Case Officer: Tracey Hill

Applicant: Manor Oak Homes

Proposal: Outline application for up to 300 dwellings and land for a new school (up to two forms-of-entry) along with open space, drainage, footpath improvements, new off-site footpath links, vehicular access and all matters reserved other than access.

Ward: Blisworth & Roade and Grange Park

Councillors: Cllr Stephen Clarke & Cllr Hywel Davies, Cllr Adil Sadygov & Cllr Andrew Grant

Reason for Referral: Major development and Significant departure from adopted development plan

Expiry Date: 4 December 2019 Committee Date: 6 February 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal
Outline planning permission for up to 300 dwellings, plus a 2FE primary school and associated open space. Details of access are for determination also, with all other matters reserved.

Consultations
The following consultees have raised objections to the application:
- Grange Park Parish Council, Quinton Parish Council, Ramblers Association and Stagecoach, Sport England

The following consultees have raised no objections to the application:
- SNC Strategic Housing, SNC Arboricultural Officer, SNC Environmental Protection, SNC Ecology, SNC Sport and Leisure, NCC Highways, NCC External Funding, NCC Archaeology, NHS England, Highways England, Anglian water, Environment Agency, Lead Local Flood Authority, Crime Prevention Design Advisor,

The Following consultees have not responded:
- SNC Planning Policy

157 letters of objection have been received and a further 28 letters with comments on the proposals. No letters have been received in support of the application.

Planning Policy and Constraints
The key planning constraints are:
- The application site is within the open countryside and is not allocated for development
- The site is outside, but abuts, the Northampton-Related Development Area (NRDA)
identified in the West Northants Joint Core Strategy
- The site only has vehicular access via the Courteenhall/Quinton Road
- The M1 motorway runs immediately along the site’s south-western boundary
- The site is within 2km of two Local Wildlife Sites
- A Public Right of Way runs along the eastern edge of the site
- The areas of woodland to the immediate north and west of the site are protected by an area Tree Preservation Order (TPO).

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

Conclusion
The key issues arising from the application details are:
- Principle of development
- Design, and impact on the character of the area
- Access and impact on the local highway network
- Heritage impact
- Ecology impact
- Residential amenity
- Noise and air quality
- Ground contamination/conditions
- Impact on trees
- Impact upon local school, doctors and other services
- Developer contributions and S106

The report looks into the key planning issues in detail, and Officers conclude that the proposal, on balance, 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 is approximately 16.27ha in size and is located immediately to the south of Grange Park.

1.2. The landform is gently undulating is currently in arable use. It is bordered to the north by Alamein Wood – with residential dwellings and a logistics park to the north of this - and to the south-west by the M1 motorway. The eastern boundary is defined a linear belt of woodland with arable land beyond this. The southern boundary is defined by Quinton Road.

1.3. Foxfields Country Park lies to the immediate north east of the site and contains sports pitches and a pavilion set in an open landscape containing blocks of woodland planting. It is connected to the site via an existing public right of way which follows the eastern boundary of the site along the Quinton Screen.

1.4. The villages of Quinton and Quinton Green lie to the north-east and south-east of the site on the Wootton Road and are surrounded by arable land. The hamlet of
Courtenehall lies to the south of the site, across the M1, within an arable landscape interspersed with several woodland blocks.

2. **CONSTRAINTS**

2.1. The application site is within the open countryside.

2.2. The site is outside, but abuts, the Northampton-Related Development Area (NRDA) identified in the West Northants Joint Core Strategy.

2.3. The site is within 2km of two Local Wildlife Sites.

2.4. A Public Right of Way runs along the eastern edge of the site.

2.5. The areas of woodland to the immediate north and west of the site are protected by an area Tree Preservation Order (TPO).

2.6. The M1 motorway runs immediately along the site’s south-western boundary.

3. **DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1. The application seeks outline planning permission for residential development of up to 300 dwellings, plus the provision of a 2 form entry (2FE) school, land for community uses, open space, drainage, footpath improvements and vehicular access.

3.2. Details of access are for determination at this stage, with all other matters (Appearance, Landscaping, Layout and Scale) all left as reserved matters.

3.3. Dwellings would comprise a mix of 1, 2, 3, 4 and 5 bedrooms, made up of mainly 2 and 2½ storey units, with a limited amount of 3 storey.

3.4. Vehicular access is via a single new junction on the Quinton to Courtenehall Road. There would, however, be pedestrian and cycle connections directly with Grange Park through Alamein Wood and Foxfields Country Park to the north.

3.5. The masterplan for the site includes an earth bund and timber acoustic fence along the south-western edge to protect future residents from noise from the adjacent M1. It also shows SUDs basins and designated play areas (a LEAP and a trim trail).

3.6. **Timescales for Delivery:** The applicant/agent has advised that, in the event that planning permission is granted, the site will be sold onto a developer (the applicant does not develop land themselves). Assuming the land is sold promptly, a reserved matters application could be submitted within 6-8 months of the grant of outline permission. Subsequently, development could therefore potentially commence by mid/late 2021, or early 2022. Thereafter, the site will take roughly 6 years to build out (based on one developer constructing an average of 50 units per annum). This could be almost halved if two developers simultaneous worked on the site.

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>
</tr>
</thead>
<tbody>
<tr>
<td>S/2018/2674/SCR</td>
<td>Screening opinion for proposed residential development</td>
<td>EIA Assessment NOT required</td>
</tr>
</tbody>
</table>
5. PRE-APPLICATION DISCUSSIONS

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

<table>
<thead>
<tr>
<th>Pre.App Ref.</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>P/2018/0089/PRH</td>
<td>Residential development comprising approximately 600 dwellings, open space, landscaping and connections to local road, footpath and cycle network</td>
</tr>
</tbody>
</table>

5.2. The initial proposal was for development on the current application site, plus additional land to the east and north-east. During the course of the pre-app the scale of development was reduced to cover just the current application site after Officers expressed that a larger scheme would need to be assessed via the Joint Core Strategy review. Only a smaller scheme could be considered to reasonably contribute towards addressing the current 5 year housing land supply within the NRDA.

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 31st October 2019, although comments received after this date and before finalising this report have also been taken into account.

6.2. 185 representations have been received from local residents.

6.3. 157 of these are objections. The objections include:

- Increased demand on local GP practices (and dentists), which are already full
- Increased demand for school places when local schools (primary and secondary) and nurseries are already full
- Increased traffic on surrounding road network causing highway safety concerns and exacerbating congestion
- Increased air and light pollution and noise from traffic on the surrounding area and exposure of new homes to pollution and noise from the M1
- Unsustainable form of development reliant on private car journeys
- Additional demand/pressure for parking at the district centre in Grange Park
- Extra development will make Foxfields Country Park busier and increase instances of litter, etc.
- Harm to local wildlife on and around the existing site
- No cycleway or streetlighting is proposed along existing country roads leading to the site
- There is no local need for the development, given the amount of other development proposed in the area
The development would harm the appearance of the area and undermine Quinton’s distinction as a separate village

Development of the site is contrary to the Development Plan for the area

Loss of high quality farming land

6.4. A further 28 residents have not expressly objected but made comments. These comments, however, are all about the same concerns as set out above in the objections.

