of previously developed land and best practice in design (i); or is required to support the retention of or improvement to essential local services that may be under threat (in particular the local primary school or primary health services) (ii); and has been informed by an

effective community involvement exercise prior to the submission of a planning application (iii); or is a rural exceptions site that meets the criteria set out in policy H3 (iv); or has been agreed through an adopted neighbourhood plan (v).

Settlements and Countryside Local Plan (Part 2)

Policy SP1 relates to the spatial strategy for Daventry District. Criterion G seeks to protect and enhance the built and natural environment.

Policy RA2 seeks to allow for development within its confines, however this policy allows for development outside the confines if it meets a local need. Development should be of small scale and protect the character and appearance of the village.

Policy RA6 seeks to recognise the intrinsic character, beauty and tranquillity of the open countryside. Development in the open countryside will only be supported if it is a rural exception site and meets policy H3 of the WNJCS and Policy HO7 where appropriate.

Policy HO7 seeks to ensure rural exception sites where they meet an identified need for two or more settlements that the dwellings are developed in the village that has the highest hierarchy.

Policy ENV1 seeks to protect the landscape. Proposals are supporting that maintain the distinctive character and quality of the Districts landscape (A).

Policy ENV5 seeks to conserve and enhance undesignated biodiversity sites.

Policy ENV7 seeks to ensure developments have a clear understanding on their impact to the designated heritage asset. Development should seek to protect and enhance designated heritage assets.

Policy ENV10 seeks to ensure design of developments promote local distinctiveness (i), incorporates crime prevention measures (iv), integrating existing landscape features (v), details of suitable comprehensive landscaping scheme (vi).

Other Material Considerations

National Planning Policy Framework (2021)

Paragraph 77 seeks developments reflect the need for housing in the rural area; paragraph 91 seeks to promote active and healthy communities; paragraph 109 relates to highway safety – development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 170 seeks development should contribute to and enhance the natural and local environment and 175 seeks to preserve and enhance biodiversity.

Housing Land Supply:

In respect of applications relating to residential development, the NPPF in footnote 7 to paragraph 11, sets out that relevant policies for the supply of housing should be considered out-of-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As at 1st April 2021 for the Daventry area there is a 6.3 year supply. However the applicant has previously sought to challenge the 2020 position, stating they believe that land supply is 1.9 years based on a number of assumptions. Whilst the applicant has not provided an equivalent assessment of the 1st April 2021 position the points previously raised are addressed below.

The applicants have questioned the requirement figure used in the 5 year land supply report, stating that our five year land supply should be based on the requirement for the former Daventry District and those parts of the Northampton Related Development Area (NRDA) in the former Daventry district.

The basis for the 5 year land supply requirement for the former Daventry District is well-established. Following adoption of the WNJCS in 2014 DDC (as it was) has used the district-wide requirement set out in policy S3, It identifies a requirement for 6,980 dwellings in the period 2011 to 2029 for the former Daventry District outside the Northampton Related Development Area. The WNJCS is clear about this, paragraph 17.19 establishes that the basis for the 5 year land supply calculation is to be the housing trajectory set out in appendix 3 to the Core Strategy, and specifically the 'need' lines. This position has been endorsed in a number of appeal decisions across the former District. There are no cases in the former District where it has not been supported at appeal.

The applicants submissions argue that several sites identified in the Daventry area Five Year supply will not come forward at the rate envisaged by the Council. The applicant's reasons for this vary from site to site, but include suggestions that sites with outline permission will not come forward within the next five years. The Council's Housing Land Availability report is very thorough and sets out the reasons why assumptions about each site have been made. This includes liaison with developers and promoters of sites, where they are willing to engage with the Council, there is no obligation for them to do so.

For the reasons set out within the HLA report it is considered that there is a 6.3 year land supply in the former Daventry District and therefore it is considered that paragraph 11 of the NPPF is not engaged in respect of housing land supply.

Assessment of the Application:

The main considerations of this application are the following:

- The principle of development
- Highway Safety
- Impact on the character and appearance of the locality
- Impact of neighbouring residential amenity
- Biodiversity

The Principle of development

The initial proposal was for outline planning permission for up to 70 dwellings but negotiations with officers the proposal under consideration is for the construction of 45 dwellings, which will provide 7 one bed homes, 5 two bed homes and 6 three bed homes for affordable rent, and 27 units for local market housing. The site lies outside the confines of the village of Flore and is in the open countryside.

