Land at Norwood Farm, Sandy Lane Harpole

Case Officer: Laura Bell

Applicant: Barwood Development Securities Limited

Proposal: Hybrid planning application seeking both full and outline planning permission for:

Part A: Outline planning permission for a sustainable urban extension comprising: Up to 1,900 dwellings (use class C3); Public open space and children's play areas; Landscape areas, new landscape planting and hydrological attenuation features and sustainable drainage systems; Primary school (use class D1); and Mixed use local centre which may include residential (use class C3), retail (use classes A1, A2, A3, A4 and A5), and health and community facilities (use class D1).

Part B: Full planning permission for: Demolition of any on site buildings or structures; and Routing of Sandy Lane Relief Road and associated vehicular access points.

Application is accompanied by an Environmental Impact Assessment.

Ward: Harpole & Grange

Councillors: Cllr Ann Addison & Cllr Karen Cooper

Reason for Referral: Major development

Expiry Date: 29 March 2019  Committee Date: 7 March 2019

This application was subject to a Committee Members Site Visit, which took place on Tuesday 26th February 2019.

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

Proposal
This application has been submitted in hybrid form, seeking outline consent (with all matters reserved except access) for:

- Up to 1,900 dwellings (use class C3);
- Public open space and children's play areas;
- Landscape areas, new landscape planting and hydrological attenuation features and sustainable drainage systems;
- Primary school (use class D1); and
- Mixed use local centre which may include residential (use class C3), retail (use classes A1, A2, A3, A4 and A5), and health and community facilities (use class D1).
Consultations
The following consultees have raised objections to the application:


The following consultees have raised no objections to the application:


The following consultees have made comments on the application, neither in favour nor against the application:

- Duston Parish Council, NCC Key Services, Crime Prevention Design Advisor (CPDA), Historic England and Sport England

7 letters of objection have been received, in addition to an objection letter containing 154 signatures, 1 letter of support and 2 letters of general comment have been received.

Planning Policy and Constraints

- Open countryside.
- Largely within Policy N9A designation and small southern portion of Policy N4 designation within the JCS.
- Public Rights of way / bridleways cross the site (KP/016 and LB/001).
- Tree preservation order (04/1992) – the existing copse to the north east of Harpole and existing tree belt to the west of Sandy Lane.
- Various archaeological assets across the site (Probable Romano-British Settlement - MNN6119, Possible Prehistoric to Early Middle Saxon Activity - MNN7009, Possible Prehistoric & Romano British Activity - MNN1929, Possible Prehistoric To Early Middle Saxon Activity - MNN2245, Possible Trackway - MNN25153, Possible Iron Age & Romano-British Settlement - MNN7008).
- Special Landscape Area.
- Various Local Wildlife Sites within 2km (Nobottle Belt, Oldfield Thicket, Broadgow Spinney, Upton Mill North Lake, Upton Mill Dyke, Bottom Spinney, Camp Lane & Drain, Heath Spinney and Brook, Upton Mill South Lake, Berry Wood, Dallington Brook Grassland, Upton Pasture, Harlestone Firs).
- Technical Site Safeguarding Area (NATS).
- Intermediate surface water flooding.
- Minerals Safeguarding Area buffer zone.
- Important Local Gap.

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion
The key issues arising from the application details are:

- Environmental Statement
- The principle of the development
- Design and housing mix
- Impact on the character and appearance of the area
- Impact on heritage assets
- Road layouts, highway safety and parking
- Noise and air quality
• Ground conditions and contamination
• Residential amenity
• Impact on ecology, biodiversity and trees
• Impact on archaeology
• Drainage and flooding
• Public rights of way
• Loss of agricultural land and minerals
• Socio-economic impacts
• Sustainability
• S106 and viability

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. The application site covers approximately 104.77 hectares of predominantly agricultural land, located on the western edge of Northampton’s urban area. The site is bisected by Sandy Lane running north/south. The western parcel of the site is bound by Roman Road to the north and Larkhall Lane to the south. The eastern parcel is bound by Berrywood Road to the north and extends to the rear of the residential properties located on Weedon Road (A4500) to the south. The site is characterised by varying topography, but it predominantly slopes from north to south.

1.2. Two parcels of land, excluded from the red line application site, are located to the east and west of Sandy Lane, the former containing existing commercial / industrial uses (a plant nursery and reclamation yard) and the latter containing residential development. A group of farm buildings (known as Norwood Farm) are located fairly centrally within the site, to the east of Sandy Lane.

1.3. A watercourse rises to the south of Norwood Farm and flows in a southerly direction. Trees and hedgerows characterise the boundaries of the western site parcel, whilst the eastern parcel is bound by the existing community of New Duston and St Crispin. To the north/north east lie areas of modern housing at St Crispin/Berrywood Fields. To the south west of the western parcel of the site lies the village of Harpole.

1.4. The boundary between Northampton and South Northamptonshire runs broadly north south through the overall site allocation, defined by Policy N9A of the JCS. This site lies wholly within the administrative boundary of South Northamptonshire (known as Norwood Farm); the remaining portion of the N9A allocation (known as Upton Lodge) lies within the administrative area of Northampton Borough Council. A portion of the site to the north lies within the site allocation Northampton West (defined by Policy N4) and a small portion of the site to the west falls outside any allocation and lies within open countryside.

2. CONSTRAINTS
2.1. The application site constraints are identified in the Planning Policy and Constraints section above.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. This application has been submitted in hybrid form, seeking outline consent (with all matters reserved except access) for:

- Up to 1,900 dwellings (use class C3);
- Public open space and children’s play areas;
- Landscape areas, new landscape planting and hydrological attenuation features and sustainable drainage systems;
- Primary school (use class D1); and
- Mixed use local centre which may include residential (use class C3), retail (use classes A1, A2, A3, A4 and A5), and health and community facilities (use class D1).

3.2. Full planning permission is sought for the demolition of any existing buildings/structures on the site and the routing of the Sandy Lane Relief Road (SLRR) and associated vehicular access points.

3.3. Various parameter plans have been submitted with the application, which establish the maximum development parameters in terms of land use, building height, planting, density and access providing for a range of masterplan options. A framework masterplan has been submitted (for illustrative purposes), demonstrating one iteration of how the site could be developed out, based on all of the fixed parameters. These parameters have been tested against the considerations within the Environmental Statement and should permission be granted, the consent would be subject to these set parameters by planning conditions.

4. RELEVANT PLANNING HISTORY

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

<table>
<thead>
<tr>
<th>Application Ref.</th>
<th>Proposal</th>
<th>Decision</th>
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<tbody>
<tr>
<td>S/2006/1466/CW</td>
<td>Sandy Lane Relief Road and associated infrastructure and landscaping (southern section)</td>
<td>Objections raised</td>
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<tr>
<td>(Neighbouring Authority Consultation)</td>
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<tr>
<td>S/2006/1467/PC</td>
<td>Sandy Lane Relief Road and associated infrastructure and landscaping (northern section)</td>
<td>Objections raised</td>
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<td>(Neighbouring Authority Consultation)</td>
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<tr>
<td>S/2006/1654/CW</td>
<td>Development of housing, community and education facilities, employment, park &amp; ride and country park</td>
<td>Application withdrawn</td>
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<tr>
<td>(WNDC application)</td>
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<tr>
<td>S/2006/1655/PO</td>
<td>Development of housing and country park</td>
<td>Application withdrawn</td>
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<tr>
<td>S/2010/0347/CW</td>
<td>80 residential units with associated</td>
<td>Objections</td>
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garages, roads and sewers

S/2012/0275/CW (WNDC application) Development of housing (up to 1780 dwellings), community and education facilities including a new primary school (3.8ha), employment (22,000m2 floorspace), park and ride facility (1000 car spaces) and part of a country park (7.7ha) (Outline). Revised and additional plans to neighbouring authority consultation S/2012/0275/CW

S/2015/1550/SCO Scoping opinion for proposed residential led mix use development.

S/2016/1111/NA Neighbouring authority consultation for an Environmental Impact Assessment

S/2017/0462/NA (and S/2018/0708/NA) Outline planning application for a residential development of up to 1,400 no units, a mixed use local centre including appropriate retail, healthcare and community facilities, a new primary school, areas of public open space, play provision and structured landscaping, internal roads and all associated infrastructure, and demolition of existing shed at Upton Lodge Farm (outline planning application with matters of layout, appearance, landscaping and scale being reserved for subsequent approval) made to Northampton Borough Council

S/2017/2270/EIA and S/2017/2271/EIA These applications are currently being jointly considered by SNC and Daventry District Council for the JCS N4 (Northampton West) allocation which adjoins this proposal to the north-west. Both are outline applications for a primary school, a mixed use Local Centre (Uses A1-A5, D1), together with associated public open space, landscaping, highways sustainable drainage systems, and all ancillary infrastructure works, including a new primary sub-station AND EITHER the demolition of existing barns and erection of up to 1750 dwellings OR the erection of up to 600 dwellings.

S/2018/1821/NA (neighbouring authority application – NBC) Full application for 118 dwellings, access onto Berrywood Drive, drainage infrastructure and public open space

Observations made.

Observations made.
5. **PRE-APPLICATION DISCUSSIONS**

5.1. The following pre-application discussions have taken place with regard to this proposal:

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<th>Pre.App Ref.</th>
<th>Proposal</th>
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<tr>
<td>P/2015/0146/PRH</td>
<td>Substantial residential-led mixed-use development</td>
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5.2. The applicants sought pre-application advice in respect of various matters, including: the principle of the development (extended red line), design parameters, routing of the SLRR and form of application. Extensive pre-application discussions were undertaken in relation to the form and scope of the Landscape and Visual Impact Assessment (LVIA). The applicants undertook their own pre-application enquiries with other external bodies, including NCC Highways, Environment Agency, Anglian Water and Highways England.

6. **RESPONSE TO PUBLICITY**

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **4\(^{th}\) March 2019**, though comments received after this time have been considered.

6.2. The comments raised by third parties are summarised as follows:

6.3. A total of 7 objections have been received, in addition to a letter (the contents of which are shown below) objecting to the development, containing 154 signatures and in summary, raise the following issues (full copies of all representations made in respect of this application can be obtained from the Council’s website via the following link: [http://snc.planning-register.co.uk/plandisp.aspx?recno=93069](http://snc.planning-register.co.uk/plandisp.aspx?recno=93069))

6.4. **Contents of circulated letter:**

- Barwood established their options on the land in early 2015 – AFTER the West Northants Joint Core Strategy (WNJCS) was agreed.

- The application does not comply with the WNJCS.

- The application represents only part of the WNJCS outline for the Norwood/Upton Sustainable Urban Extension 9A, and breeches the boundary into the West Northampton Sustainable Urban Extension 4.

- The application proposed housing in allocated green space as laid out by the WNJCS Policy 9A which states:
  
  g) **STRUCTURAL GREENSPACE AND WILDLIFE CORRIDORS AS INDICATED ON THE POLICIES MAP (FIGURE 5) INCLUDING THE PROVISION OF A COUNTRY PARK**;

- The application attempts to re-route the agreed and valid application for the Sandy Lane Relief Road.
- A separate application has been made for the eastern part of 9A by HCA.

- The WNJCS calls for submission to be made with a masterplan. The Barwood application combined with the application by the HCA does not represent a masterplan for 9A especially as the southern half of the allocated Country Park has not been addressed by either applications.

- The WNJCS which took many years and much money to complete and was approved through proper Inspection is not being adhered to.

- Harpole Parish Council took legal advice regarding the pre-application concerning the legality in relation to the approved WNJCS, and this application does not address the issues presented.

- In their decision on the scoping of the Environmental Impact Assessment SNC said that "The formal application and Environmental Statement (ES) should therefore cover the whole application area, in order to ensure the development is delivered in a holistic manner. A piecemeal submission that does not cover the whole allocation will not be acceptable". This application does not cover the whole of the allocation area so it should be deemed unacceptable.

- The Sandy Lane ‘Relief Road’ Road – planning permission already exists for the road as laid out in the WNJCS. This proposed road cuts across Sandy Lane, includes at least 3 roundabouts, access to/from Sandy Lane south of Larkhall Lane making the ‘rat run’ problems worse.

- Location of housing – the housing is located on part of the site that is meant to be ‘structural green space’.

- Impact on landscape – the proposals have a significant negative impact on the landscape, particularly because of the proposed height of the houses north of Larkhall Lane and along the proposed Sandy Lane Relief Road.

- Lack of green space / recreational / leisure facilities – no new Leisure facilities planned other than allocation of some extra space to the Harpole playing fields.

- Location of the school – on the edge of the proposed development and on the opposite side of Sandy Lane. The school should be located in the centre of the new houses.

- Consultation/lack of consultation by Barwood – Barwood have not consulted directly with Harpole Parish Council on this application. They held one unofficial meeting with Harpole Action Team, where initial thoughts on the plan were shared. The open day on the 28th Jan was held outside of the Harpole Parish even though the whole of the application is within the parish boundary.

Other objections:

- Surface water attenuation measures should be properly managed and maintained on a regular basis and those contact details should be made available to residents

- How will secondary education be provided for?
• Childcare/nursery facilities are required

• How will Northampton General / dental surgeries cope

• Is the 2nd phase of Sandy Lane appropriate for HGV’s going through a housing estate?

• If we leave the EU is this housing going to be needed

• Landscape / countryside encroachment

• There are less notable areas around Northampton where this development could go

• Flooding issues

• In light of Brexit, why concrete over valuable farmland to build an unwanted and unneeded ‘ghost town’

• Put this outdated scheme on hold

• Our Sandy Lane nursery will be cut off by the new road layout and surrounding houses will impact on passing trade

• Delivery vehicles may not be enter into Sandy Lane nursery due to parked cars

• Homeowners close to the nursery will complain about noise. Consider moving the proposed school or mixed use local centre to the east of the nursery

6.5. One letter from the representatives of Taylor Wimpey has been received and in summary states the following:

• The current application forms approximately half of the SUE with Taylor Wimpey’s land to the east

• No objection in principle, provided it does not thwart the delivery of a comprehensive development of the wider SUE

• To ensure future connection between the sites, it would be appropriate to attach a planning condition and planning obligation to require an adoptable access up to the boundary of the Taylor Wimpey site.

6.6. One letter from Northamptonshire Badger Group has been received an in summary raises concerns with regard to the impact upon Badger setts within the site and adjacent sites.

6.7. One letter of support from Harpole Football Club has been received and in summary states the following:

• Our existing facilities are preventing our development and we desperately need improved and expanded facilities in the village.

• We are pleased that land adjacent to the existing playing fields and recreation ground has been included for their potential future expansion and improvement.
We have begun drawing up proposals for the potential improvements to current facilities as part of a strategy to secure external funding. Planning permission is vital to this strategy.

Proposals form part of the West Northamptonshire Joint Core Strategy, which identifies where new housing development should be located to meet long term housing needs in the area. The proposals would also bring a number of other benefits to the area including the completion of the Sandy Lane Relief Road, a new Primary school and other community facilities.

The application, if approved would help secure the long-term future of football club enabling it to grow and continue to be an important and vital asset to the local community.

6.8. The comments received can be viewed in full on the Council’s website, via the online Planning Register (as detailed above).

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS (First round of consultation)

7.2. HARPOLE PARISH COUNCIL: Object on the grounds of being contrary to Policy, lack of overall masterplan for allocation, inadequate consultation from developer, contrary to Neighbourhood Plan, sports pitches should be shown on other allocated sites adjacent, SLRR alignment and configuration is unacceptable, increase in pollution, inadequate footpath/brideway/cycle connections, residential parking is essential, school location inappropriate, increase in water run-off and flooding, no elderly provision within housing plan, inadequate healthcare provision, Police station should be provided within the development, no allocated budget for play equipment /wellbeing/health, three storey housing will look out of keeping, lack of greenspace provision, extent of country park does not correspond with adopted plan, planting will not prevent the development impacting on Harpole, housing should not be located on land to the west of Sandy Lane.

7.3. KISLINGBURY PARISH COUNCIL: Object on the grounds of the development demands more land than that allocated in the South Northants, and the size and race of the proposed development is excessive and seriously detrimental to the existing communities. No assessment has been made on the flood/water impact on the nearby village of Kislingbury. Inadequate attention has been paid to the need for community services e.g. transport, health and post age 11 education. There is a total absence of planned dwellings suitable for Elderly or disabled residents.

7.4. KISLINGBURY ACTION GROUP: Object on the grounds of non-conformity with the JCS, increased flood risk, absence of an overall masterplan.