6.5. No local residents have written in support of the application.

6.6. Councillor Bob Atkinson (Hackleton Ward) objects that:

- Combined with other allocated developments in the local area, the proposed development would place a great burden on this part of Northampton and the surrounding villages
- Additional traffic will add to congestion on local roads and be detrimental to local air quality
- The surrounding roads are not designed to accommodate the additional traffic
- The site will suffer from air pollution from the M1, especially during ‘high pressure’ weather events when air stagnates

6.7. Councillor Andrew Grant (Grange Park Ward) objects that:

- The Council can demonstrate a 5-year housing land supply (and therefore development that is not allocated in the Development Plan should not be approved)
- The development will exacerbate road congestion and air pollution problems in the area
- Lighting on the paths connecting the development site back into Grange Park would be inappropriate
- The site is only accessible by car

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

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

7.2. GRANGE PARK PARISH COUNCIL: Object on the grounds of:

- The development would have a significant negative impact on the quality of the lives of the residents of Grange Park.
• It will disrupt the village feel of the existing development and place an obstacle between Grange Park and the open countryside.

• It would place additional burden on the local medical centre and the Parish Council is not confident the relevant S106 contribution is sufficient.

• It would place additional demand/pressure on parking at the district centre in Grange Park and on local public open space.

• The country lanes to the south of Grange Park, with the exception of rush hour traffic are generally quiet and safe to walk and cycle along. This will no longer be the case with a further 300 houses being built without the provision of pavements or cycle ways leading away from the development.

• At rush hour these same lanes are used as a ‘rat run’. A further 300 homes and children from surrounding villages being driven to the new school will cause traffic jams along with the attendant risks.

• The single access to the proposed development could frustrate emergency services from reaching their destination quickly.

• The new development could become isolated from the wider community, making the task of nurturing a vibrant community spirit difficult.

7.3. QUINTON PARISH COUNCIL: Object on the following grounds:

• Given that the Council can show a 5 year housing land supply position, the most appropriate mechanism to consider any shortfall in Northampton and the NRDA is through the review of the Joint Core Strategy.

• The proposed development remains contrary to the development plan, particularly Policies SA, S1, S4 and R1 of the Joint Core Strategy and saved policies H1 and EV2 of the SNLP (1997).

• Notwithstanding the amendment by the applicants to include land for a school, the application site does not have good transport links or good access to employment, local services or, as shown, to a school for the entirety of the implementation of some 300 houses.

• The development relies on the private car and is unsustainable development. The additional traffic will have an unacceptable impact on Courteenhall Road and the wider highway network.

• The proposal is contrary to the NPPF as it would not contribute to sustainable development principles

• The matters set out on education are uncertain and unclear and there remains significant concerns over the availability and timing of school places. In any event, it does not overcome the issues on secondary education.

• The Transport Statement contains fundamental errors in its assessment of the impact of the school and its timing, if indeed it can actually be provided. The location of the site is not conducive to travel other than by private vehicle, a matter which Inspectors at appeal continue to give substantial weight to in their planning balancing exercise.
• The site is visually isolated in the open countryside, being separated from Grange Park by woodland. It therefore appears an unsuitable urban development in the countryside.

• The loss of hedgerow along the Courteenhall Road to facilitate visibility splays for the new access is harmful to the green character of the road.

• The proposed development would not accord with the relevant Development Plan policies including ‘Saved’ Policies G3, H6 and EV2 of the South Northamptonshire Local Plan and Policies SA, S1, S4 and R1 of the West Northamptonshire Joint Core Strategy which seek to strictly control the distribution of development in order to provide sustainable growth and protect the intrinsic character of the countryside and rural area.

CONSULTEES

7.4. SNC PLANNING POLICY: No response received at time of writing this report

7.5. SNC STRATEGIC HOUSING: No objection. This proposal will help meet some of the housing needs of South Northamptonshire and/or Northampton Borough.

7.6. SNC ENVIRONMENTAL PROTECTION: No objection but comment as follows:

• Noise - No adverse comment subject to imposition of safeguarding condition to secure mitigation measures and further details of the 4m high noise bund/barrier and alternative ventilation

• Ground contamination – The conclusions of the Strategic Ground Investigation Report are satisfactory and acceptable and should be secured via condition

• Air quality – No response received at time of writing report.

7.7. SNC ARBORICULTURAL OFFICER: No objection subject to the inclusion of a condition(s) securing tree protection in accordance with the principles of BS5837 and a full landscaping scheme to include tree planting of mixed size and species.

7.8. SNC ECOLOGY OFFICER: No objection. The ecological reports are appropriate and fit for purpose. They follow the appropriate industry guidelines and best practice. The impact of the proposed development on protected species has been sufficiently surveyed and the impact upon them assessed within the submitted Ecological Assessment. The habitat enhancements detailed in the submitted reports will ensure that a net gain in biodiversity is achieved in line with NPPF.

7.9. The inclusion of a condition for the submission and approval of a Construction Environment Management Plan (CEMP) and Landscape and Ecology Environment Management Plan (LEMP) prior to commencement or ideally at the reserved matters application stage would ensure mitigation measures during the construction phase are delivered in a coordinated approach with the LEMP ensuring net gain in biodiversity will be achieved in a managed planned manner.

7.10. SNC RECREATION AND LEISURE: No objection but comment that the lack of infrastructure within the proposed development would lead to a need for the proposed residents to use vehicles to get to shops, doctors etc. This would increase traffic along the existing roads. For those residents who do not have a car there would be a possible issue of isolation from the wider community facilities. Endorse the need for increased community green space land rather than development of houses.
7.11. NCC HIGHWAYS: **No objection.** Accept the findings of the report by MAC Consultancy and require the off-site highway improvement identified to be secured via condition.

7.12. However, do hold the view that in respect of highway safety; particularly with regard to pedestrians and cyclists, in the event of the Northampton Gateway commercial development taking access from the A508; goes ahead then a footway/cycleway must be provided along Quinton to Road to provide a direct & time efficient desire line access to these sites.

*(Officer note: pedestrian access to the Northampton Gateway can be obtained via existing cycleways/footways through Grange Park, which is actually a fractionally shorter and more direct route. Consequently, Officers are not requiring the provision of the footway/cycleway along Quinton Road)*

7.13. NCC EXTERNAL FUNDING: **No objection.** Request S106 financial contribution for the following:

- **Early Years Services** - £0 per 1 bed; £3,724 per 2 bed; £3,972 per 3 bed and £4,220 per 4+ bed
- **Primary Education** – provision of a minimum 1.7Ha of land on site for a new 1FE primary school plus a financial contribution of £2.25m for its delivery (being 50% of the cost of a 1FE school).
- However, welcome the proposal for a 2.1Ha school site capable of accommodating a 2FE school (which is the Education Authority’s preferred model) as this will enable a flexible, strategic approach towards delivery of new primary education capacity to meet the needs of the development, as well as anticipated growth in the surrounding area.
- Further discussion will be required with the applicant however to agree an appropriate financial S106 contribution proportionate to the pupil yield generated and cost of its delivery.
- These discussions will be informed through further assessment by the county council as to the suitability of the proposed site to accommodate either a 1- or a 2- form of entry provision, in addition to which consultation will be required with local schools, the community and other stakeholders before a preferred option is identified.
- Furthermore, in the event that a suitable off-site opportunity is identified to deliver additional primary capacity that would meet the needs of this development, a full S106 financial contribution proportionate to the pupil yield and cost of provision will be required in lieu of on-site delivery. A mechanism to accommodate this is required by the county council as part of any section 106 agreement entered into.
- **Secondary Education** - £0 per 1 bed; £1,170 per 2 bed; £4,600 per 3 bed and £5,941 per 4+ bed

*(Officer note: Officers consider that secondary education is covered by CIL, as has consistently been applied elsewhere, and, therefore, do not consider it appropriate to also require a separate S106 contribution for this. The Early Years Service financial contribution is currently unresolved)*
7.14. NCC ARCHAEOLOGY: No objection subject to the inclusion of conditions securing the approval of a written scheme of archaeological investigation and mitigation, and the carrying out of that work.