Policy R1 of the WNJCS allows for residential development, however as the rural area for Daventry has reached its housing requirement, there is an additional set of criteria development needs to adhere to. The site is a parcel of agricultural land adjacent to the edge of the village of Flore therefore any development on this site will not lead to an environmental improvement to the character and appearance of the locality, nor has the argument been put forward that the development is required for the retention of a local service. However, no evidence has been put forward to establish that there are any essential local services under threat that would need to be supported by the proposal. But it is acknowledged that proposed development could support the retention of or improvement of such services even though not directly under threat.

Therefore, the proposal does fail to meet Policy R1 (i&ii) however, the proposal does accord with iv), as it is for an rural exception site which accords with WNJCS policy H3 and hence overall it is considered that the proposal will accord with Policy R1 and H3 overall.

Policy H3 relates to rural exception sites, which this development would have to be considered under. The site is located on the edge of the existing settlement of Flore, therefore the main issue is if the proposal responds to the Housing Needs Survey (HNS).

A HNS was undertaken in March 2021, therefore there is an up to date survey for the village. Planning Policy has commented on the scheme and considers that the proposal meets the requirements of the HNS. Therefore, the proposal is considered to accord with Policy H3 of the WNJCS.

Policy RA6 of the Settlements and Countryside Local Plan (Part 2) allows for exceptions sites if they accord with Policy H3 and HO7 when applicable. The proposal accords with H3, and there is no need to consider Policy HO7 as this

relates to a housing need of two or more villages. The proposal seeks to address the need for the village of Flore only and as such the application accords with Policy RA6 of the Settlements and Countryside Local Plan (Part 2).

Policy RA2 of the Settlement and Countryside Local Plan (Part 2), allows for development which meets a local need, and providing it is small scale, the proposal for 45 dwellings are considered to be fairly small scale, and respects the character and appearance of the village. The impact on the locality and the landscape are considered below. Overall, it is considered the proposal accords with Policy RA2.

The SCLP is the most up to date policy (adopted 2020), therefore policy RA2 and RA6 carry greater weight in the determination of the principle of development on the site. Overall, the principle of a rural exception site is acceptable, and the proposal can be supported subject to entering into a S106 to ensure the retention of the 18 affordable dwellings in accordance with the Supplementary Planning Document on Housing.

Parking and Highway Safety

The site is situated to the east side of Brington Road and will use the existing access into the site.

The WNC Highways Authority were consulted on the application and had previously raised some queries regarding trip rates in the applicant's Transport Assessment. However, with the proposed reduction in the number of dwellings to 45 dwellings, the LHA consider that the development is now below the recommended threshold for both a Transport Assessment and Transport Statement as it considered that the impact on the local highway network below 50 dwelling units would be insignificant and hence the LHA are satisfied from a highways safety point of view and therefore no longer requires this information.

There are off-site highway improvement works proposed that connect the site with the wider footway infrastructure in Flore as well as the existing public transport services. Subject to a Section 278 Agreement, the LHA have no objections to these off site highway improvements proposed.

Subject to a section 106 agreement requiring £70, 000 for the provision, installation and maintenance of 2 wooden bus shelters, and the provision of a Midland 4 week Megarider Gold for each dwelling, the LHA have raised no objections to the proposal on highway safety grounds.

The proposal is therefore considered to be in accordance with policy ST1 of the SCLP and Paragraph 109 of the Framework.

Impact on the character and appearance of the locality

The site is located on the edge of the village confines of Flore and is on the corner of Brington Road and High Street and is in the open countryside,

however, the area is not designated as Special Landscape Area, and there is a public footpath that runs along the southern and south west and south eastern boundaries of the site.

The site circa 300m by 96m and is rectangular in nature. The original proposal for upto 70 dwellings proposed to spread the dwellings out within the full length and width of the site.

However, following the completion of the HNS survey and following comments from the Conservation Area Officer, the number of dwellings is reduced to 45 and these dwellings are now concentrated within two thirds of the plot with the rear of plot, circa 100m by 96m being left as green open space. To the south east of the site is an attenuation basin. The existing tree screening along High Street is to be retained. The nearest dwellings proposed to High Street will be set back from the nearest dwellings that exist on the newly built development to the other side of Brington Road. The dwellings proposed furthest away from High Street are also in line with the dwellings on the other side of Brington Road.