7.5. HARPOLE ACTION TEAM: Object on the grounds of non-compliance with the JCS, SLRR design is not fit for purpose, lack of essential infrastructure including secondary school, health centre and sport and recreation facilities.

7.6. UPTON PARISH COUNCIL: Object on the grounds of a lack of overall masterplan, lack of facilities, plans do not accord with JCS Policy, SLRR will be ineffective as a relief road.
7.7. **DUSTON PARISH COUNCIL**: Comment that the SLRR should be duelled and completed before any development commences.

**CONSULTEES (First round of consultation)**

7.8. **SNC STRATEGIC PLANNING POLICY**: **No objection** as the proposal accords with requirements of NPPF, adopted JCS, saved polices of the Local Plan and Harpole Neighbourhood Plan. SNC has a robust HLS, although in respect of NBC and the NRDA, only a 2.64 HLS, resulting in a shortfall of 6,832 dwellings and therefore policies for the supply of housing are not considered up to date. The proposal can therefore be supported in principle because it is an allocated site in the WNJCS (Part 1 Local Plan), and would help to meet the significant level of housing need within the NRDA.

7.9. **SNC STRATEGIC HOUSING**: **No objection**. To accord with JCS, affordable housing provision should be at 35% and any reduction in this level will only be considered in light of a proven and agreed viability assessment.

7.10. **SNC HERITAGE**: **No objection**. Proposals should seek to sustain and enhance significance, including the setting of heritage assets. I concur with conclusions set out that the proposed development will not harm the setting and therefore significance of the surrounding heritage assets.

7.11. **SNC ENVIRONMENTAL PROTECTION**: **No objection subject to conditions**. Satisfied that the noise and air quality assessments have been undertaken in accordance with relevant standards and procedures and demonstrate that the proposed development can achieve the aims of the NPPF, subject to relevant conditions.

7.12. **SNC ENVIRONMENTAL PROTECTION (LAND CONTAMINATION)** **No objection subject to conditions**.

7.13. **ECOLOGY CONSULTANT (ON BEHALF OF SNC)**: **Further work required** in relation to otter and water vole and clarification in relation to species/habitats of importance. Conditions required including submission of a CEMP and Ecological Construction Method Statement (ECMS) for each phase of development, a detailed Landscape and Ecological Management Plan and sensitive lighting strategy.

7.14. **LANDSCAPE CONSULTANT (ON BEHALF OF SNC)**: **No objection, subject to conditions**. In summary, the LVIA is generally in accordance with relevant guidance. In relation to effects on the setting of Harpole, the applicant has given this issue consideration and minimised impact through avoidance of built form development within the south-western portion of parcel B and establishment of a new broadleaf wooded tree belt along the hillbrow in the middle section of parcel B. In our view this should be sufficient to avoid the physical and visual coalescence of Harpole with Northampton. However, it would be helpful to see clearer visualisations (especially from viewpoints 7 and 8) that show the exact extent of built form and landscape proposals visible from Harpole to back this up. A Landscape Management Plan should be conditioned, alongside a requirement for an updated LVIA, should the detailed scheme deviate significantly from the illustrative landscape masterplan.

7.15. **SNC LEISURE**: **No objection, subject to conditions**. The current proposals fall 7.3ha short of the planning requirements, however there is the potential to mitigate this impact through off-site in-lieu contributions. A new Community Facility should be provided to serve the development. This should be a minimum size of 879sqm, plus parking facilities. (Emerging standard for South Northamptonshire and Cherwell
Districts is 0.185sqm per head. The developer is encouraged to consider producing a public art strategy for the site, outlining how they will incorporate unique design and artistic themes across the development

7.16. NCC ARCHAEOLOGY: No objection, subject to conditions. The archaeological potential within the development area could be dealt with by condition. A mitigation strategy should be submitted which deals with the areas of archaeological activity in a legible way (not split across land parcels).

7.17. NCC KEY SERVICES: No objection, subject to conditions.

EDUCATION: A 3FE primary school is required on a site of 2.5ha with a contribution of £7.6million. The first 1FE is required to be open by the 300th dwelling. Secondary Education is included on the Regulation 123 list managed by South Northamptonshire Council. This fulfils the requirements of Secondary School development mitigation.

HIGHWAYS: From the initial review of the submitted Transport Assessment it appears that there are a number of in-principle queries which require addressing before the LHA can determine a fully informed view with regards to the traffic and travel implications of this application.

MINERALS AND WASTE: The applicant should demonstrate how the proposal meets Policy 34 (Preventing land use conflict) of the Northamptonshire Minerals and Waste Local Plan (MWLP).

[Officer comment: Following clarification provided by the applicants, the Minerals and Waste team have since confirmed that they are satisfied that the proposal meets NCC’s MWLP Policy 34]

FLOOD AND WATER MANAGEMENT: The impacts of surface water drainage will have been adequately addressed at this stage, subject to conditions.

FIRE AND RESCUE: Fire and Rescue is included on the R123 list for South Northants. Accordingly, no fire and rescue infrastructure contribution will be requested. 38 new fire hydrants are required.

LIBRARIES: Contributions required (in accordance with cost multiplier) to go towards expansion and improvements at Duston Library.

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

7.18. NORTHAMPTON BOROUGH COUNCIL: No objection in principle providing; level of affordable housing is agreed between NBC and SNC, NBC involved in discussions regarding CIL payments, vehicular access to be secured into future development to the east (St Crispins), volume of retail does not adversely impact Town/Borough Centres, condition requiring submission of CEMP, no objection from NCC Highways, appropriate consideration of air quality impacts, development of cohesive design code, clarification of funding and delivery of SLRR, appropriate contributions towards education and healthcare requirements, open space should be based on NCC standards, mitigation of flood risk, consideration of ‘Green Initiatives’ as part of Policies S10 and S11.
7.19. RAMBLERS ASSOCIATION: **No objection.** There is only public right of way affected by this proposal - a bridleway ref.no KP16 which runs across the site from the south west corner of St Crispins site westwards to Sandy Lane. It is clearly indicated on the submitted plans within a strip of open space. Such a provision would be satisfactory and a condition that the route of the bridleway, or any temporary alternative as may be necessary, be maintained during the development of the site.

7.20. SPORT ENGLAND: **Unable to support the application.** The SFC indicates that a population of around 4500 residents in south Northamptonshire will generate a demand for an additional 265 visitors / week in the peak period (vpwpp) to sports halls, 282 vpwpp to a swimming pool, 89 vpwpp to an artificial grass pitch and a further increase in demand for indoor bowls. The total demand converted to a financial equivalent would be £1,822,817. Extension to Harpole FC may or may not be the most appropriate solution for play pitches. The proposal promotes a significant under provision of formal playing field area based on current requirements – an in lieu off site contribution should be provided.

Further comments from the RFU received (via Sport England) which states there may also be a need to meet the demand generated by other sports off site. The RFU confirms that this should be led by the results of the Playing Pitch strategy.

7.21. CRIME PREVENTION DESIGN ADVISOR (CPDA): **Observations.** As part of each reserved matters application Northants Police will expect to see a detailed indication of how such adverse effects will be mitigated by the application of the principles of Crime Prevention Through Environmental Design, an adherence to the key principles contained within the SPG on Planning out Crime and Secured by Design, compliance with saved policy G3 and compliance with policy S10 of the WNJCS.

7.22. HISTORIC ENGLAND: **Observations.** Historic England recommends that your authority must be satisfied that the provisions for the definition of open space and planting of woodland will maintain the sense of separation between historic settlements and some of the agricultural character of their current settings prior to making your determination. In addition we advise that your authority must ensure that an appropriate archaeological mitigation strategy is developed for the site in line with the detailed specialist advice of the County Archaeological Advisor.

Overall we recommend that your authority should consider the application in keeping with relevant legislation and national and local policies and guidance as detailed above, in light of the advice that Historic England has set out in this letter and that you receive from your specialist conservation and archaeological advisors.

7.23. NATURAL ENGLAND: **No objection, subject to conditions.**

**LANDSCAPE:** This proposal is not located within, or within the setting of, any nationally designated landscapes. All proposals however should complement and where possible enhance local distinctiveness. We welcome the inclusion of advanced planting, which will assist in screening this development.

**SOILS AND LAND QUALITY:** Advise that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled and how to make best use of the different soils on site. Further guidance is available in Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks)* and we recommend that this is followed.
GREEN INFRASTRUCTURE AND PRIORITY HABITAT: Natural England welcomes the inclusion of green infrastructure within the illustrative plans. We would welcome the use of the green infrastructure to include the delivery of priority habitats, as listed in Section 41 of the Natural Environmental and Rural Communities Act 2006, contributing to national and local targets.

PROTECTED SPECIES: We have not assessed this application and associated documents for impacts on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

Biodiversity Enhancements: This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

7.24. ANGLIAN WATER: **No objection, subject to conditions.** Development will lead to an unacceptable risk of flooding downstream. Anglian Water have liaised with the developer previously and advised on the mitigation required to avoid local flooding. We would wish to see an agreement to the drainage solution provided as final course of action in the drainage strategy before we are satisfied that this development will not cause an unacceptable risk of detriment. We will request a condition requiring the drainage strategy covering the issue(s) to be agreed.

7.25. NHS ENGLAND: **No objection, subject to a S106 contribution.** Closest surgery to this development, St Lukes Medical Centre, has some capacity to take on more patients. The next closest surgery, Whitefields, which is a small branch surgery of Delapre Medical Centre, is already constrained and unable to absorb additional growth. Other surgeries further away – Clarence Avenue, Queensview and Kingsthorpe MC - are also constrained and therefore unable to accept patients from this proposed development. A contribution would be sought to make this scheme favourable to NHS England and we would like to propose that a charge is applied per dwelling towards providing additional GP facilities in the area.

7.26. NENE CCG: **No objection.** The CCG is currently developing a ‘Sustainability Transformation Plan’ which will be available in October which is our 5 year plan and this will detail the development of the all services for this period.

[Officer note: Nene CCG are now part of NHS England and therefore contributions are being sought via NHS England to mitigate the impact of the development].

7.27. HIGHWAYS ENGLAND: **No objection.** Contributions towards the NGMS (as calculated through the Memorandum of Understanding process) from developments in South Northamptonshire should now be delivered through the South Northamptonshire Community Infrastructure Levy (CIL). Highways England expects to secure a contribution towards the NGMS from South Northamptonshire Council in due course, amounting to £347.13 per dwelling constructed at Norwood Farm.

7.28. NATIONAL PLANNING CASEWORK UNIT (Department for Communities and Local Government): **No comments to make on this application**

7.29. ENVIRONMENT AGENCY: **No objection, subject to conditions.** We are in agreement with the recommendations made in Section 6.2 of the Land Condition Assessment report (and Section 11.127 of the ES), that supplementary Phase 2 intrusive ground investigation is required to fully assess the risks from the identified...
potential sources of contamination. All further work at the site should follow the risk management framework provided in CLR11 - Model procedures for the management of land contamination. The Environment Agency recommends that any underground tank that is not proposed for future use is appropriately decommissioned, excavated and removed from site as part of the redevelopment. Validation sampling should be undertaken from the sides and base of each tank excavation to demonstrate that there are no unacceptable risks to controlled waters from any residual contamination in the ground.

7.30. SNC BUSINESS SUPPORT UNIT: No objection. It is estimated that this development has the potential to attract New Homes Bonus of approximately £9,299,792 over 4 years under current arrangements for the Council, including a sum paid per affordable home. In addition, it is estimated that the development has the potential to secure Business Rates of approximately £648,000 per year under current arrangements for the Council.

Officer comment: Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

In this particular instance, the above financial payments are not considered to be material to the decision as they would not make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority and hence the above response from the Council’s Finance department is therefore provided on an information basis only.

ENVIRONMENTAL STATEMENT – FURTHER INFORMATION (1st consultation relating to LVIA, Ecology)

7.31. The applicants provided further information pursuant to a request from the LPA via Regulation 22 of the EIA Regulations 2011. The information comprised further detail in respect of the LVIA, including additional photomontages and clarification in relation to the ecology chapter and surveys undertaken.

7.32. The information submitted was advertised by way of press notice for a period of 21 days (expired 18 May 2017).

7.33. 4 representations were received in relation to this information which, in summary, raise the following additional issues:

Welcome finalising of SLRR, too many houses on greenspace to rear of my gardens.

7.34. The following consultation responses (in summary) were received in relation to the additional information received as follows:

7.35. HARPOLE ACTION TEAM: Objects: Non compliance with JCS, SLRR not fit for purpose, does not address need for secondary school, primary school is in wrong location.
7.36. HARPOLE PARISH COUNCIL: School in wrong location, impact on air quality, lack of greenspace and wildlife encouragement.

7.37. SNC HERITAGE: No comments to make on the further information submitted.

7.38. SNC ENVIRONMENTAL PROTECTION: No further comments to make.

7.39. SNC LEISURE: No further comments to make.

7.40. SNC BUILDING CONTROL: No adverse comments.

7.41. SNC ECOLOGY OFFICER: No objection. The conclusions EDP have reached in relation to the ecology section of the Reg 22 request are reasonable and acceptable.

7.42. SNC LANDSCAPE (via consultants LUC): No objection.

7.43. NCC HIGHWAYS: We are continuing discussions with the applicant and will respond again in due course.

7.44. NCC as Lead Local Flood Authority (LLFA): No objection, subject to conditions.

7.45. ENVIRONMENT AGENCY: No further comments to make.

7.46. HIGHWAYS ENGLAND: No objection.

7.47. HISTORIC ENGLAND: No objection on heritage grounds.

7.48. NATURAL ENGLAND: No objection.

7.49. RAMBLERS ASSOCIATION: No further comments to make.

7.50. SPORT ENGLAND: No further comments.

7.51. CPDA: Northants Police is therefore disappointed to note that the comments submitted in response to the original consultation have resulted in no acknowledgement in the Addendum on page 10.

   The alteration to the scheme which has resulted in the provision of back to back gardens is welcomed as a sensible crime prevention measure to reduce opportunities for burglary.

   Northants Police will request monies for ANPR CCTV cameras from the CIL monies which will result as a consequence of this development.

ENVIRONMENTAL STATEMENT – FURTHER INFORMATION (2\(^{nd}\) consultation relating to Highways information)

7.52. The applicants provided further information relating to Non-Signalised Junction Capacity Assessments in response to NCC / NH requests of 5th April 2017.

7.53. The information submitted was advertised by way of site notices and press notice for a period of 30 days (expired 30\(^{th}\) January 2018).

7.54. 4 representations were received in relation to this information, which in summary raise the following additional considerations:
Prefer park to rear of my property rather than residential gardens, SuDS must be properly maintained, why is the SLRR linking up to Sandy Lane,

7.55. The following consultation responses (in summary) were received in relation to the additional information received as follows:

7.56. HARPOLE PARISH COUNCIL: No health care provision.

7.57. SNC BUILDING CONTROL: Radon Protection required Fire Vehicle Access: There should be vehicle access to within 45m of all points Access Route Specification: Fire Service Vehicle Access Route Specification for Pump Appliance Minimum width of road between kerbs: 3.7m Minimum width of gateways: 3.1m Minimum clearance height: 3.7m Minimum carrying capacity (tonnes): 12.5 tonnes Turning Facilities: Turning facilities should be provided in any dead-end access route that is more than 20m long. This can be by a hammer-head or turning circle. Turning circles must be a minimum of 16.8m if between kerbs, or 19.2m between walls

7.58. NCC HIGHWAYS: **No objection**, subject to conditions to secure the specification and specific phasing of the delivery of the SLRR, combined with conditions to secure appropriate off site highway mitigation works, walking and cycling connections, contributions towards bus services, construction traffic management plan, framework travel plan and design code.

7.59. NCC as Lead Local Flood Authority (LLFA): **No objection, subject to conditions.**

7.60. HIGHWAYS ENGLAND: **No objection.**

7.61. HISTORIC ENGLAND: **No objection** on heritage grounds.

7.62. NATURAL ENGLAND: **No objection.**

7.63. SPORT ENGLAND: **No further comments.**

**ENVIRONMENTAL STATEMENT – FURTHER INFORMATION (3rd consultation relating primarily to updated Highways information)**

7.64. The applicants provided an updated TA and Environmental statement in February 2019. The updated TA was provided to include an assessment of 550 residential dwellings to be accessed via existing Sandy Lane. The ES was also updated to reflect the most up to date planning policy position and relevant guidance.

7.65. The information submitted was advertised by way of site and press notices for a period of 21 days, in accordance with the 2011 EIA regulations. This expired on 4th March 2019.