7.15. LEAD LOCAL FLOOD AUTHORITY: No objection subject to the inclusion of conditions securing:

- A surface water drainage scheme for the development
- A scheme for the future ownership and maintenance of the drainage scheme
- A validation report for the installed surface water drainage prior to occupation

7.16. CRIME PREVENTION DESIGN ADVISOR: No objection. Makes the following comments on the future layout:

7.17. Concerned to note that there is a suggestion to light the PROW from Foxfields Park to Quinton Road with timber bollards as it will be screened from the overlooking development by trees so any 'capable guardianship' by householders over the path will be lost. A footpath link from the park to the road is no problem for daytime use but its use in the dark should not be encouraged by illuminating it.

7.18. ENVIRONMENT AGENCY: No objection or further comments

7.19. ANGLIAN WATER: No objection. There is adequate capacity in the local sewerage system to accommodate the additional flows

7.20. HIGHWAYS ENGLAND: No objection or further comment

7.21. NHS ENGLAND: No objection. Request a S106 financial contribution of £233,770.68, which equates to £779.24 per dwelling.

7.22. RAMBLERS ASSOCIATION: Object. The proposed enhancements to the PROW, Bridleway LF1, are not essential, and to the existing informal network of paths in Alamein Wood not desirable. The inevitable increase in traffic on Quinton road will make the connecting walk between LF1 and Footpath Quinton KY4 more hazardous than it is already.

7.23. SPORTS ENGLAND: Object as the demand created by this proposed development for both indoor and outdoor sports facilities has not been addressed. Request S106 financial contributions of £132,293 for sports halls and £141,477 for swimming pools.

(Officer note: Strategic leisure improvements like this are covered by CIL and, therefore, Officers do not consider an additional S106 financial contribution to be justified)

7.24. STAGECOACH: Object. Do not believe the aspirations for public transport take-up are appropriate as the distance from the northern boundary of the site to the nearest bus stop is 800m (ideally no dwelling should be more than 400m from a bus stop). Traffic congestion in the area also hampers the reliable operation of bus services in the local area, further discouraging a modal shift away from private car journeys.

7.25. The comments received can be viewed in full on the Council’s website, via the online Planning Register.
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)**

- Policy SA - Presumption in Favour of Sustainable Development
- Policy S1 - The Distribution of Development
- Policy S3 - Scale and Distribution of Housing Development
- Policy S4 - Northampton Related Development Area
- Policy S6 – Monitoring and Review
- Policy S7 - Provision of Jobs
- Policy S10 - Sustainable Development Principles
- Policy S11 - Low Carbon and Renewable Energy
- Policy C2 - New Developments
- Policy RC2 - Community Needs
- Policy H1 - Housing Density and Mix and Type of Dwellings
- Policy H2 - Affordable Housing
- Policy H4 - Sustainable Housing
- Policy BN1 – Green Infrastructure Connections
- Policy BN2 – Biodiversity
- Policy BN5 – The Historic Environment and Landscape
- Policy BN7A – Water Supply, Quality and Wastewater Infrastructure
- Policy BN7 - Flood Risk
- Policy BN9 - Pollution control
- Policy INF1 - Approach to Infrastructure Delivery
- Policy INF2 - Contributions to Infrastructure Requirements

**SOUTH NORTHANTS LOCAL PLAN 1997 SAVED POLICIES (SNLP 1997)**

- G3 – General Development Principles
- H6 – Housing in restrain villages and open countryside
- EV1 – Design
- EV2 – Development in the open countryside
- EV21 – Hedgerows, ponds and other landscape features
- EV24 – Protected species
- EV29 – Landscape proposals

**DRAFT SOUTH NORTHAMPTONSHIRE PART 2 LOCAL PLAN (Part 2 LP)**

The draft South Northamptonshire Part 2 Local Plan was submitted to the Planning Inspectorate for Examination on 22nd January 2019. The examination was held during the two weeks commencing 10th and 17th June 2019. The Inspector’s Final Report is awaited once consultation on the Main Modifications has been carried out.
In accordance with Paragraph 48 of the National Planning Policy Framework (NPPF) the Council may now give weight to relevant policies in the draft Plan according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

As the Plan was submitted prior to 24th January 2019, in accordance with Paragraph 214 of the NPPF consistency should be tested against the previous Framework published in March 2012. The following draft Policies are considered relevant:

- POLICY SS1: The settlement hierarchy
- POLICY SS2: General development principles
- POLICY LH8: Affordable housing
- POLICY SDP1: Design principles
- POLICY SDP3: Health facilities and wellbeing
- POLICY INF1: Infrastructure delivery and funding
- POLICY INF3: Education facilities
- POLICY INF4: Electric vehicle charging points
- POLICY GS1: Open space, sport and recreation
- POLICY HE2: Scheduled ancient monuments and archaeology
- POLICY NE1: Upper Nene Gravel Pits special protection area
- POLICY NE3: Green infrastructure corridors
- POLICY NE4: Trees, woodlands and hedgerows
- POLICY NE5: Biodiversity and geodiversity

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

8.4. Council Corporate Priorities

South Northamptonshire Council’s Business Plan for 2019-20 sets out the Council’s three strategic priorities which form our overarching business strategy. Below these are the key actions for the year 2019–20. 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 district.

The three corporate priorities are to ensure the District is “Protected, Green & Clean”, is a place which supports “Thriving Communities & Wellbeing”, and is a District 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 Plan; (2) increase tourism and increase employment at strategic sites; (3) develop our town centres; (4) protect our built heritage; (5) protect our natural environment; (6) promote environmental sustainability; (7) promote healthy place shaping; (8) delivery innovative and effective housing schemes; and (9) deliver affordable housing.

The remaining key actions may also be of significance to the determination of planning applications and appeals on a case by case basis.

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:

- Principle of development
- Design, and impact on the character of the area
- Access and impact on the local highway network
- Heritage impact
- Ecology impact
- Residential amenity
- Noise and air quality
- Ground contamination/conditions
- Impact on trees
- Impact upon local school, doctors and other services
- Developer contributions and S106

**Principle of Development**

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

*The Development Plan*

9.3. Policies SA, S1, S3 and S4 of the JCS work to set out the general strategy for housing development in West Northants during the plan period, with an emphasis on development within the Northampton Related Development Area (NRDA), particularly within allocated sites, and on urban-focussed sustainable development.