As the proposal is outline only, an indicative layout plan has been submitted which show a significantly improved layout. The indicative layout plan shows the majority of the dwellings to have a street frontage and are set back a reasonable distance from the main road, High Street, as well as Brington Road. The existing planting will be retained along the High Street and Brington Road with additional new planting proposed along the boundaries of the site. Parking areas are shown within close proximity to the prospective dwellings thereby enhancing the street scene and the outlook for future occupiers of the dwellings.

The site is largely contained and bounded by hedgerow which is to be retained and there still remains open countryside beyond the site. It is considered that the proposal would not result in an unacceptable incursion of development in the open countryside.

With regard to the heritage impacts of the proposal, it is considered that, if the existing boundary vegetation is retained and, where appropriate, enhanced, there is unlikely to be less than substantial harm to the setting of the Flore Conservation area as a result of this development.

The proposed development will have an impact upon the character and appearance of the locality, as it will result in an extension to the main village and will result in the loss of open countryside. However, the proposal relates well to the existing development on the opposite side of Brington Road and it will be seen as an extension of the streetscene rather than a stand-alone development.

Overall, it is considered that although there will be some limited harm to the character of the locality, as it will further urbanise the landscape, with the landscaping proposed including the pond to the south eastern boundary of the site the potential harm and loss of the open countryside is minimal and hence the visual impact of the scheme is considered to be acceptable in accordance

with Policy ENV1 and ENV10 of the Settlements and Countryside Local Plan Part 2.

Impact on residential amenity

The indicative layout appears to respect the adjacent surrounding dwellings although it is difficult to assess at this stage and these issues will be dealt with at the reserve matters stage. With regards to any existing residential amenity, the nearest dwelling on High Street is No.119 which lies to the east of the proposed attenuation Basin. Therefore, due to the substantial separation distance from plots 36-37 being circa 53m it is not considered that the proposed will harm the residential amenity of this property. Similarly, the proposed dwellings along Brington Road will have a minimal impact of the dwellings on the other side of Brington Road as there will be circa 35m separation from the nearest elevations of the proposed dwellings to the existing dwellings

Overall, it is considered that there will be no harm caused from the development by way of overlooking or loss of privacy on any surrounding dwellings and as such the proposal is considered to accords with JCS policy S10 and ENV10 of the SCLP in terms of impact upon surrounding residential amenity.

Drainage

The Lead Local Flood Authority were consulted on the proposal and have not objected subject to conditions being imposed to any planning approval requesting details of the surface water drainage system being submitted to the Local Planning Authority.

Biodiversity

The WNC Ecologist commented on the final proposal of 45 dwellings and was pleased to note that the new layout dwg 3436-SK06D will allow the proposal to deliver the net biodiversity gain required by local plan policy ENV5 and NPPF paragraph 174. Subject to conditions she would be happy for the application to proceed to determination.

Archaeology

WNC Archaeology Department were consulted on the application and have raised no objections subject to a condition relating to the submission of an archaeological programme of works being included in any approval of the application.

Environmental Health

WNC Environmental Health Officer commented on this application, however, raised no objections subject to the inclusion of conditions relating to noise and contamination amongst other informatives to be included should the application be approved.

Landscaping

The WNC Landscape Officer commented on the final proposal and stated that it is certainly positive that the northern edge of development has now been relocated south in line with line of existing development west of Brington

Road. It is also important that the northern boundary is positively landscaped as the line runs adjacent to the route of the existing service line and is not based or reliant on an existing hedge/boundary.

Subject to detailed landscaping scheme being submitted at the reserved matters stage has not raised any objections to the scheme.

Section 106/Community Infrastructure Levy:

The applicant has indicated a willingness to enter into a Section 106 agreement in order to secure the planning obligations considered to be necessary to mitigate the potential impacts of the development. Other matters would be funded via CIL contributions at the reserved matters stage. The draft heads of terms will need to address the following:

- **Affordable housing provision** – 18 no. affordable homes are required for the proposed 45 dwellings which will represent 40% of the total.