7.66. One representation was received which raised concerns regarding loss of outlook, loss of value to their property & possessions and construction activities (noise, safety, vibration).

7.67. The following consultation responses (in summary) were received in relation to the additional information received as follows:

7.68. SURFACE WATER DRAINAGE TEAM: **No further comments.**

7.69. HISTORIC ENGLAND: **No further comments.**

7.70. SNC PLANNING POLICY: **No further comments.**
7.71. ENVIRONMENT AGENCY: **No further comments.**

7.72. HARPOLE PARISH COUNCIL: Request an open day with the developers. We object to the alterations. None of our comments have been considered regarding the positioning of the school, re-siting of the road, 4 roundabouts, access onto Sandy Lane, land slippage and flooding in South View. The road is supposed to be a relief road not a quiet street.

7.73. SNC BUILDING CONTROL: **No objection.**

7.74. NATURAL ENGLAND: **No further comments.**

8. **RELEVANT PLANNING POLICY AND GUIDANCE**

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

8.2. The West Northamptonshire Joint Core Strategy Local Plan (Part 1) was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and provides the strategic planning policy framework for the District to 2029. The Joint Core Strategy replaced a number of the ‘saved’ policies of the adopted South Northamptonshire Local Plan 1997 though many of its policies are retained and remain part of the development plan. The relevant planning policies of South Northamptonshire’s statutory Development Plan are set out below:

**WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY 2014 (JCS 2014)**

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S3 – Scale and Distribution of development
- S4 – Northampton Related Development Area
- S5 – Sustainable Urban Extensions
- S6 – Monitoring and Review
- S7 – Provision of Jobs
- S8 – Distribution of Jobs
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- C1 – Changing Behaviour and Modal Shift
- C2 – New Developments
- C3 – Strategic Connections
- C5 – Enhancing Local and Neighbourhood connections
- R1 – Spatial Strategy for Rural Areas
- RC2 – Community Needs
- H1 – Housing Density and Mix and Type of Dwellings
- H2 – Affordable Housing
- H4 – Sustainable Housing
- BN1 – Green Infrastructure Connections
- BN2 – Biodiversity
- BN3 – Woodland Enhancement
- BN5 – The Historic Environment and Landscape
- BN7a – Water Supply, Quality and Waste Water
- BN7 – Flood Risk
- BN8 – The River Nene Strategic River Corridor
- BN9 – Planning for Pollution Control
SOUTH NORTHANTS LOCAL PLAN 1997 SAVED POLICIES (SNLP 1997)

- G3 – General Development Principles
- EV1 – Design
- H6 – Restraint Villages and Open Countryside
- EV2 – Development in the Open Countryside
- EV7 – Special Landscape Area
- EV8 – Important Local Gap
- EV11 – Preservation or Enhancement of Conservation Areas (setting)
- EV12 – Listed Buildings (setting)
- EV21 – Hedgerows, Ponds and Other Landscape Features
- EV24 – Species Protection
- EV25 – Wildlife corridors Rivers and Waterways
- EV28 – Historic Parks Gardens and Battlefields
- EV29 – Landscape Proposals

SOUTH NORTHANTS PART 2 LOCAL PLAN 2019 (SNP2LP 2019)

Following the decision of Full Council on 14 January 2019 the Council submitted the Part 2 Local Plan to the Secretary of State on 22 January 2019. It is currently anticipated that the examination in public will take place in the first half of 2019, and therefore only limited weight can apply to the emerging Local Plan Policies at this time. Key policies for this proposal are the following:

- LH8 – Affordable Housing
- EMP3 – New Employment development
- SDP1 – Design principles
- SDP3 – Health facilities and wellbeing
- INF1 – Infrastructure delivery and funding
- INF2 – Community facilities
- INF3 – Education facilities
- INF4 – Electric vehicle charging points
- GS1 – Open space, sport and recreation
- GS2 – Local green spaces
- HE1 – Significance of heritage assets
- HE2 – Scheduled ancient monuments
- HE5 – Listed Buildings
- HE6 – Conservation Areas
- HE7 – Non designated heritage assets
- NE2 – Special landscape areas
- NE3 – Green infrastructure corridors
- NE4 – Trees, woodlands and hedgerows
- NE5 – Biodiversity and geodiversity

8.3. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Harpole plan area and the following Policies of the Neighbourhood Plan are considered relevant:
8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)
- SNC Design Guide
- Nortoft Study: Planning for the Future of Open Space, Sport and Recreation in West Northamptonshire
- Strategic Development Framework (SDF) - Strategic Development Framework – a document produced as a technical guide/evidence base to inform the master planning process and as a tool to guide and co-ordinate future development in West Northamptonshire. It does not constitute planning policy, but it is consistent with and amplifies the JCS strategic policy framework of providing a ‘plan-led’ approach to guide development of the SUE’s.

8.5. Council Corporate Priorities

Cherwell District Council and South Northamptonshire District Council’s Joint Corporate Strategy for 2018-19 sets out the councils three strategic priorities which form our overarching business strategy. Below these are the key actions for the year 2018–19. This is a strategy which looks to the future taking into account the priorities and aspirations of the communities who live and work in the districts.

The three corporate priorities are to ensure the Districts are “Protected, Green & Clean”, are places which support “Thriving Communities & Wellbeing”, and are Districts of “Opportunity & Growth”. All three priorities are of significance to the determination of planning applications and appeals. Below these priorities, the key actions which are of most relevance to planning applications and appeals are: (1) deliver the Local Plans for CDC & SNC; (2) increase tourism; (3) protect the built heritage; (4) reduce our carbon footprint & protect the natural environment; (5) mitigate the impact of High Speed 2; and (6) deliver affordable housing.

The remaining key actions are also of significance to the determination of planning applications and appeals in particular delivering the Bicester, Banbury, Kidlington, Brackley, Towcester and Silverstone Masterplans.

The above corporate priorities are considered to be fully compliant with the policy and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Environmental Statement
- The principle of the development
9.2. The application is accompanied by an Environmental Statement (ES). The ES covers the application site and contains information describing the project, aspects of the environment likely to be significantly affected by the development and measures to prevent or mitigate any identified impacts. Where an ES has been submitted with an application the Local Planning Authority must have regard to it in determining the application and can only approve the application if they are satisfied that the ES provides adequate information.

9.3. The applicants submitted an application for a scoping opinion prior to submitting the current application. The ES accompanying the application covers the areas identified in the scoping report. The areas covered are: alternatives, socio-economics, landscape and visual assessment, ecology and nature conservation, archaeology and heritage, ground conditions, drainage and flood risk, transport and access, air quality and dust, noise and vibration, lighting, cumulative impact and mitigation & monitoring.

9.4. The ES for each chapter considers the impacts and the significance as well as the cumulative effects. It is not possible within this report to set out all of the impacts identified, but below is a summary of the areas covered. The full reports, technical notes and non-technical summary can be viewed via the Council’s website.

9.5. A Regulation 22 request was sent to the applicants in July 2016, which required further information in respect of Ecology, Landscape matters and Traffic and Transport (the latter of which formed a separate EIA consultation). Further information in relation to Transport and Traffic was submitted on 11th February 2019 and this consultation expired on 4th March 2019.

9.6. Alternatives – It is recognised that the site has been identified for development via the JCS and as such, no alternatives have been considered by the applicant. Alternative designs have been considered, which have evolved as a result of LVIA findings, public consultation, SLRR provision and JCS requirements.

9.7. Socio-economics - The ES identifies minor to moderate beneficial impacts for the economy in terms of job creation during construction phases. The 1900 new households could potentially increase spending in the local area by approximately £21m. The new local centre will create in the region of 70 FTE.
9.8. Landscape and visual assessment – The ES and addendum concludes that there will be a moderate adverse effect on visual and sensory landscape character and that there will be significant adverse effects on six viewpoints from locations close to (within 500m) or on the boundary of the site. It recognises that although there is a narrowing of the gap between Harpole and the edge of Northampton as a result of the proposals, a gap will remain nonetheless.

9.9. Ecology and nature conservation – In general the scope of the ES is appropriate and considers most of the ecological issues expected of such a scheme, including the effects on statutory and non-statutory sites, habitats and protected species. The proposed mitigation measures are generally considered appropriate in particular, the retention of green corridors throughout the development is positive. The LEMP template provided is also positive, providing it is appropriate development and approved as part of a discharge of condition application to secure the habitat creation and management measures proposed.

9.10. Archaeology and heritage – No significant adverse impacts are identified upon designated or non-designated heritage assets. In relation to archaeological assets, the field evaluation confirmed the presence of remains within the site. Suitable mitigation is to be secured by planning condition.

9.11. Ground conditions – A ground conditions and land contamination assessment has been undertaken which identifies three potential ‘contaminants’ of natural origin that are commonly associated with the natural geology that underlies the site, namely; arsenic, vanadium and radon. Contaminated land will be remediated to the appropriate standard and surface water run off will be managed to avoid contamination of ground and surface water. In relation to ground stability, there is potential for ground instability or subsidence to occur. However, areas of potentially ‘weak’ or unstable ground will be identified by more detailed site investigations at reserved matters and remedial measures will inform the detailed design. Overall, the ES concludes that with appropriate mitigation, the impacts will be negligible to minor adverse and therefore not significant.

9.12. Drainage and flood risk – The ES identifies that the impact of the development on flood risk will be negligible and therefore not significant. Construction activity will be regulated via a CEMP to prevent pollution of watercourses. The majority of the site lies within flood zone 1 and hydraulic modelling has identified that localised areas of floodplain associated with water bodies across the site are confined to narrow corridors adjacent to those areas and green infrastructure/open space. The detailed drainage strategy will be confirmed at the reserved matters stage.

9.13. Transport and access – The conclusions relating to construction traffic, modelling and impact on the network are acceptable, subject to conditions and appropriate S106 clauses and contributions.

9.14. Air quality and dust – The potential impacts associated with construction activities will be controlled via a CEMP, but will contain measures such as damping down the site and ensuring trucks carrying loose materials are properly covered. Operational impacts are linked to additional traffic as a result of the proposal, but are not considered to be significant.

9.15. Noise and vibration – The ES concludes that the construction and operational impacts of the development would be negligible/minor and therefore not significant. More detailed mitigation in the form of layout/glazing etc can be secured at reserved matters stage.
9.16. Lighting – The lighting study evaluated the potential effects during the construction and operational phases, and identified any impacts on sensitive receptors. Mitigation measures include landscape screening adjacent to sensitive receptors and the provision of a CEMP to minimise construction impacts. No adverse impacts are anticipated on any receptors in the long term following landscaping maturation.

9.17. Cumulative impacts are dealt with in chapter 17 of the ES. Cumulative sites covered correspond with those identified within the scoping opinion (and those subsequently identified as part of the latest EIA re-consultation). The chapter deals with each discipline individually and concludes overall that the development is unlikely to give risk to significant cumulative operation effects.

9.18. All new development has some impact on the environment. The ES has not identified any significant, long term major adverse impacts and where impacts, for example from construction associated with the SLRR have been identified, mitigation measures have been proposed. These mitigation measures would be secured through planning conditions, should the application be approved. The ES is therefore considered to contain ‘adequate information’ to enable the determination of the application.

Principle of Development

Policy Context

9.19. The Development Plan comprises the adopted West Northamptonshire Joint Core Strategy (JCS) and the ‘saved’ policies of the adopted South Northamptonshire Local Plan (SNLP). Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise.

9.20. The West Northamptonshire Joint Strategic Planning Committee adopted the JCS Part 1 on 15th December 2014. The adopted JCS incorporates the modifications recommended by the Inspector and covers the administrative areas of South Northamptonshire District, Daventry District and Northampton Borough. It sets out the long-term vision and objectives for the whole of West Northamptonshire for the plan period up to 2029 and includes strategic policies to steer and shape development.

9.21. The JCS sets out the spatial strategy whereby the majority of development within this District will take place within Strategic Urban Extensions (SUE’s) within the Northampton Related Development Area (NRDA), Brackley and Towcester. Policy S1 of the JCS points to the need to provide limited development within rural areas, but with priority being given to making best use of previously developed land in sustainable locations. The JCS also contains a set of core objectives, including climate change, infrastructure and development, connections, protecting and building urban communities, housing, green infrastructure and high quality design, that this proposal must also be considered against.

9.22. Policy S3 deals with the scale and distribution of housing development and sets out the number of additional dwellings for which provision will be made in the plan period (about 42,620 net additional dwellings across West Northants) and how this will be distributed across the three Councils. Policy S4 of the JCS deals with the NRDA, stating that provision will be made for about 28,470 net additional dwellings within the NRDA in the period 2011 to 2029. Northampton’s housing and employment needs will be met primarily within Northampton’s existing urban area and at the SUEs within the NRDA boundary. Additional development to meet Northampton’s needs will be supported only if it meets the vision, objectives and
policies of the Plan. Policy S5 deals with SUE’s, specifically allocating 2550 dwellings on Northampton West SUE and 3500 dwellings on the Norwood Farm/Upton Lodge SUE. Policy S6 sets out that the policies of the JCS will be monitored to support implementation and delivery.

9.23. As noted above, the majority of this site is allocated for development within the JCS under Policy N9A (Norwood Farm/Upton Lodge), with a smaller portion of the site to the north falling within the N4 (Northampton West) SUE allocation and a small portion of the site to the west falling outside of any allocation, within open countryside. Policy N9A states:

THE BOUNDARY OF THE NORTHAMPTON NORWOOD FARM/ UPTON LODGE SUE IS SHOWN ON THE POLICIES MAP (FIGURE 5). THE DEVELOPMENT WILL MAKE PROVISION FOR:

a) IN THE REGION OF 3,500 DWELLINGS;

b) TWO PRIMARY SCHOOLS;

c) A LOCAL CENTRE TO INCLUDE LOCAL RETAIL FACILITIES OF AN APPROPRIATE SCALE (INCLUDING A SMALL CONVENIENCE STORE), HEALTH CARE SERVICES AND COMMUNITY FACILITIES;

d) LOCAL EMPLOYMENT OPPORTUNITIES;

e) SANDY LANE RELIEF ROAD PHASE 2;

f) AN INTEGRATED TRANSPORT NETWORK FOCUSED ON SUSTAINABLE TRANSPORT MODES INCLUDING PUBLIC TRANSPORT, WALKING AND CYCLING WITH STRONG LINKS TO THE ADJOINING NEIGHBOURHOODS, EMPLOYMENT AREAS AND THE TOWN CENTRE;

g) STRUCTURAL GREENSPACE AND WILDLIFE CORRIDORS AS INDICATED ON THE POLICIES MAP (FIGURE 5) INCLUDING THE PROVISION OF A COUNTRY PARK;

h) OPEN SPACE AND RECREATION PROVISION;

i) ARCHAEOLOGICAL, ECOLOGICAL AND GROUND STABILITY ASSESSMENT OF THE SITE AND REQUIRED MITIGATION; AND

j) FLOOD RISK MANAGEMENT INCLUDING SURFACE WATER MANAGEMENT AND FROM ALL OTHER SOURCES.

NECESSARY INFRASTRUCTURE IS REQUIRED TO BE PHASED ALONGSIDE THE DELIVERY OF THE DEVELOPMENT.

DEVELOPMENT PROPOSALS MUST BE ACCOMPANIED BY A MASTERPLAN.

9.24. Policy N4 of the JCS contains similar requirements to N9A, although the quantum of overall residential development is lower at in the region of 2550 dwellings.

9.25. The revised NPPF was published in July 2018 and was introduced by the Government with the intention of ‘simplifying’ the planning process with a single, streamlined policy document to replace and update the guidance in the previous PPSs and PPGs. The NPPF sets out Government planning policies for England and how these are expected to be applied under the ‘presumption in favour of sustainable development’. The following are of particular relevance:
• Paragraph 8 of the NPPF considers that there are three dimensions to sustainable development: economic, social and environmental.

• Paragraph 9 confirms that the objectives in paragraph 8 should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

• Paragraph 11 at the heart of the framework is a presumption in favour of sustainable development.

• Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

• Chapter 5 supports the delivery of a sufficient supply of homes and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed.

• Chapter 6 supporting a prosperous rural economy to support economic growth and promotes the retention and development of local services and community facilities in villages.

• Chapter 8 promotes healthy communities and promotes safe and accessible developments, containing clear and legible pedestrian routes.