9.4. Saved policies H6 and EV2 of the South Northants Local Plan (1997) are also relevant, given that the site is outside the NRDA and within the open countryside. Both policies seek to resist new residential development in the open countryside.

9.5. As the application site is a greenfield site that lies in open countryside outside of the confines of Northampton and outside of the NRDA, the development is contrary to JCS Policy S1 and saved SNLP policies H6 and EV2. There is no policy in the Joint Core Strategy which expressly permits major development on unallocated sites outside the NRDA.

9.6. Development for the NRDA is covered in JCS Policy S4 indicates that providing housing requirements for Northampton will be met within the existing urban area and at the allocated Sustainable Urban Extensions within the NRDA boundary. It does state that: *Additional development to meet Northampton’s needs will be supported
only if it meets the vision, objectives and policies of this plan” [the Joint Core Strategy].

9.7. The vision and objectives are set out on pages 19-22 of the JCS. The vision includes that "Communities will be diverse and sustainable and social cohesion and integration will be strong. Services, facilities and infrastructure will support the communities adding to the quality of life, and supporting their residents and visitors”.

9.8. The objectives set out how the vision will be achieved. There are 16 in total covering various priorities. Those most relevant to the principle of this proposal are Objectives 1-4 and 11.

9.9. An assessment of the proposals compliance with the vision, objectives and policies of the JCS is outlined in the ‘planning balance’ section towards the end of this report.

The NPPF

9.10. Paragraph 11 of the NPPF advises that relevant policies for housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year housing land supply.

9.11. Paragraph 73 of the NPPF goes on to state that: “Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

a) 5% to ensure choice and competition in the market for land; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply”

9.12. In a recent Section 78 decision (Land South of Kislingbury Road, Rothersthorpe APP/Z2380/W/18/3206346, dated 17 May 2019) the Inspector used the Delivery figure from Policy S3 of the JCS in order to calculate housing land supply for South Northamptonshire (Excluding NRDA). The Council considers this to be contrary to policy in two respects.

9.13. Firstly, it uses a Delivery rather than a Need figure, which is contrary to the express wording of the JCS which states at para 5.42 that ‘For the purpose of calculating the 5 year land supply, the figures to be used are the NEED Target line…’ This is repeated at para 17.18 of the JCS and also in the monitoring framework.

9.14. Secondly, it uses a District area approach to the housing requirement, rather than a ‘policy area’ approach. The policy area approach is fundamental to the JCS, whereby the NRDA is treated as one area for housing delivery, and the parts of South Northamptonshire Council (SNC) and Daventry District Council (DDC) which are outside the NRDA are treated as separate areas. This approach was endorsed by the JCS examination Inspector in his report at para 199:

“Nevertheless, in order that flexibility is enhanced, it is considered desirable and acceptable in principle that the NRDA is taken as one joint area for the assessment of
new housing delivery. That being so, it is also appropriate in this particular local context that housing land supply should be measured against the housing trajectory, rather than just the simple annualised target. Otherwise there would be little point in having a trajectory at all.” (Report on the Examination into the West Northamptonshire Joint Core Strategy Local Plan, Report to Daventry District, Northampton Borough and South Northamptonshire Councils. Ref: PINS/Y2810/429/2)

9.15. In addition, the approach of the Rothersthorpe Inspector is contrary to a more fully reasoned decision of an Inspector on a Section 78 appeal concerning Land East of Poundfield Road, Potterspury (APP/Z2830/A/14/2224285, dated 26 June 2015). That decision and approach has been widely followed in a number of other decisions and in the approach of the West Northamptonshire authorities over the past four years.

9.16. For these reasons, the Council continues to apply the OAN Housing Requirement for South Northamptonshire (excluding NRDA). The SNC Housing Land Supply Report 2019 concludes that South Northants can demonstrate a land supply of 7.54 years.

9.17. However, the JCS covers the whole of West Northants and, within the NDRA, the housing land supply is in a much less healthy position. This is as a result of several of the allocated SUEs not coming forward in the timescales anticipated. At present the NDRA is acknowledged as having a housing land supply of 2.75 years. Delivery is over 3,500 dwellings behind schedule (Source: Northampton Borough Council 5 Year Housing Land Supply Assessment for the NRDA, April 2019).

9.18. Therefore, in accordance with the presumption in favour of sustainable development in the NPPF, there is a need to urgently increase the supply of housing within/serving the NRDA. This requirement falls on all three of the constituent planning authorities (SNC, NBC and DDC), not just Northampton Borough. Consequently, the relevant policies in the JCS for housing relating to the NRDA should not be considered up-to-date and development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

9.19. Given the JCS objectives for housing provision and the spatial distribution within JCS Policy S3, any sites seeking to meet the needs of the NRDA should reasonably be expected to be within the NRDA (or at least in very close proximity to it) so as to reduce the need for travel and support the distribution of development sought by the JCS. The application site in this instance directly abuts the NRDA and, whilst not having a direct vehicular connection, does have virtually direct footway/cycleway connection (through Alamein Wood and Foxfield Country Park).

9.20. The scale of development proposed (300 dwellings) is also considered to be proportionate for a scheme that is promoted to help address the immediate shortfall of housing supply within the NRDA. Assuming reserved matters were approved and development were able to commence within 12-18 months, based on a ‘normal’ expected delivery of roughly 50 units per annum, the proposal would be expected to deliver approximately 200 of its dwellings within the next 5 years. A scheme any larger, however, could have been considered disproportionately large to serve the immediate need (whilst the allocated SUEs come ‘on stream’).

Conclusion

9.21. The proposal is contrary to the development Plan, particularly JCS policies SA and SNLP saved policies H6 and EV2.

9.22. With regard to JCS policy H4, the proposal, by abutting and assisting housing delivery within the NRDA, will comply with the JCS vision for an urban-focussed form of development. The proposal also largely accords with the objectives set out in the
JCS, particularly Objective 11 (housing). However, there is some conflict with Objectives 1 (climate change) and 3 (connections) because of the site’s relative remoteness from bus routes and resultant heavy reliance on private car travel (although there would be pedestrian and cycle connections through Grange Park). Overall, the proposal does, therefore have some conflict with policy H4.

9.23. However, the significant housing land supply shortfall within the NRDA means that paragraph 11 of the NPPF is engaged. Officers consider that the development of this site would count towards, and make a valuable contribution towards, the need to urgently increase the supply of housing within the NRDA.

9.24. This is discussed further in the planning balance section at the end of this report.

Design, and impact on the character of the area

9.25. Policy S10 of the JCS seeks to achieve high standards of design and promotes the use of sustainable development principles in relation to access to facilities, alternative transport methods, waste generation and building methods.

9.26. The NPPF advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people, creating safe, inclusive and accessible places that promote health and well-being, with a high standard of amenity, and providing opportunities to promote walking, cycling and public transport.

9.27. The application is submitted in outline with access for approval and, therefore, the detailed design of the proposal in terms of layout, appearance, scale and landscaping would be a matter for consideration at reserved matters stage.