The 18 affordables shall be broken down as:

- 7 one bed homes
- 5 two bed homes
- 6 three bed homes

Primary Education, Libraries and Fire hydrants:

The County Council Education Authority have advised that this development would give rise to the need of a contribution towards: -

- Education - £145,864.
- Libraries - £9,339.
- 2 Fire Hydrants - £1,784

WNC Highways:

- Bus stop infrastructure and maintenance - £70,000
- And that the developer shall offer to all residents a Stagecoach Midland 4 week Megarider Gold Ticket, currently priced at £138, at the rate of one ticket per dwelling on request by the residents.

NHS Northamptonshire

- Primary Health Care - £22,878.21

Parish Council and Neighbour Objections

Whilst the Parish Council and a number of neighbours have objected to the proposal on grounds of impact on highway safety, biodiversity, archaeology, impact on area and residential amenity amongst other things, it is considered that the concerns raised have been adequately addressed within the main body of the Officer's report.

With regards to the request from the Parish of £158,000 S106 contribution for traffic calming measures, the WNC Highways Officer does not feel this is required for this proposal and as no justification has been submitted by the

Parish Council, the Applicants' have indicated that they would not be willing to agree to this being included in the S106 agreement.

Conclusion:

The proposal will result in an additional 45 residential properties, located on the edge of the village of Flore. The dwellings comprise of a mix of affordable rentals and market housing that are consistent with the demonstrated need for dwellings through the recent Housing Needs Survey carried out in March 2021.

Although there will be loss of open countryside as a result of the proposed development due to the inclusion of the storm water attenuation pond and the additional planting within the site it is considered that the harm of over-urbanisation of the open countryside is minimal.

It is considered that the proposal will comply with Policy R1 iv) of the West Northamptonshire Joint Core Strategy Local Plan (WNJCS) and the principle of these local needs dwellings in this countryside location is further supported by Policy H3 of the WNJCS.

The proposal will not lead to any detrimental highways safety issues and it is considered that the indicative layout of the proposal will not have a detrimental impact on the character and appearance of the locality nor will it have an undue detrimental impact on any surrounding residential amenity in terms of loss of light or overlooking issues. The benefits from the proposed dwellings will outweigh any potential adverse impacts on the open countryside and the adjacent conservation area given the social, economic and environmental benefits to be had for the development of the site.

On balance, it is considered the proposal is in accordance with WNJCS Policies SA, S10, R1, H2 and H3 and Policies SP1, RA2, RA6, HO8, ENV1, ENV10 and ST1 of the Settlements and Countryside Local Plan (Part 2) (2020) and having regard to chapters 5, 9, 11 and 12 of the Framework.

Advise:

That the application be approved subject to the signing of a Section 106 agreement to secure the necessary infrastructure, education, highways and fire hydrant contributions as set out above and subject to the following conditions:

CONDITIONS

- 1. Approval of the details of the appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced in respect of the particular unit (s) that is/are the subject of the reserved matters application.**

- 2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.**
- 3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**
- 4. The development hereby permitted shall be carried out in accordance with the amended plans reference 3436-SK04G and 3436-01 received by the LPA on 17/6/2020, 541.0004.001 Rev B, 541.0004.002 Rev B, 541.0004.003 Rev A and 541.0004.004 received by the LPA on 17th June 2022 and the amended plan 3436-SK06D (indicative layout plan only) received by the LPA on 17/6/2022.**
- 5. No development shall take place in any Reserved Matters area until samples of the materials to be used in the construction of the external surfaces of the walls and roofing for that area hereby permitted have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
- 6. No more than 45 dwellings shall be erected on the site and 18 shall be affordable dwellings consisting of 7 one bed homes, 5 two bed homes and 6 three bed homes (tenure mix of 12 affordable/social rented dwellings and 6 shared ownership)**
- 7. The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and 2 fire hydrants, necessary for fire fighting purposes at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.**
- 8. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0830 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.**
- 9. The development hereby permitted shall not be commenced until details of an investigation and risk assessment scheme to assess the nature and extent of any contamination on the site have been submitted to and approved in writing by the Local Planning Authority (LPA), the approved scheme has been carried out by competent persons and a written report of the findings has been submitted for the approval of the LPA. The assessment shall include, unless the LPA dispenses with any such requirements in writing, a site investigation to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-**

Pathway-Receptor principle and takes into account the proposed new house. The investigation must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11' and a written copy of the site investigation and findings shall be forwarded to the LPA. Two copies of the site investigation shall be forwarded to the LPA.