• Chapter 12 the creation of high quality buildings and places is fundamental to what the planning and development process should achieve

9.26. The Harpole Neighbourhood Plan seeks to, inter alia, protect locally significant green spaces within the village and in the surrounding countryside from inappropriate development for existing and new residents, and to ensure non-coalescence with Northampton. It also seeks to preserve the landscape character of the parish and ensure that new development on the rural fringe does not impact on the setting of the village. Policy H6 (Green wedges) states that new development should not result in the visual and physical separation between Harpole village and Northampton town and the open gaps between them, such that it would harm their setting and identify or result in coalescence. It goes on to state that the implementation of the policy should not prevent the bringing forward of the development in accordance with policies N9A or N4 in the JCS.

Assessment

9.27. This application proposes to deliver 1900 dwellings, out of the 3500 and 2550 dwellings allocated by Policies N9A and N4, respectively. The area of land located outside of the allocation boundary amounts to approximately 1.7 hectares and comprises; approximately 40 dwellings, land forming part of a neighbourhood park and an element of the primary school site and MUGA. In the context of the overall
provision within this submission, the number of dwellings located outside of the allocated area is modest.

9.28. Several objections have made reference to point g) within the N9A policy, insofar as the proposal includes development within the area indicated as ‘structural greenspace’ on the policy map (figure 5). Of particular importance, with regard to the identification of structural greenspace within the policy, is the protection of the village of Harpole’s countryside setting. Notwithstanding the indicative nature of the ‘structural greenspace’ annotation and minor incursion beyond the allocation boundary, an assessment as to the materiality of this must be made. These points are addressed in the ‘Housing Land Supply’ position section below.

9.29. The adopted SNLP contains no specific allocation for the application site. Policy H19 of the SNLP states that new dwellings in the restraint villages or open countryside will only be permitted where they are essential for agricultural or other existing undertakings in certain circumstances. Policies H6 and EV2 similarly seek to restrict development in the open countryside, subject to the specific exceptions mentioned therein (including conversions of agricultural buildings in accordance with EV16 and EV17, essential workers dwellings etc). There are other SNLP saved policies relevant to the determination of this application (as outlined above) which will be discussed in the relevant subject sections of this report below.

9.30. The revised NPPF, at paragraph 11 states that, ‘Plans and decisions should apply a presumption in favour of sustainable development…For decision taking this means:

c) approving development proposals that accord with an up to date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.31. In the context of this application, the presumption in favour includes applications for housing where the local authority cannot demonstrate a five year supply of deliverable housing sites.

9.32. The housing delivery figures contained within the JCS related to the NRDA are based upon Northampton Borough Council’s (NBC) inability to physically accommodate its own housing needs. The JCS recognises that dispersing significant development to the rural areas would not be appropriate, as it would increase pressure on the rural environment, particularly as a result of the increased need to travel by private car. Although this District can demonstrate a robust 5 year housing land supply at the present time, in the context of this application, the 5 year supply is based upon the supply within the NRDA and therefore NBC’s housing land supply.

Housing Land Supply
9.33. At the present time, NBC is unable to demonstrate that it can deliver a robust five-year supply of housing land for the NRDA. The latest housing land supply (HLS) figures, published in the NBC report to Cabinet in April 2018, states that the HLS for the NRDA is 2.59 years. This supply falls short of the NPPF, with its associated implications and there is clearly an urgent need to bring forward measures which will increase the housing supply.

9.34. Failure to demonstrate five years’ worth of deliverable housing supply means that policies for the supply of housing cannot be considered up-to-date. Without this supply there is a presumption in favour of granting planning permission for sustainable applications for new housing unless the development can be shown to cause demonstrable harm to other factors that outweigh the need to provide new housing. This approach has been upheld in numerous planning appeals.

9.35. As noted above, there are two potential principle policy issues with the proposals as submitted; firstly, the encroachment beyond the SUE boundary and secondly, development within indicative structural greenspace.

9.36. Dealing with the first issue, it must be recognised that the weight to be attributed to adopted policies dealing with the supply of housing cannot be afforded significant weight, due to the lack of 5 year HLS within NBC. Although this additional land falls outside of the NRDA area, relatively recent appeal decisions¹ have shown that land adjacent to the NRDA area constitutes development within it for the purposes of policies S1 and S4 of the JCS and would not be in conflict with JCS policy R1, which sets out the spatial strategy for rural areas, as it would be development for the NRDA. On this basis, the principle of including this land is acceptable, subject to the analysis of the issues set out below, in particular, landscape and visual impact.

9.37. In relation to the second issue, the area shown as ‘indicative structural green space’ is intended to give an indication of the general extent of structural green space, but detailed boundaries would need to be resolved through master planning, supported by appropriate landscape evidence. The premise of the green space is to function as a gap preventing the visual or physical coalescence of Northampton with the surrounding settlements. It was not informed by a specific landscape capacity study, but did have regard to the higher level, strategic assessment set out in the Northampton Landscape and GI Study, completed in 2009.

9.38. These proposals have been informed and have been scrutinised by specialist landscape consultants (on behalf of SNC), which has determined the extent of structural greenspace required to ensure the protection of Harpole’s countryside setting, whilst maintaining a deliverable, viable site which delivers the requirements of Policy N9A. Notwithstanding the suitability of the development’s relationship with the indicative structural greenspace and the fact that the scheme does not adversely impact upon the purpose of its inclusion, Officers consider that, in any case, the policy, its supporting text and Inspector’s comments² do not categorically identify nor quantify the land to be provided as green space. The area shown as ‘indicative structural green space’ is intended to give an indication of the general extent of structural green space, but detailed boundaries would need to be resolved through master planning, supported by appropriate landscape evidence, as is the case with this submission.

¹ Appeal allowed for 41 dwellings, estate road, open space and associated works on land off Welford Road, Northampton (Daventry District Council). Appeal reference APP/Y2810/W/15/3011449
² Paragraph 204 of Inspector’s report on the EiP into the JCS (PINS/Y2810/429/2)
9.39. The Strategic Development Framework is also of relevance to this application. In September 2016, the Council's Development Control Committee endorsed the document as an evidence base to help inform the master planning process of the SUE’s coming forward in West Northampton. The document does not constitute planning policy, but is consistent with the Policies within the JCS in terms of providing a ‘plan led’ approach to guide development. The SDF acts as a live tool for discussion with landowners and stakeholders and going forward, can help to shape more detailed design discussions as part of the reserved matters submissions. It is acknowledged that the document carries little weight in the decision making process.

Conclusion

9.40. In summary, a relatively small part of the application site lies in the open countryside and in this respect, the proposed development can be seen as being contrary to Policies H6, EV2 and EV8 of the SNLP and Policies S5, N9A, N4 and R1 of the JCS. However, given that the NRDA cannot demonstrate a 5 year supply of housing land, those parts of the aforementioned policies that relate to the supply of housing land are considered out of date. The NPPF is clear on the need to boost significantly the supply of housing and whilst the Development Plan’s relevant housing policies are out-of-date, the need to bring forward development that can be delivered in the short term is emphasised to avoid additional pressure for opportunistic “windfall” development on sites much less sustainable than, and which do not contribute to the wider strategic objectives of the allocated SUEs (such as major infrastructure delivery in the form of the SLRR Phase 2). This is a significant material consideration in favour of the proposed development and must be weighed as part of the planning balance exercise.

9.41. In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that, on balance, the proposal (subject to suitable conditions) would result in sustainable development and any harm as set out in the sections below would not outweigh the benefits of granting consent.

Design and housing mix

Policy Context

9.42. Policy H1 of the JCS seeks to ensure that an appropriate mix of housing is provided which reflects the needs of existing and future households having regard to the evidence provided by the West Northamptonshire Strategic Housing Market Assessment. It is noted within the policy justification text that whilst the SHMA provides the starting point for the consideration of size and mix, it is also necessary to have regard to specific local circumstances and needs. Policy H1 advises that across West Northamptonshire, new housing development will provide for a mix of house types, sizes and tenures to cater for different accommodation needs, including the needs of older people and vulnerable groups. Policy H2 of the Harpole Neighbourhood Plan requires that affordable housing is integrated across a site. The precise mix and tenure of dwellings will be confirmed at the reserved matters stage.

9.43. The residential element of the scheme occupies 54.97 hectares of the overall site, equating to a development density of approximately 35 dwellings per hectare. This is consistent with Policy H1, which advises that development within the proposed SUEs will be expected to achieve minimum average densities of 35 dwellings per hectare.

9.44. Policy H2 (Affordable Housing) advises that the percentage requirements and site thresholds for the on-site provision of affordable housing are based on the findings
of the SHMA and the Viability Appraisal. The justification text to Policy H2 states that within the NRDA the local housing authorities will need to agree a mechanism for the allocation of affordable housing to ensure that it meets locally derived needs within the plan area.

9.45. Policy H2 identifies a requirement of 35% affordable housing on sites within the NRDA, however in all cases the percentage requirements identified within the policy are subject to the assessment of viability on a site by site basis. This is also reflected in Policy LH8 of the SNP2LP.

9.46. Policy SDP1 (Design Principles) within the SNP2LP requires all new development to be consistent with SNC’s Design Guide and states that design codes, masterplans or planning briefs be used for multi-phased developments to ensure consistency of design approach.

9.47. Policy H3 (Design Principles) within the Harpole Neighbourhood Plan largely replicates the requirements enshrined within policy SDP1.

**Assessment**

9.48. Clearly in this case, the level of affordable housing has been impacted upon the viability of the scheme and as such, a minimum provision of 15% affordable housing within the first phase of development is to be provided and thereafter, a minimum of 17.5% affordable housing, subject to a review mechanism whereby a higher level of affordable housing could be achieved dependent upon the viability of the scheme at that time. It has been agreed between SNC and NBC that the nominations for the affordable housing provision within the NRDA will go to those locally derived needs within NBC.

9.49. The application is in outline form and therefore little detailed information regarding the public realm and design is required to be included at this stage. In accordance with the requirements of the ES, the proposal will be tied to specific parameters which are; land use, building heights, advanced planting, access and the SLRR alignment and arrangement.

9.50. It is, however, essential that this development contributes towards a high quality design throughout the wider area. It is anticipated that there will be design codes applied to the site, and these would need to be agreed before any reserved matters applications are submitted. The codes will relate to both residential and non-residential areas. Particular regard will need to be given to principal road frontages such as the SLRR, as well as any areas of heritage or landscape sensitivity. The illustrative masterplan and development principles outlined in the application documents, demonstrate an awareness of the design and development opportunities provided by the site.

9.51. With regard to density of development, higher densities are proposed:

- along the spine road within the site, to take advantage of the public transport corridor
- along the eastern side of the SLRR, to help provide a firm and definitive boundary to Northampton
- on the lower slopes, where urban form will have less impact on long distance views

9.52. With regard to scale and massing of development, a maximum building height of three storeys is proposed. However, most development will be two or two and a half
storeys. Heights will be lower on parcels where the development is adjacent to existing homes to the south of the site on Weedon Road and Sandy Lane and visually sensitive areas such as the western, southern and north western parcels will predominantly consist of up to 2 storeys. The local centre will provide a focal point for the site and as such, building heights will be up to 3 storeys. Development located at the northern end of the site, adjacent to the SLRR, will also be up to 3 storeys, to create key buildings and a sense of place.

9.53. A primary school is provided within the proposals, located on the western edge of the development. Its location on this western edge helps to provide a transition between the development and the rural edge, through the incorporation of associated playing fields, play space and amenity open space.

Conclusions

9.54. The application demonstrates that the development proposed is capable of delivering an appropriate form and quality of built development, consistent with national and local planning policy aspirations. From the information provided, there are considered to be no reasons why the development, if permitted, should not achieve a good sense of place and a quality environment in accordance with the requirements of Policies H2, H4, S10 and S11 of the JCS and government guidance contained within the NPPF.

Impact on the character and appearance of the area

9.55. The applicants have undertaken a Landscape and Visual Impact Assessment (LVIA), submitted as part of the Environmental Statement. The landscape assessment, assesses the impact of the proposed development on the landscape resource in terms of a) landscape character and b) visual amenity. It considers the potential effects experienced by visual receptors on routes, public rights of way, at residential locations and on the landscape elements and key characteristics that contribute towards distinctive landscape character.

9.56. The LVIA was undertaken by EDP on behalf of the applicants and LUC reviewed the material on behalf of the Council. The LVIA is based upon the parameter plans and is supported by the design principles set out in the Design and Access statement. The scoping opinion process determined the location and number of representative viewpoints for assessment, including those requiring visualisations and photomontages, to better demonstrate the size and scale of development proposed. As noted above, an addendum to the ES was submitted in March 2017, which contained, inter alia, further information relating to the LVIA.

9.57. The LVIA contains a summary description of the site and its environs in the main text of the LVIA. The landscape character baseline includes reference to the relevant published assessments including the National and County landscape and historic landscape character assessments and their guidelines, and notes the key characteristics of the relevant landscape character types. Landscape features and landscape characteristics which are important in contributing to the landscape character of the study area are annotated on an aerial plan (Figure 8.5 of the original ES LVIA chapter). Magnitude of impact is assessed at construction phase (0-5 years post commencement due to the length of the construction period which is expected to be 10+ years) and operational phase (year 15+) as agreed within the scoping opinion. This method therefore describes the worst case and best case scenarios.

9.58. The assessment splits the site into 4 different parcels as follows:
Parcel A: SUE N9A to the east of Sandy Lane which chiefly comprises land allocated for development in the SUE;

Parcel B: part of SUE N9A shown as ‘indicative structural green space associated with SUE’ within the inset map accompanying Policy N9A, to the west of Sandy Lane;

Parcel C: area of site outside SUE N9A and N4; and

Parcel D: SUE N4 within the site south of Roman Road allocated for development

Dealing with each aspect of the assessment;

Landscape Assessment

9.59. Significant effects on the landscape during construction (Year 0-5) are found for visual and sensory character (Parcels A, B and D) and landscape fabric and habitats (Parcel A). The residual effects on the parcels reduce in Year 15 as a result of the establishment and maturing of the planting and habitat creation measures. A significant effect on visual and sensory character remains for Parcel A due to the high magnitude of change within the parcel.

9.60. Significant effects (Moderate Adverse) on landscape fabric are found for Parcel A where the greatest amount of development is proposed. However, the ES addendum states that although all parcels will incur an adverse effect during construction in terms of loss of landscape fabric, proposed planting will ameliorate the effects over the medium term (5-15 years) and that in fact, there will be a net gain and positive residual effect to landscape fabric in the medium term for the majority of the parcels. Parcel D will experience a net loss (deficit of c.70 metres of hedgerow), but the loss would be compensated by the proposed overall gain of c.25,000 trees and 1km of hedgerow across the site.

9.61. Growth rates of the proposed mitigation planting have been modelled (within the draft Landscape and Management Plan submitted with the application) and a conservative average growth rate of 30cm per annum has been deduced. The strategic woodland belt (larger, heavy standard native trees) is anticipated to reach 8.5-9m after the first 15 years of growth.

Visual Assessment

9.62. Significant (Major Adverse) effects during construction are found for residential receptors on the edge of Harpole and on the development edge of Northampton and in Sandy Lane and for near distance views of the site where the construction site will affect the rural quality of the site for high sensitivity receptors such as users of the public rights of way (Moderate adverse). Road users of Sandy Lane and the Roman Road (A4500) will also experience Major Moderate adverse effects.

9.63. Significant residual effects (Major Moderate adverse) remain for residential receptors on the development edge of Northampton and in Sandy Lane and for users of the Roman Road (A4500) and Sandy Lane (Moderate adverse).

9.64. A series of block photomontages have been produced by EDP for the viewpoints agreed at the scoping opinion stage and during submission of the application. These montages show the development as ‘block models’ and do not account for open space and represent the development as a single entity, which will clearly not be the case. The montages therefore reflect the very worst case scenario in visual terms, but they provide a useful tool to help convey the impact on key viewpoints.
The visualisations show that the development will be visible in the early years, but that this will largely be screened in the long term.

**Secondary, cumulative and combined impacts**

9.65. The LVIA includes an assessment of cumulative effects with 8 other development projects which are listed in para 8.85 and illustrated in Figure 8.12 of the LVIA.

9.66. The addendum to the LVIA clarified that the cumulative assessment covers ‘additional’ rather than ‘total’ cumulative effects (‘additional’ effects being the additional change resulting from this scheme assuming the other cumulative schemes are built, and ‘total’ effects being the total cumulative effect of all proposed schemes taken together against the current baseline). The visualisations were amended to include where these sites are and how they might interact with this site.