9.28. The proposal is accompanied by a Design and Access Statement and an Indicative Masterplan which broadly sets out the intended developed areas of the site, the area for a 2FE school and areas of greenspace and landscaping, incorporating proposed informal and formal play areas, and drainage areas.

9.29. The sole vehicular access to the site would be from a new junction with Washbrook Lane/Courteenhall Road, which would result in a break in the existing hedgeline along that road. This would open up views from the highway into the site.

9.30. All other existing hedges and woodland along the site’s boundaries would be left untouched and separated from development by a linear greenway (which would contain additional mixed native planting).

9.31. The submitted Land Use Parameter Plan indicates building heights throughout the development of 2-2.5 storeys, with some of the apartment blocks potentially up to 3 storeys. Within the developable area the density of housing would be at 35 units per hectare, which accords with the expectation of JCS policy H1 and would result in an efficient use of land.

9.32. Full details of the precise layout, appearance and building heights, and housing mix would be considered at reserved matters stage.

Landscape and Visual Impact

9.33. Policies S10 and BN5 of the JCS which seek to protect the character and structure of the landscape from adverse visual impacts. The NPPF equally seeks to ensure that planning protects and enhances our natural, built and historic environment contributing to conserving and enhancing the natural environment.
9.34. The overall site comprises 16.27 hectares of gently undulating arable land. The application site is not subject to any specific local or national landscape designation. The nearest conservation area is at Courteenhall, some 670m to the south (situated beyond the M1 and separated by areas of woodland). The nearest listed buildings are 750m to the east, in Quinton.

9.35. It is inevitable that the landscape character would change significantly with the development of the site. However, with significant mature woodland to the north, east, west and south-west of the site, the visual impact of the development beyond the site boundaries would be well contained. Only the southern boundary is relatively open (enclosed by a well-managed field hedge), and with the land rising gently to the south, there would be views of the development as one approached the site along the public right of way from that direction. The M1, immediately west of the site (and on a modest embankment towards the southern corner) would have some views into the site also.

9.36. The removal of the existing hedgerow to widen the road and create the site’s access junction would open up the site to views from the Courteenhall Road. However, this is only for relative short length between where it emerges for the cutting underneath the M1 and a point about 100m east of the site’s eastern boundary.

9.37. In terms of relationship to existing built form, the site’s eastern boundary constitutes a natural continuation of the eastern edge of Grange Park southwards, tapering down gradually to a point where it meets the M1 and Courtenhall Road. Using existing and substantial wooded enclosures, the site would not appear as an arbitrary or artificial extension of the existing built form and would maintain a strong and defensible boundary to the adjoining open countryside.

9.38. Emerging policy SS2 of the South Northamptonshire Local Plan Part 2 requires that development “maintains the individual identity of towns and villages and their distinct parts, does not result in physical coalescence that would harm this identity and does not result in the unacceptable loss of undeveloped land, open spaces and locally important views of particular significance to the form and character of a settlement” (main modifications version).

9.39. With regard to the physical and visual separation between Grange Park and Quinton, the development would be perceived as an extension of Grange Park and would remain over 600m from the main Built-up area of Quinton. The tree belt along the eastern side of the site would maintain a visual break. There would be no inter-visibility between the development and Quinton itself. The nearest dwelling to the east is The Risings (450m meters away), although this is a large isolated dwelling sitting within spacious grounds and is not perceived as part of the main built-up area of Quinton village. In light of the above, the proposal is not considered to result in any coalescence between settlements and would comply with policy SS2.

Open Space

9.40. The submitted masterplan indicates a total of approximately 5 hectares of open space (excluding the attenuation basins), predominantly around the sites periphery. This will help maintain a separation buffer from the M1 and adjacent woodlands, as well as providing attractive circular walk around the development. The amount of open space is well in excess of the policy requirement for open space (15sqm per dwelling, or 0.45Ha for 300 dwellings). However, it is partly the result of constraints (eg. noise from the M1) and is seen as a benefit of the development, providing improved ecology opportunities and linking into the adjacent woodland and Foxfields Country Park.
9.41. Within the centre of the development is a small area of open space containing a LEAP. The main open space around the outside of the site will also contain a trim trail. The S106 will require the area of designated play to equal at least 10sqm per dwelling (3,000sqm for 300 dwellings). The precise location and design of play space will be determined as part of the reserved matters application.

9.42. A S106 contribution will be secured for the provision of or enhancement of off-site sports pitches. The precise details of the location of the facilities will be agreed as part of the S106 negotiations to ensure the provision mitigates the impacts of the development proposed.

9.43. Sport England have objected that the demand created by this proposed development for both indoor and outdoor sports facilities has not been addressed. Indoor strategic sports facility provision is covered by CIL. As mentioned above, outdoor facilities (sports pitches) will be covered by a S106 contribution for off-site provision.

Access and impact on the local highway network

9.44. The NPPF requires that “in assessing sites that may be allocated for development in plans, or 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.” (para 108)

9.45. Para 109 goes on to state that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

9.46. The development is proposed to have a single point of vehicular access along Quinton/Courteenhall Road (the site’s southern boundary). This results in the removal of a length of hedgerow and 2 trees in order to achieve the necessary visibility in both directions. The road immediately outside the site would be widened to incorporate a central ‘ghost island’ to achieve better, safer right-hand turns into the site.

9.47. To the east of the site entrance a new pedestrian crossing would be provided, serving the existing public right of way that exists here. The crossing would be uncontrolled and would contain a central refuge island, making pedestrian crossing safer.

9.48. The development provides for pedestrian and cycle path access into the adjacent Grange Park development via both Alamein Wood and Foxfields Country Park. These connections would be lit and would provide good non-vehicle access into the adjacent community and the facilities it possesses. The early delivery of these would be secured via condition.

9.49. With regard to public transport, the site is not on any existing bus route, nor is it conveniently positioned that would make it easy to incorporate it into any bus route. The nearest bus stops are in Grange Park, 800m from the site’s northern boundary. As a result, many properties would be over 1km from a bus stop, which would seriously discourage bus use for future residents. This is a notable negative aspect of the proposal that it is not possible to mitigate and must be weighed in the planning balance.
9.50. With regard to off-site impact upon the local highway network, a junction assessment has been completed for nine local junctions (plus the proposed site access). With the exception of three junctions, the proposed development is not found to have a significant adverse impact.

9.51. An adverse impact has been identified at the following junctions:

- Wooldale Road / Rowtree Road / London Road / A45 exit roundabout
- Wooldale Road / Berry Lane / A45 roundabout
- A508 Northampton Road/Courteenhall Road simple priority junction

9.52. The Collingtree SUE committed development is providing nil detriment works at the first two junctions to mitigate the impact of their development on the highway network. The Collingtree SUE mitigation works are shown to be sufficient at also mitigating the impact of this proposed development. As such, no additional mitigation works here are proposed.

9.53. With regard to the A508 Northampton Road/Courteenhall Road junction the applicant proposes introducing a new Right Turn Lane arrangement to mitigate the impact of the proposed development.

9.54. NCC Highways have been consulted on this application and have raised no objection. They accept the applicant’s Transport Assessment and consider the work adequate to mitigate the impact of the development.