- 10. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted for the approval of the LPA. No works, other than investigative works, shall be carried out on the site prior to the confirmation in writing of approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.**
- 11. The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the remediation. No deviation shall be made from the approved scheme without the express written agreement of the LPA. The LPA must be given two weeks written notification of the date of commencement of the remediation scheme works.**
- 12. No development works other than that required to carry out the remediation shall be carried out until after the completion of the works required by the remediation scheme, the submission of a written closure report to the LPA and the LPA have confirmed the closure report is satisfactory. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved remediation scheme, and confirmation of the effectiveness of the scheme in ensuring the site can be considered as suitable for the end use of residential with plant uptake. Post remediation sampling and monitoring results shall be included in the closure report.**
- 13. If during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA in accordance with the terms of Condition 8 above and implementation of any necessary remediation works has taken place and a closure report has been approved by the LPA in accordance with the terms of Condition 15 above.**

- 14. The development hereby permitted shall not be occupied until the applicant has provided a sustainability pack for the occupiers.**
- 15. Before construction of the dwellings commences, details of the finished floor levels of the dwellings in relation to the existing and proposed levels of the site and the surrounding land shall be submitted to and approved in writing by the local planning authority. The dwellings shall thereafter be constructed in accordance with the details so approved.**
- 16. Prior to the commencement of development above slab level, a scheme of boundary treatments for the site shall be agreed. The approved boundary treatments must be implemented prior to the occupation of each respective dwelling and shall be maintained in perpetuity.**
- 17. The principle of the highway improvements (all works to the access, Brington Road footway extension and crossings on High Street) as detailed in the approved plans 541.0004.001 Rev B, 541.0004.002 Rev B, 541.0004.003 Rev A and 541.0004.004 received by the LPA on 17th June 2022 shall be in place prior to the first occupation of the site.**
- 18. Prior to the commencement of any works taking place on the site the applicant is required to provide the arrangement of the agreed highway improvement works as detailed in condition 17 above and associated infrastructure; bus shelters, by way of a Section 278 Agreement that the applicant will be required to enter into with the LHA for the purpose of undertaking these works.**
- 19. Prior to the commencement of works affecting any existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the local planning authority.**
- 20. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.**
 - a) Description and evaluation of features to be managed.**
 - b) Ecological trends and constraints on site that might influence management.**
 - c) Aims and objectives of management.**
 - d) Appropriate management options for achieving aims and objectives.**
 - e) Prescriptions for management actions.**
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).**
 - g) Details of the body or organization responsible for implementation of the plan.**
 - h) Ongoing monitoring and remedial measures.**

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

21. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

i. fieldwork in accordance with the agreed written scheme of investigation;

ii. post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

iii. completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

22. Each dwelling hereby approved shall provide integrated bat and/or bird bricks and any close boarded fencing to be erected as part of the boundary treatment proposed in condition 16 above shall incorporate hedgehog holes at suitable points and shall thereafter be retained.

23. A Construction and Environment Management Plan must be submitted and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters: Air Quality, Dust, Water Quality, Lighting, Noise and

Vibration, Pollution Prevention and Control, and Monitoring Arrangements.

- 24. Prior to the occupation of the residential units a scheme for achieving the external and internal noise levels outlined in BS8233:2014 and World Health Organisation Guidelines shall have been submitted and approved in writing by the Local Planning Authority, and the approved scheme implemented. Thereafter it shall be maintained in the approved state at all times with no alterations made to the approved structures including roof, doors, windows and external facades, layout of the units or noise barriers.**
- 25. Prior to the commencement of development, provision of ducting to allow for installation of EV charging infrastructure will be required (one charge point per residential unit), in order to make resident parking places EV ready for future demand. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. Subsequently, these details and designs should be submitted to and approved in writing by the Local Planning Authority. Such provisions shall be formed, and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter.**
- 26. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy ref 541.5004/FRA&DS/2 rev 2 dated 20th May 2020 prepared by Paul Basham Associates have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include,**
- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).**
 - ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations**
 - iii) cross sections and manufacturers hydraulic curves for all control chambers and flow control devices.**
- 27. No above ground work shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried**

out in full thereafter. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted. A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

28. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment and Drainage Strategy ref 541.5004/FRA&DS/2 rev 2 dated 20th May 2020 prepared by Paul Basham Associates. These shall include: a) Any departure from the agreed design is keeping with the approved principles b) Any As-Built Drawings and accompanying photos c) Results of any performance testing undertaken as a part of the application process (if required / necessary) d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc. e) CCTV confirmation that the system is free from defects, damage and foreign objects.