**Policy context**

9.67. It is clear that these proposals essentially involve the development of greenfield land that currently forms the countryside edge to Northampton. The evidence base behind the JCS included a landscape sensitivity and green infrastructure study for Northampton, which assisted in determining those areas that could accommodate large areas of new built development, without giving rise to significant adverse effects on the wider landscape. In adopting the JCS, the Council has already accepted the principle of residential development on this site, subject to the policy specific requirements set out in the respective policies (N9A and N4).

9.68. Policy N9A supports the development of up to 3500 dwellings, providing (inter alia) sufficient structural greenspace and wildlife corridors as indicated on the proposals map (figure 5) is incorporated into the scheme, including the provision of a country park, to act as a buffer between the urban area and the open countryside adjoining Harpole and to also provide essential recreational opportunities for new and existing communities.

9.69. It is important to recognise at this stage that the N9A map within the JCS (inset 16) and the Policies map (figure 5) do not categorically identify nor quantify the land to be provided as structural greenspace. The reference to the greenspace annotation in both plans is indicative, and is representative of the high level, strategic nature of the JCS. The area shown as indicative structural greenspace within the JCS is intended to give an indication of the general extent of structural greenspace, but the detailed boundaries need to be resolved through master planning, supported by appropriate landscape evidence.

9.70. Following on from this, it is therefore important to understand the purpose of the structural greenspace in the context of the allocation. Clearly, one of its primary functions is to act as a buffer between Harpole and Northampton, to protect Harpole’s countryside setting. The proposals are supported by a detailed LVIA, which has determined the extent of structural greenspace required to ensure Harpole’s countryside setting is maintained. Indeed, Policy H6 within the Harpole Neighbourhood Plan states that new development should not result in the visual and physical separation between Harpole village and Northampton town and the open gaps between them, such that it would harm their setting and identify or result in coalescence. Policy H10 of the Harpole NP states that new development should respect the character of the Neighbourhood Area, by protecting and enhancing local landscape character in the Parish.

9.71. The supporting text to N9A refers to Sandy Lane providing a ‘clear western boundary for built development within the site, but the allocated site will extend
Further to the west to include a country park’ (para 12.70 of the JCS). A key consideration of the development of the masterplan has been the site’s topography. The route of the previously approved SLRR, which has been used as an indicative development boundary within the JCS, would result in significant cut and fill embankments working against the site’s topography, rather than with it and similar to that seen on the New Sandy Lane adjacent Duston and the Northampton West SUE. The re-aligned SLRR utilises a route which works with the site’s topography, and therefore avoiding unnecessary and extensive ground works. The realignment of the SLRR has resulted in development located within the area shown indicatively in the JCS as ‘structural green space’.

9.72. A further key issue in relation to landscape and visual impact is the effect of development, particularly the small section beyond the boundary of the SUE allocation, on the landscape between Northampton and Harpole, Special Landscape Area (SLA) (Policy EV7 of the 1997 Local Plan and Policy NE2 of the SNLP2P), Important Local Gap (Policy EV8 of the 1997 Local Plan) and rural setting of Harpole.

9.73. In relation to development beyond the SUE boundary, it is important to recognise that the western boundary to the N9A allocation has no clear landscape boundary on the ground; it is an arbitrary line. The visual assessment concludes that this area is amongst the least prominent land parcels of the entire site and is certainly less prominent than those parcels within the allocation in N9A and N4 (parcels A and D). The encroachment beyond the boundary represents a very minor element of the overall site in the context of the quantum of built development. Any limited harm as a result of developing this small area must be considered in the overall planning balance, as detailed in the ‘Principle of Development’ section above; the increased site area contributes towards NBC’s 5 year HLS, as part of the NRDA, which is a significant material consideration in favour of the proposal.

9.74. With respect to the visual setting of Harpole, the LVIA has identified the characteristics of the setting to Harpole as follows: the immediate land use surrounding the village is agricultural; the land form to the north of the village forms part of the valley side, which assists with visual containment of the village; the valley side to the north east of the village is interrupted by a break in the slope to the west of Norwood House, off Sandy Lane; and the horizon to the north east of the village is characterised by mature field boundary vegetation and broadleaf copses.

9.75. The indicative masterplan layout and mitigation within the LVIA demonstrates that the proposal will respect the key characteristics and setting of Harpole and maintains a distinct separation gap. This is largely achieved by:

- The retention of agricultural land within the south western portion of the site;
- The establishment of a substantial broadleaf woodland tree belt along the break in the slope to the north east of Harpole to reinforce agricultural setting;
- The establishment of considerable quantities of new native trees alongside Sandy Lane and Larkhall Lane; and
- Substantial tree and hedgerow planting across the site to limit the visual suburbanising influence of the settlement edge in the long term.

Sandy Lane Relief Road (SLRR)
9.76. Full consent is sought for the alignment of the remaining section of the SLRR (Phase 2). The route has been amended from a previously consented (but not implemented) scheme for the road, which essentially swings the road ~250m further west, bringing it closer to Harpole.

9.77. The original alignment of the SLRR passed to the east of Norwood Farm and at this point, the land is at its steepest (between 95 and 105m contours). This would have required significant cut and fill embankments in this area and bridges, in order to accommodate the road, which would have significant cost implications as well as preventing development fronting onto the road/boulevard street, to enable a quality of place. Additionally, the re-aligned route allows the retention of more trees and hedgerows (144m of hedgerow lost in proposed alignment opposed to 890m hedgerow loss in previous scheme). The alignment takes advantage of the lowest sensitive areas of the site’s topography, such that much of the route will be effectively screened from the west. This containment will be secured by extensive structural landscape proposals (i.e. the mature, ridgeline tree belt), by conditions.

9.78. There will inevitably be some localised moderate adverse visual impacts associated with the road during its construction, but these will be short term and will be mitigated in the long term by structural planting on the edge and within the site.

9.79. Lighting proposals for the SLRR will follow best practice (ILP Professional Lighting Guide 04: Guidance on Undertaking Environmental Lighting Impact Assessments, 2013) to minimise any excessive light pollution. Furthermore, the provision of the structural landscaping will provide a high degree of screening. In the medium to long term the effect would be reduced as the advanced landscaping proposals become more established. Overall, the residual effects of lighting associated with the development in the round are predicted not to have a significant residual effect.

Conclusions

9.80. Considering the large scale of the proposed development and its location in an open, predominantly rural landscape, a number of significant changes to landscape character, views and visual amenity are to be expected. As with any large strategic allocation, it is expected that any proposed development will result in some significant changes to landscape character, the quality of the SLA and Important Local Gap, by changing it from a predominantly rural landscape to a developed urbanised area.

9.81. The Landscape and Visual Impact Assessment demonstrates that the scheme will retain the predominantly rural setting to Harpole through the position and height of development, the delivery of significant strategic woodland belts enclosing the development to the west, replicating characteristic features within the landscape context together with the retention of agricultural land adjoining Harpole. The field assessments have allowed the location, width and landscape treatment of these landscape elements to be refined to maximise their effectiveness in integrating the proposal within the landscape and absorbing its visual effects. Fundamentally, the scheme has been derived from the findings of the LVIA to avoid visual encroachment.

9.82. The Council’s Landscape consultants agree that the above mentioned mitigation will be sufficient to avoid the physical and visual coalescence of Harpole with Northampton in the long term. In visual terms, after 15 years the significant effects from Harpole and users of the public right of way from the south (A4500) are expected to be mitigated by planting growth, although effects will remain for the properties to the south-west of Berrywood/St Crispin’s, residents off Sandy Lane at junction with Weedon Road, users of Berrywood Road/Roman Road, and users of
Sandy Lane. These visual changes are to be expected and unavoidable for development in this SUE and, although significant, are not considered to be unacceptable.

9.83. The proposals are therefore considered to comply with the requirements of Policies N9A and N4 of the JCS, Policies EV7 and EV8 of the SNLP, Policies H6 and H10 of the Harpole NP and government guidance contained within the NPPF.

**Impact on heritage assets**

**Policy context**

9.84. Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the duty of Local Planning Authorities (when considering whether to grant planning permission for development which affects a listed building or its setting) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

9.85. Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the duty of Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

9.86. Section 16 of the NPPF deals specifically with the historic environment. It directs LPAs to set out, in their local plans, a positive strategy for the conservation and enjoyment of the historic environment, conserving heritage assets in a manner appropriate to their significance. The requirement is also enshrined within the Framework’s presumption in favour of sustainable development, recognising that the historic environment has a role to play in design, promoting healthy communities and protecting Green Belt land.

9.87. Of particular note is paragraph 189 which states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. In addition to this is paragraph 194 which states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 195 continues by stating that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

9.88. Further guidance in relation to assessing the impact of development upon the setting of heritage assets is incorporated in GPA3 (second edition) ‘Historic England’s Good Practice Advice in Planning Note 3), published by Historic England in December 2017. This guidance sets out a structured approach to the assessment of setting and impacts on the significance of heritage assets, through changes to their settings.

9.89. Policies relating specifically to the protection of historic assets and their settings in the Adopted Local Plan 2007, JCS, SNP2LP and NP’s are outlined in the ‘Policies’ section above.

9.90. This section will deal specifically with above ground designated and non-designated heritage assets. Matters relating to archaeological assets will be addressed in the section below ‘Impact on archaeology’.
**Assessment**

9.91. There are no designated heritage assets within the application site. Within the 1km search area, there are two scheduled monuments, three conservation areas (Harpole, Kislingbury and St Crispin), and 47 listed buildings. The majority of these are not considered to be capable of receiving an impact through change within their settings.

9.92. The heritage impact assessment concludes that the land within the site does not contribute to the significance of these heritage assets and could be developed without having an adverse effect on their significance. Also, it is considered that the proposed development will not alter the character and appearance of the three conservation areas.

9.93. In terms of the impact on the Harpole Conservation Area, whilst part of the site (to the west) is visible to the north of the CA, the site is viewed in the context of woodland, hedgerows and more modern development on the edge of Harpole and urban edge of Northampton. Given the context of this view, it is not considered that the proposal would lead to less than substantial harm, which is weighed against the public benefits of the proposal which include the provision of affordable housing, relief road.

9.94. Similarly, whilst glimpsed views are possible from the edge of St Crispin CA, given the visual context of the site (modern development) and its self-contained historical nature as a hospital, it is considered that the development would not result in harm to the historic significance of the CA.

9.95. The elements of the setting that contribute to the significance of Kislingbury CA are largely contained within its boundary. Furthermore, there are no views from the majority of the public vantage points and given the distance of the site from the CA, it is considered that the development would not result in harm to the historic significance of the CA.

**Conclusions**

9.96. Given the distances involved, limited views and nature of the heritage assets, Officers consider that the proposal would not give rise to any significant or substantial harm and that any minor harm identified is considered to be outweighed by the public benefits associated with the proposed development. The proposals are therefore considered to comply with the requirements of Policy BN5 of the JCS, Policies EV11 and EV12 of the SNLP, Policies HE5 and HE6 of the SNP2LP 2019 and government guidance contained within the NPPF.

**Road layouts, highway safety and parking**

**Policy context**

9.97. Policy N9A of the JCS requires the provision of Sandy Lane Relief Road (phase 2), as well as an integrated transport network focused on providing sustainable transport modes such as walking and cycling, with strong links to adjoining neighbourhoods, employment areas and town centre. Policy C1 of the JCS 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 areas. Policy C2 expects new development to achieve modal shift targets set out in the JCS by maximising travel choice from non-car modes. It further requires allocated SUE’s to:
a) Provide access via walking, cycling and public transport routes to a mix of uses including local employment, housing and retail facilities

b) Ensure that new or enhanced public transport services are secured on occupation of the first dwelling when this is appropriate

c) Secure the most efficient networks for walking, cycling and public transport within the development and

d) Ensure sufficient density across the site in order to sustain public transport and other local services.

9.98. The NPPF promotes sustainable development and states that there is to be a "presumption in favour of sustainable development" when making plans and decisions. In respect of considering development proposals, paragraph 108 states:

“In assessing sites…specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

9.99. Paragraph 110 states the following requirements for development applications:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

In terms of managing the off-site impacts of the traffic generated from the development, paragraph 109 states:

"Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

9.100. Policy H11 of the Harpole NP states that proposals to improve road safety and traffic management throughout the Parish will be fully supported. Policy H12 similarly
supports proposals for the enhancement and improvement of the existing footpath/cyclepath networks.

Assessment

9.101. By way of background, a planning application was made for the SLRR in 2006 by English Partnerships (now known as Homes England – HE, previously known also as the Homes and Communities Agency – HCA). It was approved in 2008. The SLRR planning application was supported with a masterplan showing the SLRR and the surrounding development as then-proposed of 2,000 – 2,600 dwellings. That proposed development was all located to the east of the SLRR, with a Park and Ride site and a Country Park to the west. The southern section of the SLRR was implemented by 2010 as a single carriageway northwards from the A4500, through it was not built up to the boundary with this application site.

9.102. The re-alignment of the SLRR was undertaken for a number of reasons. The original alignment of the SLRR passed to the east of Norwood Farm and at this point hits the steepest section of topography between the 95 and 105m contours. This would have required significant cut and fill embankments in this area, which have cost implications (thereby impacting on viability) as well as an issue of how development can ‘front’ onto the road or boulevard street, to enable a quality of place to be created rather than a ‘divorced’ engineering solution (bridges) with development sitting above and below the road. The proposed alignment also allows for a better road geometry for the SLRR connecting onto Berrywood Road.

9.103. Highways England, with the support of the local planning authority partners, has developed the Northampton Growth Management Scheme (NGMS) to cover the A45 corridor between Junction 15 of the M1 and Great Billing Interchange. This NGMS has the primary aim of managing and providing mitigation at each junction along this corridor to address the impacts from increases in vehicular traffic arising from planned development growth in and around Northampton, and will enable “ringmaster” contributions to be accepted from development around Northampton.

9.104. A Memorandum of Understanding (MoU) has been signed by the highway and planning authorities to work together to secure the implementation of the NGMS, and all the local planning authorities (including Northampton Borough Council) to use their planning powers to secure developer contributions towards delivery. The NGMS allows for these developer contributions to be staged recognising the importance of viability to developers of these large scale schemes. Given that the Council has an adopted Community Infrastructure Levy (CIL) Charging Schedule, all NGMS contributions will come via CIL, as the NGMS on the Council’s Regulation 123 list.

9.105. Vehicular access to the proposed development is at the following locations:

- at three locations on the SLRR phase 2
- a secondary access roundabout to Berrywood Road to the north
- a secondary access to Sandy Lane to the south west

9.106. Vehicular, pedestrian and cycle links will also be provided into the development parcel to the west of this site within NBC's jurisdiction, for which planning permission was granted in 2018 (application S/2018/1821/NA refers).

9.107. Following the opening of the SLRR, the existing Sandy Lane will be closed north of Norwood House, with the existing section maintained to allow access to Norwood
House, Norwood Cottages and Harpole. The existing garden plant nursery and scrapyard depot on Sandy Lane will have access maintained through the development to the SLRR Phase 2.

9.108. Pedestrian and cycle access will be made via a number of connections (as shown on figure 6.1 Rev A of the 2019 Transport Assessment by PBA), including:

- access north and south on the SLRR;
- access east on bridleway LB1 towards the St Crispin area;
- additional access east to St Crispin along the eastern site boundary;
- access onto Berrywood Road to the northeast corner of the site;
- access onto Sandy Lane to the west and areas of open space beyond;
- potential future access in the southern part of the site through to Upton Lodge where feasible and practical; and
- potential future access in the north-western part of the site to future adjacent development parcels where feasible and practical.

9.109. All of these new footpaths and cycleways within the site will need to be secured by condition or through s106 agreement as necessary, to ensure they are appropriately maintained and available for public use in perpetuity.

9.110. As part of the S106 agreement, a phased delivery of public transport from the outset of the development leading to the completion of the development will be secured. As the exact timing, phasing and delivery is yet to be fully determined, this strategy is to be agreed. This will include ‘pump priming’ any new service required, as well as on site infrastructure including bus stops, shelters and real time information displays.

9.111. A Travel Plan will also be required, which will set out, inter alia, methods to reduce reliance on private car, reductions in road congestion, promotion of healthy lifestyles and reduction in carbon emissions associated with the proposed development.

9.112. Highway Officers at NCC have fully considered the safety and suitability of the alignment and associated junctions/roundabouts of the SLRR and have concluded that they have no concerns regarding its capacity to appropriately accommodate existing traffic, together with that arising from the development.