9.55. Many residents have raised concerns about the narrow, winding nature of the access road leading to/from the site, as well as highway capacity/congestion concerns for the wider area. The Local Highway Authority has not raised any concern in this regard and, without any such technical evidence/objection, a refusal of permission on these grounds would be unreasonable.

9.56. NCC Highways have asked for a footway/cycleway to be provided by the developers from the site’s main entrance all the way along Courteenhall road to the junction with the A508. The reasoning for this is to encourage residents to walk or cycle to the potential new employment area at the Northampton Gateway NSIP site. Officers do not consider this a reasonable request for the following reasons:

- The footway/cycleway would be some 1.1 miles long, and so a significant cost for the developer to bare
- The Northampton Gateway development, although consented, is not definitely going ahead yet
- Construction of the footway/cycleway would require the felling of several mature trees that currently sit within the highway verge and significantly contribute to the attractive rural character of the road. The hedges would also have to be cut hard back to the highway boundary to achieve adequate width
- In several instances the highway verge is not wide enough (in some instances significantly so) to accommodate a 3m shared footway/cycleway
- The Northampton Gateway site could be accessed via existing paths/roads through Grange Park and across J15 of the M1 (which has controlled crossings). Going by the indicative site entrance for Northampton Gateway,
this route would actually be slightly shorter than the route via Courteenhall Road.

- The route via Grange Park is also already lit for much of its length. A footway/cycleway along Courteenhall Road would be unlit and would have no over-looking, making it arguably a less safe route for cyclists/pedestrians.

- Courteenhall Road is also a national speed limit road and there is no provision for crossing the A508

9.57. A Framework Travel Plan has been produced for the development. This Travel Plan, which will be secured under a S106 agreement, will target a reduction in single occupancy vehicle trips.

9.58. In light of the above, and whilst acknowledging the poor public transport connectivity and the concerns of many residents, the proposal is considered to largely comply with saved SNLP policy G3(B) and emerging Local Plan Part 2 policy SS2(j).

9.59. With regard to Para 109 of the NPPF, there would not be an unacceptable impact on highway safety, and (with the off-site highway works to be secured by condition) the residual cumulative impacts on the road network would not be “severe”.

**Heritage Impact**

9.60. In light of the responses from SNC Heritage, and given the physical and visual separation between the site and the nearest designated heritage assets (listed buildings and conservation areas), the proposal is not considered to cause any harm to the historic environment.

9.61. With regard to archaeology, NCC Archaeologist has confirmed that the impacts upon any archaeological remains can be dealt with via planning conditions.

**Ecology Impact**

**Legislative context**


9.63. 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.

9.64. 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.

9.65. 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:

a. 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?

b. That there is no satisfactory alternative.

c. 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.

9.66. 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).

*Policy Context*

9.67. 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; and 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.

9.68. 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.

9.69. 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.

9.70. Policy EV19 of the SNLP 1997 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”.

9.71. Policy EV24 of the SNLP 1997 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.

9.72. Draft Policy NE3 of the Part 2 LP 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. Draft Policy NE4 contains similar requirements to those within Policy EV21 and draft Policy NE5 requires that proposals conserve and enhance biodiversity and geodiversity in order to provide measurable net gains.

9.73. Policy BN2 of the JCS states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted. Policy BN3 specifically relates to the enhancement and creation of woodland.

9.74. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.

9.75. The Planning Practice Guidance dated 2014 post dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. 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.

Assessment

9.76. 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:

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

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

c. 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’)

9.77. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is farmland surrounded by woodland and field hedges with trees, and therefore has the potential to be suitable habitat for bats, breeding birds, badgers, reptiles and invertebrates.

9.78. 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 the authority has to consider itself whether the development meets the 3 derogation tests listed above.

9.79. 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.

9.80. The application is supported by a phase 1 habitat survey and detailed species-specific surveys which conclude that:

- Bats - The three nocturnal surveys did reveal that common bat species are using the land and features onsite in low numbers as a valuable foraging and commuting resource. The commuting and foraging activity recorded was seen in association with the hedgerows, woodland edges and within the shelterbelt. Bats are not considered to be roosting on the site, but may be nearby. Mitigation mainly relates to avoiding intrusive night time lighting and providing additional native planting.

- Badgers – There is an existing known Badger Sett fairly close to the application site. However, the proposal is not considered to have any impact upon the Sett itself and only have a ‘low’ impact upon the Badger’s habitat and foraging area. Mitigation relates to avoiding disturbing the Badgers during construction phase and providing additional native planting.

- Breeding Birds - Based on the average species richness of birds recorded, the site is of local importance for breeding birds. There was evidence of a number of common species breeding within the site with success evident in the presence of young birds during the later surveys. The boundary habitats of the site provide good foraging and breeding habitat for a variety of common green rated BOCC species as well as a few amber rated and red rated birds. Whilst there seemed little evidence of breeding within the arable habitat this area is likely to be used for foraging and shelter by some species. Within the arable areas there was no obvious territorial displays by nor were there any observations of other ground nesting birds. There were no notably rare birds recorded during the surveys. Mitigation requires additional native planting.
Wintering Birds - The site provides a good woodland and farmland habitat for the 40 species recorded. These included 25 common green rated BOCC as well as six amber rated, eight red rated birds and one introduced species. The Proposed Development will lead to the loss of the arable habitat within the site. In the absence of any mitigation a minor negative impact is anticipated in relation to small numbers of skylark, kestrel and buzzards. Mitigation includes the protection of the woodland edges with a buffer strip of open space, plus additional native planting.

9.81. 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.

Residential amenity

9.82. The site is separated from all existing dwellings by mature woodland and, therefore, the proposal would not cause any harm to the amenities of existing residents.

9.83. With regard to the amenities of future occupiers of the site, this will be assessed as part of any reserved matters application. Impacts on amenity from noise and air quality are discussed separately below.

9.84. Overall, therefore, the proposal is considered to comply with saved policy G3(D) and policy SS2(g) of the emerging Local Plan Part 2.

Noise and air quality

Air Quality

9.85. The proposed development is located in close proximity to the M1, which is considered a significant source of road vehicle exhaust emissions and as such, there is potential for the development to introduce future site users to poor air quality.

9.86. In addition, due to the scale and location of the proposed works, the development has the potential to cause adverse impacts to existing pollution levels at nearby sensitive receptors during the construction and operational phases.

9.87. An Air Quality Assessment is therefore required in order to define baseline conditions, assess site suitability for the proposed end-use and consider effects as a result of the development. The applicant has submitted an Air Quality Assessment produced by REC (ref: AQ104969R2, dated March 2019).

9.88. Dispersion modelling was undertaken in order to predict pollutant concentrations across the proposed site as a result of emissions from the local highway network, and to predict air quality impacts as a result of road vehicle exhaust emissions associated with traffic generated by the development.

9.89. The dispersion modelling indicated that pollutant levels across the site exceeded the relevant air quality standards across the south-western boundary of the site, immediately adjacent to the M1. However, there were no exceedances across the proposed residential units and, as such, the location is considered suitable for the proposed end-use without the inclusion of mitigation methods.
9.90. Potential construction phase air quality impacts from fugitive dust emissions were assessed as a result of earthworks, construction and track-out activities. It is considered that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level.