REASONS

- 1. To comply with Section 92 of the Town & Country Planning Act 1990) and the application is outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.**
- 2. This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.**
- 3. This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.**
- 4. To ensure that the development is carried out in accordance with agreed amendments.**
- 5. In the interests of visual amenity and to ensure that the materials are appropriate to the appearance of the locality.**

- 6. The application is for 45 dwellings and any more dwellings will have a detrimental impact on open countryside in which the site lies and on highway safety.**
- 7. In the interests of fire safety.**
- 8. To ensure the protection of the local amenity throughout construction works.**
- 9. To ensure that potential risks from the historic use of the site have been appropriately assessed.**
- 10. To ensure the proposed remediation plan is appropriate.**
- 11. To ensure site remediation is carried out to the agreed protocol.**
- 12. To provide verification that the required remediation has been carried out to the required standards.**
- 13. To ensure all contamination within the site is dealt with.**
- 14. In the interest of sustainability.**
- 15. For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.**
- 16. In the interests of residential amenity and crime prevention.**
- 17. In the interest of highway safety.**
- 18. In the interest of highway safety.**
- 19. In the interests of highway safety.**
- 20. In the interest of biodiversity of the area.**
- 21. To ensure that features of archaeological and historic interest are properly examined and recorded and the results made available, in accordance with NPPF paragraph 205.**
- 22. For the protection and enhancement of biodiversity opportunities in the area.**
- 23. To protect residential amenity, highway safety and visual amenity.**
- 24. In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.**
- 25. In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.**
- 26. To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.**
- 27. To ensure the future maintenance of drainage systems associated with the development.**
- 28. To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.**

NOTES

- 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. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements:**
 - The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.**
 - There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by the Area Rights of Way Officer, (as per Section 131 HA1980).**
 - If as a result of the development, i.e. the safety of the public cannot be guaranteed, the Right of Way needs to be closed, and a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from West Northamptonshire Council's website, a fee is payable for this service and a period of six weeks' notice period is required. Please contact the highway authority at:- defmap.ncc@westnorthants.gov.uk
<https://www.northamptonshire.gov.uk/councilservices/northamptonshire-highways/rights-of-way/Pages/temporary-traffic-regulation-orders.aspx>**
 - Any new path furniture such as a gate can only be authorised if needed for the ingress or egress of livestock (Section 147 Highways Act 1980) and needs to be approved in advance with the Area Rights of Way Officer, standard examples can be provided.**
- 3. No works affecting any existing public right of way may commence without the express written permission of the local highway authority's Rights of Way or Definitive Map Teams.**
- 4. The developer is reminded to apply to the local planning authority for any proposed permanent diversion of a right of way under Section 257 of the Town and Country Planning act 1990 required to facilitate the development of DA/2020/0479.**

The alternative route for such a diversion must be agreed with the local highway authority's Area Rights of Way Officer and be available for public use prior to the closure of any existing route.

- 5. As nesting birds are protected by law under The Wildlife and Countryside Act 1981, a check for nesting birds will be undertaken prior to building work commencing. If nesting birds are identified, works in the area of the nest will be delayed until the birds have left the nest.**
- 6. The applicant will be required to enter into a Section 278 agreement with the LHA in order to carry out the highway improvements as outlined in condition 17 above.**
- 7. The Statement required to discharge the Construction Management Plan of this consent is expected to cover the following matters:**
 - the parking and turning of vehicles of site operatives and visitors;**
 - loading and unloading of plant and materials;**
 - storage of plant and materials used in constructing the development;**
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
 - details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;**
 - wheel washing facilities;**
 - measures to control the emission of dust and dirt during construction;**
 - a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.**
 - design of construction access**
 - hours of construction work**
 - measures to control overspill of light from security lighting**
 - a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.**
- 8. With reference to Condition above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure. For further information, please contact: Water Officer for NFRS (ljwilson@northantsfire.org.uk).**