9.113. As mentioned above, the existing section of the SLRR, constructed by English Partnerships (now known as Homes England – HE, previously known also as the Homes and Communities Agency – HCA), which lies within the other ‘half’ of the N9A allocation, known as Upton Lodge, is not built up to the boundary with this application site. It is unclear why the road was never completed to the boundary, but it now presents a potential issue for the delivery of this site. This part of the allocation lies within NBC’s jurisdiction and they are currently dealing with a live planning application for the ‘remainder’ of the allocation, submitted by the HE.

9.114. In essence, without the ‘missing link’ section of the SLRR (Phase 1), the progress of this site is effectively hindered as the new SLRR (Phase 2) cannot function without the missing section being in place. Notwithstanding, the applicants have sought to find a solution to this by creating an access into the site via existing Sandy Lane, which would allow for the delivery of 400 dwellings in this southern section of the
site. A further 150 dwellings would be delivered to the north of the site, accessed via Berrywood Road. In the meantime, the SLRR would be constructed, boundary to boundary, such that it would be required to be complete and open to traffic by the 550th occupation.

9.115. Specifically, 150 dwellings would be accessed from a four arm roundabout access at the junction of Berrywood Road/Weggs Farm Road and 400 dwellings accessed from a ghost island right turn lane priority T junction on Sandy Lane, between the A4500 and Larkhall Lane (as shown on PBA drawing 32486/2001/001, contained in appendix 13.1 of the 2019 Transport Assessment).

9.116. Discussions remain ongoing between the HE and NBC with regard to securing the ‘missing link’ section of the SLRR up to the boundary in a timely fashion, such that it would negate the need to use existing Sandy Lane as the access point in the interim. Officers intend to condition and enshrine within the S106 (as appropriate) an either/or requirement, such that if the SLRR is constructed to the boundary before the commencement of this development in the southern section (400 units), the proposed alterations to the existing Sandy Lane would not be required and those units be predominantly served by the SLRR. Nevertheless, Highways Officers are content with the principle of utilising existing Sandy Lane, up to a limited number of occupations, should the missing section not come forward ahead of this.

9.117. In relation to the timing of the delivery of the SLRR (Phase 2), as noted above, it would be required to be complete and open to traffic by the 550th dwelling. Clearly, the earlier the SLRR is delivered, the lesser the impact on surrounding roads both in significance and duration. Officers have had regard to the commercial viability implications associated with the costs to the developer of very early delivery of the spine road without significant capital receipt from house sales. The Council’s consultant concurs with the findings of the viability assessment that the scheme cannot viably support the delivery of the SLRR before a number of residential occupations take place. In summary, and having considered these matters in the round, Officers are satisfied that the SLRR is required to be completed and available by the occupation of 550 dwellings (less than a third of the total number of dwellings proposed on this site).

9.118. At this point the number of traffic movements would begin to become more substantial and the new primary school would be expected to be operational. Whilst in the interim period the vehicular movements along existing Sandy Lane would increase, the amount of additional traffic up until this point is reached is thought to be tolerable given that up until approximately this stage there would not be unacceptable cumulative levels of congestion, inconvenience or highway safety risks. Moreover, all the homes within the development should be within reasonable walking distance (no more than 400m) of bus stops provided within the development.

9.119. Members may well be aware that there is local concern about the wider traffic implications arising from this development. However, the potential for this development to have significant adverse impact on a number of existing roads and junctions was recognised as part of formulating and adopting Policy N9A. As a result, the policy seeks to minimise usage of the private car by requiring the development to make full provision for a bus service through the site and the maximisation of pedestrian/cycle links so that there is a high degree of integration with existing communities.

9.120. Nevertheless, it is clear that the proposal would still have an impact on the functioning of a number of existing junctions within close proximity to the site. Six junctions have been identified as requiring mitigation as follows:
- Junction 1 – M1 Junction 16
- Junction 18 – Upton Valley Way / Nectar Way
- Junction 20 – Upton Way / Danes Camp Way
- Junction 21 – Danes Camp Way / Hunsbury Hill Road
- Junction 22 – Danes Camp Way / Towcester Road / Tesco – by proportionate contributions to be provided to Northamptonshire Highways scheme and
- Junction 25 – A5123 / A43

9.121. The mitigation schemes have been reviewed and agreed by NCC Highways and would either be delivered by the developer (under a S278 agreement with NCC) or via a financial contribution for NCC to undertake the work.

Conclusions

9.122. In summary, Officers consider that the access, traffic and transport impacts of the proposed development against the requirements of the relevant development plan policies (N9A, C1 and C2 of the JCS and relevant NP policies listed above) and guidance contained within the NPPF have been appropriately assessed and can be suitably mitigated within a S106 agreement and relevant planning conditions.

Noise and air quality

Policy context

9.123. Policy S10 of the JCS requires new development to minimise pollution from noise. Policy BN9 of the JCS sets out criteria for the control of pollution from new development, including:

- Maintaining and improving air quality, particularly in poor air quality areas, in accordance with national air quality standards and best practice
- Protecting and improving surface and groundwater water quality
- Minimising light pollution
- Ensuring remediation of contaminated land so as not to pose a risk to health and the environment
- Reducing the adverse impacts of noise

9.124. Saved Policy G3 of the South Northamptonshire Local Plan states that planning permission will normally be permitted where the development ‘...is neither of a hazardous nature, nor likely to cause problems of pollution, noise, vibration, smell, smoke, discharge or fumes…’

9.125. The NPPF, at paragraph 170, states that ‘planning policies and decisions should contribute to and enhance the natural and local environment by…preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of … noise pollution’.

9.126. Paragraph 180 of the NPPF states that:
“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.”

9.127. The PPG on Planning and Noise (2017) provides guidance on a recommended approach to the management of noise within the planning system. It recommends that noise levels set out in BS 8233 are used for residential development. It further recommends that night-time LAmax levels. ProPG recommends a criterion of 45 dB LAmax, F between the hours of 23:00 – 07:00. ProPG states:

“…In most circumstances in noise-sensitive rooms at night (e.g. bedrooms) good acoustic design can be used so that individual noise events do not normally exceed 45 dB LAmax, F more than 10 times a night. However, where it is not reasonably practicable to achieve this guideline then the judgement of acceptability will depend not only on the maximum noise levels but also on factors such as the source, number, distribution, predictability and regularity of noise events.”

Assessment

9.128. Dealing with each element in turn:

Noise

9.129. The noise assessment submitted by Peter Brett Associates considers the likely impact of noise and vibration arising from the construction and operation of the proposed development, the effect of noise and vibration sources in the vicinity of the site on the proposed development and a qualitative assessment of plant noise emissions with respect to minimising the impact of the proposed industrial and commercial uses at nearby residential receptors, as well as existing industrial premises such as the breakers yard (paragraph 15.1 to 15.4 of the PBA Report (i.e. Peter Brett Associates LLP, Volume 2, Chapter 15 Noise & Vibration Assessment of The Environment Statement May 2016).

9.130. Baseline environmental noise survey work was undertaken between 15 to 16 June 2015 to determine the existing noise climate across the site using a combination of short and long term monitoring from different locations. Due to the nature of the site and the characteristics of the overall sound climate, being predominantly associated with traffic flows on the local road network, no further baselining was undertaken as it is not considered that there would be a material change to the baseline acoustic conditions on the site.

9.131. The site is subject to noise mainly from road traffic with no identifiable sources of vibration (paragraph 15.200 of the PBA Report) The results of this are detailed in paragraphs 15.94 to 15.105 of the PBA Report (this includes Tables 15.12. and 15.13 of the PBA Report). Noise modelling work has been undertaken using existing site mapping obtained from Barton Willmore and Global Surveys and transport data obtained from the PBA Transport Consultants, using SoundPLAN version 7.4
computer software (paragraphs 15.52 to 15.56 of the PBA Noise Assessment Report and noise maps in Appendix 15.4).

9.132. Details of impact assessment criteria for construction noise and vibration, operational traffic noise for existing and new noise sensitive receptors, existing off-site industrial noise sources are provided in Table 15.3, 15.4, 15.5, 15.6, 15.7, 15.8 15.9 and 15.10 of the PBA Report respectively, as based on the aforementioned guidance. With regard to any building service plant noise for units of the proposed local centre and school facilities, the report comments that requirements and details of any such plant is unknown for these facilities at this stage but they have developed cumulative noise impact criteria for any subsequent installation of such plant to be tested against at a detailed application, which will need to be conditioned in any consent that is granted.

9.133. In respect of construction noise and vibration, the report concludes that impacts will be minor/moderate adverse in the short term in the immediate environs and negligible/minor adverse further afield. During the construction phase of the proposed development the residual effects of noise and vibration are expected to be controlled with the implementation of mitigation measures including a Construction and Environmental Management Plan (CEMP). This includes restricting construction activities only to take place Mondays and Fridays between 08:00am to 18:00 hours and Saturdays between 08:00 to 13:00 hours, installation of a temporary acoustic barrier as shown in Figure 15.3 of the report and a range of other mitigations measures being employed as outlined in paragraphs 15.166 - 15.173 of the report (see paragraphs 15.115 to 15.127, 15.166 to 15.173, 15.188 to 15.191 and Figure 15.3 of the PBA Report).

9.134. In respect of operational road traffic noise on existing off site residential receptors, it is predicted that the long term effects of road traffic noise associated with the proposed development is classed as major beneficial to minor adverse impacts and that there is no requirement for any mitigation measures as a result. In relation to the impact on future noise sensitive receptors, the report comments that this is dependent upon the location of the building relative to the principle noise source and the nature of the spaces behind it (e.g. size, room finishes, window size etc). The report recommends that the acoustic design of the buildings will ensure that internal and external amenities will be met.

9.135. In relation to existing noise sources on site (existing vehicle storage facility), the assessment has identified the need for mitigation in the form of sound insulation for residential areas in close proximity to the site, as well as sympathetic layout of development in this location, at the detailed design stage. Mitigation measures include the provision of a 'stand off zone' from the vehicle storage facility, higher barrier/acoustic fence around the vehicle storage facility and orientating more sensitive areas (e.g. garden amenity space) away from the facility.

9.136. In relation to noise and dust arising from the construction phase, a construction and environmental management plan will be required by condition which will detail measures that will be implemented throughout the construction phase of the proposed development to minimise emissions of noise/vibration and dust so as not to unduly inconvenience, or cause a nuisance, to any existing surrounding sensitive amenities such as dwellings, having regard to the assessments detailed in the Environmental Statement submitted with the application including monitoring measures that will be undertaken to ensure the relevant limits are not breached.

Air Quality
9.137. In relation to air quality, the NPPF at paragraph 102 states that, ‘transport issues should be considered from the earliest stages of plan making and development proposals so that... the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account - including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains’

9.138. Paragraph 181 of the NPPF states that “Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.”

9.139. The emerging Local Plan part 2 sets out a number of development site general principles under Policy SS2, which sets the context key considerations which in terms of air quality include a requirement for developments to...

   ‘aim to minimise their impact on the environment and neighbouring properties and avoid potentially conflicting uses, including those that are likely to give rise to noise, dust, light, vibration or other pollutants’.

9.140. Paragraph 3.3.9 discusses air quality, specifically stating:

   ‘Air quality is a particular issue in some areas of the district. Whilst on the whole the district has low levels of air pollution, there are some areas such as the centre of Towcester (Watling Street) and along the M1 (j15-15A) where levels of pollution exceed recommended limits. These areas are also ‘Air Quality Management Areas’. The Council, working with other partners, is developing a Supplementary Planning Document on Air Quality, which will expand on the principles set out within Policy BN9 of the WNJCS and Policy SS2 of this plan’.

9.141. Information on existing air quality has been obtained by collating the results of monitoring carried out by South Northamptonshire Council (SNC) and Northampton Borough Council (NBC). Background concentrations for the site have been defined using the national pollution maps published by Defra. The 2019 ES addendum contains updated monitoring data from SNC and NBC. There are no Air Quality Monitoring Areas (AQMA’s) within close proximity of the site (SNC has one AQMA in Towcester and NBC’s closest AQMA to the site is approximately 3km away).

9.142. The main potential effects during construction are dust deposition and elevated PM_{10} (particulate matter) concentrations. Appropriate mitigation has been identified within the ES, including the provision of a CEMP (secured by planning condition).

9.143. Concentrations of NO_{2}, PM_{10} and PM_{2.5} have been predicted for a number of worse case locations, representing existing properties adjacent to the road network, as well as future properties adjacent to traffic at junctions within the committed development. It is predicted that concentrations of the aforementioned pollutants are below the relevant air quality objectives at all of the existing receptor locations in 2031 with the proposed development in place and as such, no additional mitigation is required. The Council’s Environmental Protection Officer agrees that the
operational air quality impacts of the proposed development are judged not to be significant.

Conclusions

9.144. The Council’s Environmental Protection Officer is satisfied that the noise and air quality assessments have been undertaken in accordance with the relevant standards and procedures and concurs with the conclusions and mitigation proposed, where necessary. For these reasons, the proposal is considered to comply with the requirements of adopted Policies S10 and BN9 of the JCS, Policy G3 of the South Northamptonshire Local Plan and guidance contained within the NPPF and PPG.

Ground conditions and contamination

Policy context

9.145. Policy BN9 of the JCS requires that proposals for new development which are likely to cause pollution or result in exposure to sources of pollution must demonstrate that they provide opportunities to minimise and where possible reduce pollution issues. Policy BN10 relates to ground instability and states that development will only be permitted on sites of unstable or potentially unstable land provided that, inter alia, the nature of the ground stability has been assessed and appropriately mitigated. Policy N9A requires the submission of a ground stability assessment of the site with any required mitigation.

9.146. The NPPF requires that for planning purposes, the assessment of risks arising from contamination and remediation requirements should be considered on the basis of the current environmental setting, the current land use, and the circumstances of its proposed new use. The framework also requires that planning policies and decisions should contribute to and enhance the local environment by (in respect to ground conditions) “…preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, pollution or land instability” and “remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”.

9.147. Decisions should also ensure that “a site is suitable for its new use taking account of Ground Conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation)”; and that “after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990”.

Assessment

9.148. In West Northamptonshire, ground instability arising from land sliding or landslips is a potential constraint to development and, as outlined above, is a required planning consideration. Review of the ‘Map 1 enclosure’ within Appendix 2 of the WNJPU ‘Ground Instability Technical Paper’ identifies that the Site includes areas assessed as “Class Type C” which is defined as “Slope instability problems may be present or anticipated. Site investigation should consider specifically the stability of the site”.

9.149. A ground conditions and land contamination assessment has been undertaken which identifies three potential ‘contaminants’ of natural origin that are commonly associated with the natural geology that underlies the site, namely; arsenic, vanadium and radon. Contaminated land will be remediated to the appropriate
standard and surface water run-off will be managed to avoid contamination of ground and surface water. In relation to ground stability, there is potential for ground instability or subsidence to occur. However, areas of potentially ‘weak’ or unstable ground will be identified by more detailed site investigations at reserved matters and remedial measures will inform the detailed design.

Conclusions

9.150. Officers are satisfied that the impacts identified can be suitably mitigated through planning conditions and would therefore comply with the requirements of Policies N9A, BN9 and BN10 of the JCS and relevant government guidance contained within the NPPF.

Residential amenity

Policy context

9.151. Policy G3(D) within the South Northamptonshire Local Plan states that planning permission will normally be granted where the development will not unacceptably harm the amenities of any neighbouring properties. Policy H1 of the JCS is also relevant and seeks to ensure a satisfactory living environment for both existing and future occupiers. Both of these policies reflect the core planning principles set out in the NPPF.

Assessment

9.152. There are a number of residential properties within close proximity to the development site. Five properties lie centrally within the application site (Norwood House, Norwood House Farm, Norwood Farmhouse and 1 and 2 Norwood cottages, which are all accessed via existing Sandy Lane. Whilst these properties will not be directly affected in terms of privacy, outlook or loss of sunlight/daylight due to the positioning of strategic open space and play space adjacent to them, views to the south and east will undoubtedly change as a result of the proposed residential development and SLRR phase 2. In any event, it is well established through court judgements and Government guidance that private views are not a material planning consideration. The stopping up of existing Sandy Lane (save for access to these properties) will likely significantly reduce the existing road traffic noise generated from it.

9.153. An existing residential property lies to the north east of the site (139 Sandy Lane), within the plant nursery site and adjacent to the vehicle recovery facility. Again, whilst views from this property will undoubtedly change from open countryside to residential development, the loss of a view is not a material planning consideration. Sufficient separation distances and outlook from this property can be achieved through the submission of reserved matters applications.