9.91. JCS policy BN9 states that:

9.92. “Proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities including:

a) maintaining and improving air quality, particularly in poor air quality areas, in accordance with national air quality standards and best practice;”

9.93. Emerging LPP2 policy SS2(g) requires that development “has appropriate regard to its effect on air quality and the effects of air quality on its future occupiers” (main modifications version).

9.94. Comments from SNC Environmental Protection on the topic of air quality/pollution are yet to be received. An update will be provided at/prior to the Committee meeting.

Noise

9.95. The NPPF recommends that the planning policy system should contribute to, and enhance the natural and local environment by, amongst other things, preventing both new and existing developments from contributing to or being put at unacceptable risk, or being, adversely affected by unacceptable levels of pollution. It goes onto recommend that planning policies and decisions should ensure that new development is appropriate for its location taking into consideration the effects of pollution on health, general amenity, and quality of life amongst other things with an emphasis on achieving a sustainable development in accordance with the UK Sustainable Development Strategy.

9.96. It also advises recognition of developments that create some noise in respect of existing businesses wanting to develop in continuance of their business without unreasonable restriction being placed on them because of changes to nearby land use.

9.97. The Noise Assessment Report (produced by REC, Ref: AC104966-2R1, dated April 2019) and Technical Note (Ref: AC104966-3r0, dated August 2019) identifies that the key noise sources impacting upon the site are vehicles using the M1 and the Quinton/Courteenhall Road to the south. Noise levels for some plots (particularly towards the south-western corner of the site) would exceed acceptable levels and, therefore, mitigation is required.

9.98. The proposed mitigation includes:

- An earth bund, 2m tall with a 2m tall acoustic fence along the top, running along the site’s boundary with the M1
- High specification glazing on certain elevations facing the M1 to reduce noise penetration into dwellings
• Alternative ventilation for certain elevation to both reduce the need to open windows (which can increase noise exposure) and reduce noise penetration through the ventilation itself.

9.99. SNC Environmental Protection are generally satisfied that the noise impact assessment has been undertaken in accordance with the relevant standards and procedures. It indicates that the noise criteria recommended in the guidance can be achieved subject to a range of mitigation measures being provided.

9.100. Some additional information is required in respect of some of the recommended measures. This includes more detailed information on the nature and dimensions of the recommended 4m high bund/barrier combination along the western boundary of the site with the M1 and details of the recommended alternative ventilation that will be provided.

9.101. Subject to the inclusion of safeguarding conditions being imposed to ensure sufficient measures are put place for any finalised layout and mitigation scheme prior to the development commencing and any buildings being occupied, the proposal is considered to comply with saved SNLP policy G3(E) and policy SS2(g) of the emerging Local Plan Part 2.

Ground contamination/conditions

9.102. The Strategic Ground Investigation (by JPP Geotechnical & Environmental Ltd, ref: R-GI-10059G-1-0, dated April 2019) reports that the site has only been used for agriculture and no contamination or human health risk was found. The Geology of the site may mean that some piled foundations are necessary, although this is unlikely.

9.103. SNC Environmental Protection have raised no objection and accept the findings of the report. As a result, the proposal is considered to comply with saved SNLP policy G3(E).

Impact on trees

9.104. The submitted proposal will require the loss of 3 trees and a section of hedge along the Quinton/Courteenhall Road to provide new access and visibility splays. These are of low arboricultural quality due to limited safe useful life expectancy, young age or poor form. The removal of these trees can be mitigated with replacement planting.

9.105. Selective removal of trees within W2 is also required to allow improvements to a connecting footpath. The woodland is of overall moderate quality. The removal of trees will have limited impact due to the retention of remaining woodland.

9.106. Mitigation planting is proposed and a landscaping plan showing the location of replacement trees will be submitted as a separate report to this one.

9.107. The remaining trees and groups of trees will be retained and protected throughout the construction process. This protection will be achieved by exclusion of trees from the construction site and, therefore, activities that could cause damage.

9.108. The SNC Arboricultural Officer has raised no objection subject to the inclusion of a condition(s) securing tree protection in accordance with the principles of BS5837 and a full landscaping scheme to include tree planting of mixed size and species. As a result, the proposal is considered to comply with saved SNLP policy EV21.
Impact upon local school, doctors and other services

9.109. Many local residents have cited a current lack of capacity in Grange Park with regards to primary school and secondary school places, GP and dentist places.

9.110. JCS policy INF2 states that:

“New development will only be permitted if the necessary on and off-site infrastructure that is required to support it, and mitigate its impact, is either already in place, or there is a reliable mechanism in place to ensure that it will be delivered...”

9.111. Emerging policy INF1 of the Part 2 Local Plan states that:

9.112. “New development will be required to provide for the necessary infrastructure requirements and affordable housing obligations arising from the proposal. This will be delivered directly by the developer and/or through an appropriate financial contribution prior to, or in conjunction with, new development. Where appropriate, developers will be expected to collaborate on the provision of infrastructure needed to serve more than one site.”

9.113. Education provision and capacity is a matter for Northamptonshire County Council (NCC). They have confirmed that both Woodland View Primary School and Caroline Chisholm School are over capacity. With very limited scope for extending either school within their existing grounds NCC have confirmed that the applicant would need to provide a new one-form entry (1FE) primary school within the application site.

9.114. However, NCC’s preferred model (for efficiency reasons) is for all new primary schools to be 2FE. Whilst the proposed development only generates demand for the equivalent of 50% of a 1FE primary school, the applicant has agreed to include the provision of land for a 2FE school (and payment equivalent to 50% of building a 1FE school), meaning NCC can (through other sources) potentially fund the construction of a 2FE school in the fullness of time.

9.115. Delivery of the 1FE school will be secured as early as practically possible in the construction of the site, so as to ensure the required additional capacity is available for new resident.

9.116. Secondary Education is covered by CIL and so any shortfall in capacity would need to be addressed by SNC/NCC through collected CIL monies.

9.117. With regards to doctors’, NHS England has confirmed that local GP surgeries are also at the limit of capacity, and would not be able to accept new patients from the development. They request a financial contribution from the development to enable investment in one or more of the 4 surgeries covering the local area (Grange Park, Wootton, Roade or Denton) that would accommodate the additional demand.

9.118. The NHS has made no comment about capacity of local Dentists. However, these tend to be operated by private businesses who then offer NHS patient places/appointments in addition to private dental work. The increase in demand resulting from the proposed development would create a business opportunity for the private sector, either through someone opening a new dental practice, or one of the existing practices expanding.

9.119. In light of the above, the proposal is considered to comply with JCS policy INF2 and emerging Part 2 Local Plan policy INF1.
9.120. NCC have also asked for a financial contribution towards Early Years services (eg. pre-school, play group and/or nursery). However, Officers are still having discussions with them about whether or not this is covered by CIL. An update will be provided at (or prior to) the Committee meeting.

Developer contributions and S106

9.121. Paragraph 54 of the NPPF advises that Local Planning Authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The Heads of Terms as listed below form the basis for the formulation of planning obligations in order to mitigate the unacceptable impact of the development. It is considered that the impact of the development in terms of affordable housing, educational requirements, highway improvements, public transport provision and healthcare are all capable of being sufficiently mitigated.