9.154. The activities associated with the existing vehicle storage facility off Sandy Lane involve the ‘decontamination’ of vehicles arriving at the site, such as draining lubricants and fluids from the vehicles, before they are taken off site to another location for destruction (e.g. crushing). There are no full scale breaking activities undertaken on the site. The noise surveys undertaken could not differentiate any industrial/commercial noises from the site over and above the ambient road traffic noise from Sandy Lane. As noted in the ‘Noise and Air Quality’ section above, it is considered that any potential impact from noise generating uses on this existing site, either from the vehicle storage facility or plant nursery, can be mitigated through the detailed design process at reserved matters stage, e.g. through positioning of
windows, alternative means of background ventilation, enhanced glazing, stand-off zones and acoustic fencing.

9.155. Concern has been expressed by the occupants of the garden centre that the scheme could block or inhibit access into their site. Officers are satisfied that a safe and suitable access point can be achieved (as denoted on the illustrative masterplan).

9.156. An L-shaped group of dwellings lies to the south of the site. The properties along the south boundary of the site are accessed via ‘South View’ and those along the south eastern boundary are accessed via Sandy Lane. With the exception of one small parcel adjacent to and north of 40 Sandy Lane (which is shown indicatively as public open space), the illustrative masterplan denotes residential dwellings to the rears of these properties. However, it is considered that given the length of the gardens associated with these properties (on average 50 metres) and the potential to create a back to back configuration of proposed properties, it is considered that those occupants privacy, light and outlook would not be materially adversely affected.

9.157. Existing residential dwellings in the vicinity of the site and surrounding areas are likely to be affected by the noise, disruption and general nuisance associated with the construction works which are likely to take place over a period of about 15 years. This is a substantial period of time and the areas and properties affected are likely to change as the development builds out. As a result, Officers are recommending that a Construction Management Plan be submitted and approved for each phase of the development to ensure that the mitigation measures are appropriately bespoke. Construction traffic management measures would be expected to be incorporated into this same document. Controls are likely to include the hours of working on the site, compound details, noise, vibration and dust mitigation, construction traffic routing arrangements and wheel washing facilities.

9.158. Concern has been expressed by residents about the impact of the development on local air quality. As can be seen in the section above ‘Noise and Air Quality’, air quality impacts are considered to be below the relevant air quality objectives at all of the existing receptor locations in 2031 with the proposed development in place.

Conclusions

9.159. In summary, Officers have concluded that the proposal would not give rise to any direct material harm to surrounding properties in terms of the privacy, light and outlook enjoyed from them. Given the scale of the proposed development and the long duration over which construction work would occur, it is inevitable that some nuisance will be caused to nearby residents. However, this nuisance can be adequately controlled through the use of measures secured through a phased construction management plan as is typical for developments of this size and nature. Subject to such a condition, Officers are satisfied that the proposals would not have an unacceptable impact on the amenity enjoyed by existing or proposed residents in accordance with the requirements of Policy G3D of the Adopted Local Plan and central Government guidance contained within the NPPF.

Impact on ecology, biodiversity and trees

Policy context

into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

9.161. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.

9.162. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.

9.163. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:

(1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?.

(2) That there is no satisfactory alternative.

(3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

9.164. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

9.165. Natural England’s Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it’s likely that protected species are:

• present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development

9.166. It also states that LPA’s can also ask for:

• a scoping survey to be carried out (often called an ‘extended phase 1 survey’), which is useful for assessing whether a species-specific survey is needed, in cases where it’s not clear which species is present, if at all
• an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren’t affected at each stage (this is known as a ‘condition survey’).

9.167. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site, although consisting of predominantly arable land, does contain hedgerows and fence lines, smaller areas of woodland, dense scrub, water courses, semi-improved grassland, mature trees and a single pond.

9.168. The Planning Practice Guidance dated 2014 supersedes the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), which has been withdrawn. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

9.169. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

9.170. Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

9.171. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

9.172. Policy EV19 of the SNLP relates to trees and woodland and building control policy chiefly to prevent felling or pruning of trees in conservation areas or with tree preservation orders. Policy EV21 (Hedgerows, Ponds and other Landscape features) states that “development proposals will be expected to retain wherever possible, or failing that to replace, trees, hedgerows, ponds or other landscape features where they make an important contribution to the character of the area”.

9.173. Policy EV24 of the SNLP seeks to promote the interests of nature conservation and protect sites of local nature conservation interest, ensuring that these sites are protected and enhanced. Policy EV25 similarly seeks to ensure development does not affect the nature conservation, landscape or wildlife value of dismantled railways, waterways or watercourses.

9.174. Policy EV25 specifically is concerned with the protection of nature conservation, landscape and wildlife value of dismantled railways or waterways and watercourses.
Therefore this policy is of specific note regarding the watercourses that are present within the site and maintaining their nature conservation value.

9.175. Policy NE3 of the SNP2LP relates to green infrastructure corridors and requires that proposals contribute to the delivery of green infrastructure that meets the needs of communities both within and beyond the boundaries of the district, including the establishment of new infrastructure and improvements to the quality, use and provision of existing infrastructure. Policy NE4 contains similar requirements to those within Policy EV21 and Policy NE5 requires that proposals conserve and enhance biodiversity and geodiversity in order to provide measurable net gains.

9.176. Policy BN2 of the JCS requires development to maintain and enhance existing designations and assets or deliver a net gain in biodiversity. Policy BN 3 specifically relates to the enhancement and creation of woodland and Policy BN 4 specifically relates to the protection of the Upper Nene Valley Gravel Pits SPA.

9.177. Policy H9 within the Harpole NP states that development should, where possible, have a positive impact on green infrastructure and biodiversity.

**Assessment**

9.178. In order for the local planning authority to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 when considering a planning application where EPS are likely or found to be present at the site or surrounding area, local planning authorities must firstly assess whether an offence under the Regulations is likely to be committed. If so, the local planning authority should then consider whether Natural England would be likely to grant a licence for the development. In so doing to authority has to consider itself whether the development meets the 3 derogation tests.

9.179. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.

9.180. In this instance no part of the site is covered by any statutory designations, and there are no international designated sites within 5km of the site. The closest statutory site is Bugbrooke Meadows SSSI located just over 3km to the southwest which is designated for its unimproved damp grassland.

9.181. The watercourses within the site are connected to the River Nene and there is a potential pollution pathway to the Upper Nene Gravel Pits SPA. The SPA is located approximately 7.4km to the east of the site.

9.182. There are no non-statutory designated sites located within the site. There are a total of 14 LWS (local wildlife sites) and five further PWS (potential wildlife sites) that fall within the site’s zone of influence, offsite within 2km. The very southern section of the eastern side of the site falls within the Nene Valley Nature Improvement Area.

9.183. The application is supported by a detailed protected species survey and dedicated chapter in the ES. These conclude that a typical assemblage of breeding birds for the locality and habitat, with some of conservation concern, a low level of bat foraging and commuting activity of common and widespread species; a medium population of breeding great crested newts and badger setts within the site.
9.184. Appropriate mitigation will be provided during demolition and construction so as to avoid harm to protected species.

9.185. Post-development, the creation of habitats with greater ecological value within the Strategic Open Space and green infrastructure than currently exist within the site the opportunities for notable and protected species will be enhanced for both refuge and foraging. The management of these habitats will aim to maximise their biodiversity and specifically provide for the species that currently exist within the site.

9.186. The proposed development will result in the loss of habitats regarded to have low or negligible ecological value, whilst those habitats regarded as being Valued Ecological Receptors (VERs) will be retained within the development proposals where ever possible. Where losses of valued habitats will occur they will be mitigated and offset through the provision of additional habitats within the Strategic Open Space, green infrastructure and the soft landscaping within any detailed planning proposals. Management of these habitats through the provision of a management plan will greatly enhance the sites biodiversity value.

9.187. With specific regard to identified protected species:

- **Breeding birds** - range of artificial nest boxes will be erected on retained mature trees within the site that will provide alternative nesting site during the establishment of the created habitats on site.

- **Bats and Badgers** - The creation and restoration habitats of greater value for foraging will provide greater foraging opportunities for both these species within the proposed development. The provision of artificial bat boxes on retained mature trees will provide enhanced roosting opportunities for bats.

- **Great Crested Newts** – Proposals will create enhanced connectivity from the existing pond to greater areas of suitable terrestrial habitat and proposed aquatic habitats. The retained and created habitats will be managed to increase their suitability for great crested newts.

9.188. In relation to trees, the applicants has undertaken an arboricultural survey, which identifies trees worthy of retention and relevant root protection areas. These can be appropriately secured by suitable planning conditions.

9.189. For all protected species a sensitive lighting strategy will minimise the spillage of artificial lighting, retaining dark corridors and provide undisturbed areas for foraging and commuting. This lighting strategy should be secured through appropriately worded conditions.

**Conclusions**

9.190. The Council’s Ecology Officer has confirmed that the additional information submitted within Regulation 22 request satisfies and gives clarification in response to the five ecology comments asked. The applicant’s conclusions are reasonable and acceptable. Natural England were consulted on the application and confirmed that they have no objection to the proposal.

9.191. Officers are satisfied, on the basis of the advice from the Council’s Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council’s statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations
2017, have been met and discharged. The proposals are therefore considered to comply with the policies and relevant government guidance contained within the Policy context section above.

**Impact on archaeology**

**Policy context**

9.192. The NPPF recognises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (para 193).

9.193. Para 197 of the NPPF states that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.

9.194. Para 198 of the NPPF states that “Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred”.

9.195. JCS policy BN5 relates to the historic environment and states that development in areas of known historic or heritage significance will be required to sustain and enhance the heritage and features which contribute to the character of the area and, where the loss of historic features or archaeological remains is unavoidable and justified, make provision for the recording and production of a suitable archive and report.

**Assessment**

9.196. The applicant undertook an assessment of the heritage assets within the proposed development site and the wider study area in autumn 2015. This revealed that the site is identified as having a high potential to contain archaeological remains, particularly relating to the prehistoric and Romano-British periods. Due to the known archaeological potential of the site derived from the desk-based work, the archaeological advisor to SNC required that the proposed development site was subject to a geophysical survey.

9.197. Further to the results of the geophysical survey, archaeological fieldwork was undertaken in accordance with a written scheme of investigation (WSI) and trial trench layout that had been previously agreed with SNC and NCC.

9.198. An updated Historic Record search was undertaken in January 2019 and no additional heritage assets were identified. In addition, a site visit was undertaken on 22nd January 2019, by the applicants, to identify any changes within the site or its immediate surroundings that would alter the findings of the assessment. This identified that the site conditions and surroundings remain unchanged from the 2016 ES assessment.

9.199. The archaeological findings comprised a dense concentration of features to the west of Sandy Lane and in the south eastern corner of the site, including the buried remains of Iron Age/Romano-British farmstead settlement and Anglo-Saxon burials. The trial trenching established that the archaeological remains were not of sufficient significance or preservation to represent a constraint to the deliverability or capacity of the site and that the features identified are of no greater than regional (moderate) importance.
9.200. The archaeological remains within the site would likely be entirely removed during the construction process except where they may be retained within open spaces within the completed development. This impact will be mitigated through a phased programme of archaeological works secured through a suitable planning condition, to investigate and record the remains prior to their removal.

Conclusions

9.201. It has been established that the archaeological resource discovered within the site is non-designated and, although important, is not of sufficient significance to prevent development on the site subject to comprehensive investigation, recording and archiving, the proposal would accord with JCS policy BN5 and the NPPF.

Drainage and flooding

Policy context

9.202. The NPPF at para 163 advises that LPA’s should, when determining planning applications, ensure that flood risk is not increased elsewhere. Para 165 advised that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

9.203. Policy BN7 of the JCS sets out general development principles and requires that development proposals include adequate provisions for foul and surface water drainage, incorporating allowances for climate change.

Assessment

9.204. A site specific flood risk assessment has been submitted with the application. The principal watercourse in the area is the River Nene, which is located approximately 350m to the south of the site. There are two tributary watercourses which flow in the southerly direction within the site, which are both fed by springs located within and in the vicinity of the site. A pond is located in the north western part of the site and a minor ditch/drain in the central area of the site.

9.205. The proposals include a surface water management strategy to control surface water outflows to the tributary watercourses. This includes the provision of a number of surface water balancing ponds, designed to limit surface water flows to existing greenfield rates for up to and including the 200 year plus climate change event.

9.206. Where possible, surface water should be managed through direct infiltration in the ground but in many cases the ground conditions do not allow for this to work effectively and so on-site natural storage features are necessary in the form of ponds and detention basins which then control flows out to local watercourses or the public sewer. Whilst the full surface water drainage arrangements cannot be known until the detailed scheme begins to take shape, drainage engineers at Northamptonshire County Council have confirmed that they are satisfied with the proposed SuDS strategy for the site and the illustrative masterplan indicates suitable areas for discharge to ponds and basins on the assumption that infiltration itself will not be sufficient to manage all surface water. Ponds in particular are welcome as a landscape feature as these can provide wetland habitat for a number of species as well as a public amenity benefit.

Conclusions

9.207. Officers are satisfied that the proposed development would not be at material risk of flooding and neither would it increase flood risk elsewhere. Furthermore, a full SuDS
strategy is proposed for the development which should prevent significant risk of on-site flooding in a storm event and ensure no increase in surface water run-off from the site onto neighbouring land or to nearby watercourses. As such, the proposal would accord with the requirements of Policy BN7 and N9A of the JCS and the requirements set out in the NPPF.

Public rights of way

Policy context

9.208. Saved Local Plan (1997) policy G3(F) requires acceptable development proposals to not unduly affect the existing or proposed transportation network.

9.209. JCS policies C1 and C2 require new development to both provide access and promote journeys by walking, cycling and public transport, as well as ensuring those network are efficient. Policy C2 requires the securing and enhancing of walking networks.

9.210. Para 91 of the NPPF states that decisions should ‘enable and support healthy lifestyles...for example, through the provision of layouts that encourage walking and cycling’

9.211. Para 104 states that planning policies should “provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans)”

Assessment

9.212. One public right of way crosses the development. Bridleway KP16 runs from Sandy Lane, opposite the junction with Larkhall Lane, east towards St Crispin. Once it crosses the District boundary, KP16 changes name to LB1 and continue east until it connects with bridleway LB8, south west of South Meadow Road.

9.213. The indicative Masterplan for the application makes provision for the retention of the existing PRoW in situ. The route would be incorporated it to a linear greenway that runs east/west across the site. in addition, it be upgraded to also provide a 3m wide combined footway/cycleway (including hard surface and lighting). However a suitable bridleway surface (appropriate for horses) would need to remain.

9.214. Where the Bridleway crosses the proposed Sandy Lane Relief Road a signalised Pegasus (equestrian) and Toucan crossing would be provided.

9.215. In light of this, the proposal would have no detrimental impact upon the local public rights of way network.

9.216. The proposals also make provision for enhanced pedestrian connectivity throughout the site and to adjoining sites (allocated land) abutting the eastern and north-western boundaries. All of these will help improve pedestrian choice and encourage journeys to be made on foot (or bicycle).

Conclusions

9.217. Overall, the proposal, in making provision for the existing bridleway, is considered to accord with the JCS and saved SNLP policies and the NPPF and cause no undue harm to the existing public rights of way network.

Loss of agricultural land and minerals
Policy context

9.218. Saved Local Plan (1997) policy G3(H) states that permission will be granted where development does not result in the irreversible loss of best and most versatile agricultural land.

9.219. The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by...recognising the intrinsic character and beauty of the countryside - including the economic and other benefits of the best and most versatile agricultural land (para 170)

9.220. The national Planning Practice Guidance (PPG) expands on this to say that consideration of BMV land “is particularly important in plan making when decisions are made on which land should be allocated for development. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”

9.221. The Agricultural Land Classification (ALC) system provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long-term limitations on agricultural use. The ALC system divides agricultural land into five grades (Grade 1 ‘Excellent’ to Grade 5 ‘Very Poor’), with Grade 3 subdivided into Subgrade 3a ‘Good’ and Subgrade 3b ‘Moderate’. The current guidelines and criteria for ALC were published by the Ministry of Agriculture, Fisheries and Food (MAFF1) in 1988 (‘Agricultural Land Classification of England and Wales: Revised Guidelines and Criteria for Grading the Quality of Agricultural Land’).

9.222. Agricultural land classified as Grade 1, 2 and Subgrade 3a falls in the ‘best and most versatile’ category as defined in Annex 2 of the National Planning Policy Framework (March 2012).

Assessment

9.223. The applicant has submitted an Agricultural Land Classification report (produced by Kernon Countryside Consultants Ltd, dated May 2016). This describes the 103.8Ha survey area as being predominantly Subgrade 3b (72.1Ha; 69%), although the vast majority of the remainder (27.8Ha; 27%) Subgrade 3a. The residual areas (3.9Ha; 4%) were either Grade 4 or ‘other/non-agricultural’. Consequently, whilst 73% of the site does not constitute ‘best and most versatile agricultural land’, over a quarter (27%) does come in at the lower end of the ‘best and most versatile’ (BMV) scale.

9.224. The applicant’s Environmental Statement identifies this loss of BMV land as being of moderate to major significance. To mitigate this, it is recommended that a Soils Management Plan (SMP) is provided at the detailed design stage to set out how BMV soils will be retained and reused within the final development. It is recommended that this SMP includes details on the re-use of BMV soils within areas of public open space, the retained agricultural areas and private gardens. Furthermore, a method statement for the appropriate handling and storage of soils should be included within the SMP that should ensure that the quality of soils is maintained during movement and stockpiling.

Conclusions

9.225. The land is allocated for development in the JCS, which considered the issue of BMV land at that time. With only around a quarter of the site constituting BMV land, and subject to the securing via condition of a Soils Management Plan to mitigate the
loss of BMV land, the proposal is not considered to be in conflict with saved Local Plan (1997) policy G3(H).

Socio-economic impacts

Policy context

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

Assessment

9.227. The proposed development would bring a number of socio-economic benefits. The construction of 1900 homes results in an estimated £193m investment in the local construction sector, generating around 230 temporary construction jobs per year over an assumed 15 year period.

9.228. Following completion, the 1900 new households could potentially increase spending in the local area by approximately £21m per annum, which equates to around 220 full time equivalent (FTE) jobs in the wider local area. The new local centre itself will create in the region of 70 FTE jobs.

9.229. The development would increase the local population, particularly the local working age population, which would be moderately beneficial for the local economy.

9.230. Impacts upon local education services would be negligible, given that the development provides a new primary school when there is already some capacity in local schools. There is also adequate existing capacity in local secondary schools to accommodate the projected increase in demand attributed to this development.

9.231. Policy N9A advocates the provision of healthcare services within the local centre on the site and the developer has no objection to this approach. However, repeated discussions with NHS England and the County Commissioning Group (CCG) over the last couple of years have established that they would not support a doctors surgery on site. This is partly due to the difficulties in recruiting the GPs to run small surgeries and partly to reflect current NHS aspirations for moving away from smaller GP practices and creating fewer but larger Primary Care Homes (PCHs) or ‘Health Hubs’ where patients would have access to a greater range of services and care. Primary care home is an innovative approach to strengthening and redesigning primary care; the model brings together a range of health and social care professionals to work together to provide enhanced personalised and preventative care for their local community. This also takes the pressure off overburdened hospitals and allows doctors the scope to take on minor surgery within the PCH. The developer is aware that on-site provision is not possible and has agreed to make a financial contribution towards off-site facilities.

9.232. Discussions are ongoing with NHS England, the CCG, Northampton Borough Council and the existing St Lukes Primary Care Centre in Duston to secure the
expansion of St Lukes to serve the needs of both this proposal and the development at Northampton West. The NHS and the CCG have acknowledged that the expansion of St Lukes is the only project identified at present in this locality, which could potentially deal with the number of new patients created as a result of this development. The financial contribution from this development would therefore be directed at this project.

9.233. At approximately 3km away, St Lukes is not within a reasonable (400m) walking distance of the development and patients would most likely need to drive to this facility. This is not ideal and whilst officers would prefer a doctor’s surgery to be provided on the site (and in accordance with Policy N9A) the comments and aspirations of NHS England and the CCG must be taken into account. Without any support from NHS England or the CCG there is no prospect of a GP practice coming forward on the site. Therefore, the only realistic solution for providing primary healthcare to future residents of the development is to support the expansion of the existing St Lukes Primary Care Centre as it becomes a Primary Care Home.

9.234. In light of the comments from NHS England it is considered that with an appropriate financial contribution towards the expansion of the existing St Lukes there would be adequate primary healthcare provision to serve the needs of future residents of the proposed development.

Conclusions

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

Sustainability

Policy context

9.236. Policy S10 sets out 11 sustainable development principles that all new development should aim to achieve, which include measures such as making use of sustainably sourced materials, minimising resource demand and maximising water efficiency. Policy S11 requires major development and sustainable urban extensions to contribute to the reduction in carbon emissions and adapt to the effects of climate change, through the 11 principles identified in Policy S10. The policy also requires all new non-residential development over 500sqm (gross internal floorspace) to achieve a minimum of BREEAM (or future equivalent assessment method) ‘very good’ standard.

9.237. Policy S11 also requires all new residential developments to achieve a minimum of level 4 standard in the ‘Code for Sustainable Homes’ and to achieve zero carbon standard from 2016 (or national equivalent standard). A condition would be imposed to ensure compliance with this standard.

9.238. This standard and associated allowable solutions have been cancelled by Government and the latest Ministerial Statement suggests that local planning authorities should not be requiring higher standards of energy efficiency than that set out in the Building Regulations and that Part L of the Building Regulations will be updated in due course to introduce higher energy performance standards. In the interim however, Government guidance suggests that local planning authorities may continue to apply an energy performance standard equivalent to Code 4 of the former Code for Sustainable Homes and no higher, as this is the approximate level to which the forthcoming new Part L of the Building Regulations may be increased.
As a result, Officers would recommend a condition be imposed that requires all new dwellings on site to be designed to this energy standard, though this may need to be reviewed in the event that changes are introduced at national level in the period between a committee resolution to grant planning permission and a decision notice being issued.

**Assessment**

9.239. An Energy and Sustainability statement was submitted with the application which presents a high-level review, identifying potential suitable options for the proposed development to achieve the objectives of the policies mentioned above. These measures include:

- Sourcing materials locally (where reasonable and practical)
- Recycling construction materials on site to minimise waste
- Consideration of passive heating and cooling during the master planning process (including optimisation of building orientation and inclusion of tree corridors throughout the site providing naturally shaded corridors etc)
- Consideration of introducing PV panels and air source heat pumps, where appropriate, at the detailed design stages

9.240. Where feasible and economically viable, energy generation from renewable and low carbon energy sources will be implemented at detailed design stage. Building design will allow for the future addition of the renewable and low carbon energy sources, if appropriate.

**Conclusions**

9.241. Officers consider that the measures outlined within the Energy and Sustainability statement are appropriate and subject to suitable conditions, the requirements of national and local Policies outlined above would be satisfied.

**S106 and viability**

9.242. All large scale development, with the resulting increase in population, would put pressure on existing facilities. Some facilities may have spare capacity but others will require expansion, improvement or new provision to enable them to accommodate the increase in population from the proposed developments. Work has been undertaken to identify the necessary community infrastructure to support the application proposals and mitigate their impact. This has identified a mixture of on site and off site provision, direct provision of facilities and financial payments.

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

(a) necessary to make the development acceptable in planning terms
(b) directly related to the development
(c) fairly and reasonably related in scale and kind to the development
The community infrastructure identified as necessary, (meeting the tests set out above), covers a wide range of items, some the development could not go ahead without, for example the need to provide safe highway access, whilst others are necessary to meet National Planning Policy Framework (NPPF) and Local Plan requirements, for example the measures to achieve biodiversity mitigation. A long list of mitigation items have been identified by the District, County Council and other external bodies including the NHS. These items are still in the final stages of negotiation (in terms of the timing of their provision), but cover the following areas:

South Northamptonshire Council:

- Minimum provision of 15% affordable housing within the first phase of development and thereafter, a minimum of 17.5% affordable housing, subject to a review mechanism whereby a higher level of affordable housing could be achieved dependent upon the viability of the scheme at that time
- Kerbside recycling (provision of bins for residential units)
- On site provision of 4 LAPS, 2 LEAPS and 1 NEAP, with associated commuted sums for ongoing maintenance
- On site provision of 2 sports pitches with associated commuted sums
- On site provision of sports pavilion, with associated commuted sums
- On site community facility within the local centre, with associated commuted sums
- Financial contribution towards off site sports facility enhancements
- Maintenance arrangements for public realm features, such as the County Park, green spaces, trees/hedgerows, drainage features etc
- Financial contribution towards NHS England to extend and improve St Luke’s surgery

Northamptonshire County Council

- Provision of a 3 form entry primary school on site
- Off site highway works required to be carried out by the developer, secured through a section 278 agreement/financial contributions
- Provision of Sandy Lane Relief Road (phase 2) to the boundaries of the site (agreed by co-ordinates), in accordance with a specification to be agreed with NCC Highways
- Financial contribution to ‘pump prime’ new bus route to serve the development and provision of new public transport infrastructure including bus stops, travel cards and a travel plan (with associated monitoring fees)
- Financial contribution towards expansion of library facilities at Duston
- General administration and monitoring costs

9.244. In respect of viability, applicants have consistently maintained that they are unable to meet the full range of contributions that have been sought, mainly in relation to
the provision of affordable housing. Consequently, an open book approach to the assessment of viability of the scheme has been sought to identify the level of contributions the scheme can reasonably afford to support. The viability appraisal prepared for the applicant’s has been reviewed by a consultant working on behalf of the Council.

9.245. The Council’s consultant advises that based on the information provided and evidence of costs and values from other sites, the scheme can afford to meet the cost of the S106 contributions identified, on the basis of providing 15% affordable housing in the first phase (which comprises approximately 800 units), with a review mechanism incorporated into the S106 which seeks to achieve a minimum of 17.5% affordable housing on the remaining phases (1100 units), with the potential to achieve a higher level, dependent upon the viability of the scheme at that time.

9.246. At the time of writing this report, the precise S106 package and viability review mechanism is still being negotiated and this is therefore reflected in the recommendation to this report.

Human Rights and Equalities

- The Human Rights Act 1998 ("HRA") sets out fundamental freedoms which have been laid out by the European Convention on Human Rights ("ECHR"). In making any decisions, South Northamptonshire District Council ("the Council") should have due regard to and take into account any implications that may arise under the HRA. As a public authority, it is unlawful for the Council to act in a manner which is incompatible with the ECHR.

- The rights under the ECHR which the Council views as being the most likely to affect planning matters are: Article 6 (the right to a fair trial); Article 8 (right to respect for private and family life); Article 14 (prohibition of discrimination); and Article 1 of the First Protocol (protection of property).

**Article 6**

- Officers have considered these matters and have resolved that, whilst there are potential rights in play, these will not be affected by the application due to the application being publicised by way of neighbour letters, site notices and in the local press giving affected third parties the opportunity to comment on the application and their views taken into account when considering the application. In this case any comments/concerns raised by third parties are listed above and have been taken into account in assessing the application. Furthermore should a third party be concerned about the way the application was decided they could complain to the Local Government Ombudsman or if they question the lawfulness of a decision can appeal to the Courts for Judicial Review of the application.

**Article 8 and Article 1 of the First Protocol**

- Officers have considered the duties under both Article 8 and Article 1 of the First Protocol and have resolved that the application does respect the private and family life of neighbours and does not fail to protect the neighbours’ property.

- Officers have considered the duties under both Article 8 and Article 1 of the First Protocol and have resolved that the application could potentially interfere with the private and family life of neighbours and, therefore, might fail to protect neighbours’ property. Officers consider that this is in breach of Article 8 / Article 1
of the First Protocol because appropriate conditions will be imposed in order to safeguard and protect neighbour amenity during the construction and implementation phases of the development.

- Officers have considered that, in the event that the application is granted planning permission, there will not be any discrimination (or potential discrimination) to neighbours.

**Duty under The Equalities Act 2010**

- S149 of the Equalities Act 2010 ("EA") sets out what is known as the Public Sector Equality Duty ("PSED"). Under the PSED, the Council, as a public authority, must have due regard to the need to, inter alia, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and has to foster good relations between persons who share a relevant protected characteristic and persons who so not share it. The protected characteristics to which the PSED refers are: (a) age; (b) disability; (c) gender reassignment; (d) pregnancy and maternity; (e) race; (f) religion or belief; (g) sex; (h) sexual orientation.

- Officers have considered the application and resolved that none of the protected characteristics is affected or potentially affected by the application.

10. **COMMUNITY INFRASTRUCTURE LEVY**

10.1 This development would attract a Community Infrastructure Levy (CIL) payment under the Council’s current CIL Charging Schedule. However due to the outline nature of the development the figure is currently unknown. The CIL charge will be calculated fully upon the submission of a detailed reserved matters application. Certain reliefs and exemptions are available and if claimed could result in a zero charge, unless disqualifying events occur. (For further information relating to CIL please visit [http://www.southnorthants.gov.uk/7143.htm](http://www.southnorthants.gov.uk/7143.htm)).

10.2 For further information relating to CIL please visit [http://www.southnorthants.gov.uk/7143.htm](http://www.southnorthants.gov.uk/7143.htm).

10.3 **Officer comment:**- Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

10.4 *In this particular instance, the above financial payments are not considered to be material to the decision as they would not make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority and hence the calculated CIL amount referred to above is therefore provided on an information basis only.*

11. **PLANNING BALANCE AND CONCLUSION**

11.1. Legislation dictates that planning applications be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. The NPPF, at paragraph 11, states that:
Plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date\(^3\), granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

11.2. In the context of this application, a view has to be taken as to whether or not there are any adverse impacts that would significantly and demonstrably outweigh the benefits of granting consent when assessed against the policies in the Framework taken as a whole.

11.3. The Council accepts that it cannot currently demonstrate that it has a five year housing land supply (insofar as it relates to the NRDA) and recognises the contribution towards affordable housing provision and substantial contribution towards meeting the housing needs associated with the NRDA as a material consideration in favour of the proposal.

11.4. Whilst the proposed development is contrary to the JCS and SNLP, insofar as the addition of land outside of the allocation boundary, Officers consider that in the context of the overall provision within this submission, the number of dwellings located outside of the allocated area (approximately 40) is modest and would not result in material harm to the character and appearance of the landscape. Furthermore, it is considered that any potential impacts of the development can be mitigated and secured through suitable planning conditions and an appropriate S106 agreement.

11.5. In terms of viability, it is considered that the development of the site can make appropriate contributions to community infrastructure and affordable housing whilst still returning a reasonable return to both land owner and developer. Negotiations are in the final stages, and an appropriate S106 package will be achieved in order to mitigate the impacts of the development and create a sustainable, inclusive, high quality development. This requirement is reflected in the recommendation set out below.

11.6. In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that on balance, the proposal would result in sustainable

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\(^3\)This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1 of the NPPF.
development and for these reasons, the application is recommended for approval, subject to caveats set out below.

### 12. RECOMMENDATION

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

1. **INFORMING THE SECRETARY OF STATE THAT THE COUNCIL INTENDS TO GRANT PERMISSION**

2. **CONDITIONS (TO FOLLOW IN A WRITTEN UPDATE (AND ANY AMENDMENTS AS DEEMED NECESSARY TO THOSE CONDITIONS) AND**


   a) Provision of affordable housing on site (minimum provision of 15% affordable housing within the first phase of development and thereafter, a minimum of 17.5% affordable housing, subject to a review mechanism whereby a higher level of affordable housing could be achieved dependent upon the viability of the scheme at that time)
   
   b) Payment of a financial contribution towards off site sports and recreation provision in the locality of £1,553.11 per dwelling (index linked)
   
   c) Commuted sums towards the management and maintenance of open space/play areas and SUDS (index linked)
   
   d) Provision of Country park, LAPs, LEAPs and NEAPs on site
   
   e) Provision of one senior and one junior sports pitch with associated commuted sums (index linked)
   
   f) Provision of sports pavilion with associated commuted sums (index linked)
   
   g) Provision of a community building within the local centre with associated commuted sums (index linked)
   
   h) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £70 per dwelling (index linked)
   
   i) Payment of public transport contribution (index linked)
   
   j) Payment of a contribution/provision of off-site highway mitigation junction improvements (index linked)
   
   k) Payment of a financial contribution/or on site delivery of a primary school (index linked).
   
   l) Payment of a financial contribution towards Duston library improvements (index linked).
   
   m) Payment of a financial contribution towards primary health care provision serving £799.23 per dwelling (index linked)
   
   n) Payment of the Council’s monitoring costs

**FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 29th March 2019. IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY IS GIVEN**
DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development makes sufficient provision to mitigate the off-site impacts on existing community services and infrastructure serving the development necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policies N9A, INF 1 and INF 2 of the West Northamptonshire Joint Core Strategy.

CONDITIONS

To follow in a written update provided at the Committee meeting.

CASE OFFICER: Laura Bell TEL: 01327 322175