9.122. All planning obligations have to meet the tests set out in Paragraph 56 of the NPPF.

9.123. Paragraph 57 of the NPPF advises that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances, including whether the plan and the viability evidence underpinning is up-to-date.

9.124. Paragraph 64 of the NPPF advises that at least 10% of the homes in major housing developments should be available for affordable home ownership. Policy H2 of the JCS requires the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.

9.125. The Heads of Terms for a S106 agreement which Officers have agreed with the applicant are set out in the recommendation below.

9.126. The agreed S106 requirements are subject to compliance with Regulation 122 and 123 of The Community Infrastructure Levy Regulations 2010).

9.127. The development will be subject to CIL payments which are non-negotiable. The contributions will be considered against the requirements of the relevant Local Planning Authorities infrastructure requirements.

HUMAN RIGHTS AND EQUALITIES

9.128. Due regard has been taken to South Northamptonshire Council’s equality duty as contained within the Equalities Act 2010.

9.129. There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act 1998 regarding the right of respect for a person’s private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

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, such as for affordable housing, unless disqualifying events occur. (For further information relating to CIL please visit http://www.southnorthants.gov.uk/7143.htm).

10.2 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.

10.3 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. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. However, the significant housing land supply shortfall within the NRDA means that paragraph 11 of the NPPF is engaged. This is often referred to as the ‘tilted balance’, where permission for be granted unless the “adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework as a whole.”

11.2. The proposal is for major development on un-allocated greenfield land outside any village confines. The proposal is therefore contrary to the development Plan, particularly JCS policy SA and SNLP saved policies H6 and EV2.

11.3. Policy S4 of the JCS states that “Additional development to meet Northampton’s needs [beyond the SUE’s allocated in the JCS] will be supported only if it meets the vision, objectives and policies of this plan”. One of those objectives (1 – climate change) states that new development promotes the use of sustainable travel modes. Another objective (3 – connections) is “To reduce the need to travel, shorten travel distances and make sustainable travel a priority across West Northamptonshire by maximising the use of alternative travel modes. In so doing, combat congestion in our main towns and town centres, reduce carbon emissions and address social exclusion for those in both rural and urban areas who do not have access to a private car.”

11.4. JCS Policy C2 states that new developments “will be expected to achieve the modal shift targets…by maximising travel choice from non-car modes”. Policy SA reinforces the need for (and presumption in favour of) sustainable development.

11.5. Given that the site is remote from existing bus routes (the nearest stop is some 800m-1km from the new houses), and has little chance of viably being served by any new bus routes itself, the proposal largely fails to meet the objective of prioritising sustainable travel. There are options for walking/cycling to facilities/services in/through Grange Park, although it is accepted that the distances involved will discourage residents from not making private car journeys.

11.6. In light of the above, the site’s poor location/connection with regard to public transport is a factor against the proposal that must be given significant weight in the planning balance.
11.7. Turning to points in favour of the proposal, the shortfall in housing delivery within the NRDA is a material consideration to which significant weight must be afforded. The fact that this development could make a meaningful contribution towards increasing housing delivery within the next 5 years is a factor that counts heavily in favour of the scheme.

11.8. The development would also deliver a fully policy-compliant provision of affordable housing (35%, or 105 units), which would make a positive contribution to the availability of affordable housing within Northampton. It would also make S106 contributions to offset the impact of the development, and pay the Community Infrastructure Levy (CIL).

11.9. Although potential impacts relating to noise, air quality, highway capacity and safety, archaeology, ecology, trees and demand for schools and doctors have been identified, the mitigation proposed (to be secured via conditions/S106) is considered to adequately address those impacts to the point that the proposal is compliant with the relevant JCS, SNLP and LPP2 policies.

11.10. In light of the above, the issues are finely balanced and, in accordance with para 11 of the NPPF, principally come down to whether the conflict with the development plan and the site’s poor transport sustainability credentials “significantly and demonstrably outweigh the benefits” of providing additional housing delivery for the NRDA, when assessed against the policies in this Framework taken as a whole.

11.11. In this instance, given the urgent need to increase housing delivery for the NDRA, and given the fact the site abuts and does have pedestrian and cycle connection routes straight into existing networks within the NRDA, the inevitably high reliance on private car journeys is not considered to significantly and demonstrably outweigh the benefits. Therefore, the application is recommended for approval.

12. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO:

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


   a) Provision of 35% affordable housing on site
   b) Payment of a financial contribution towards off site sports pitch provision in the locality of £924.70 per dwelling
   c) Provision of at least 15sq.m of on-site public open space per dwelling and commuted sum for maintenance at £48.00 per dwelling (index linked) OR Payment of a financial contribution towards off-site amenity space provision in the locality of £198.00 per dwelling for every square meter of shortfall (Index linked). Freehold for POS to be transferred to Grange Park PC
   d) Provision of at least 10sq.m of on-site designated play space per dwelling and commuted sum for maintenance at £701.70 per dwelling (index linked) OR Payment of a financial contribution towards off-site equipped play space provision in the locality of £1,041.70 per dwelling for every square meter of shortfall (Index linked). Freehold for play areas
to be transferred to Grange Park PC

e) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £70 per dwelling (index linked)

f) Payment of a financial contribution towards early years educational infrastructure serving the development of £0 per 1 bed; £3,724 per 2 bed; £3,972 per 3 bed; £4,220 per 4+ bed dwelling (index linked). (STILL TO BE DETERMINED WHETHER S106 OR CIL)

g) Provision of 2.1Ha of land within the site for a new 2FE primary school. Alternatives built into agreement so that, if things change and NCC agree, land is not provided and a larger financial contribution provided instead.

h) Payment of a financial contribution towards primary educational infrastructure serving the development of £2,250,000 (50% of the cost of a 1FE school) (index linked).

i) Payment of a financial contribution towards library infrastructure of £109 per 1 bed; £176 per 2 bed; £239 per 3 bed; £270 per 4+ bed dwelling (index linked).

j) Payment of a financial contribution towards primary health care provision serving the development of £778.54 per dwelling (index linked).

k) Implementation of the approved Travel Plan.

l) Undertake delivery/complete payment of £151,000 (index linked) towards, and agree

m) a binding timetable and mechanism for the implementation of, upgrades to the existing bridleway and a footpath and cycle way (with streetlighting) into the existing network within Grange Park prior to 1st occupation.

n) Payment of a financial contribution towards improvement to/creation of additional capacity at community facilities within Grange Park of £150,000 (Projects to be specified by Grange Park PC, index linked)

o) Payment of the Council’s monitoring costs of £5,000.

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

   Reason : To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. Details of the layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

   Reason : To comply with the provisions of Section 92 of the Town and

Plans

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

- Drawing No. 41208 019 (indicative masterplan)
- Drawing No. 41208 011D (parameters plan)

Reason: To clarify the permission and for the avoidance of doubt.

Restriction on quantum of development

4. No more than 300 dwellings shall be constructed within the development site.

Reason: In order to avoid overdevelopment, to achieve a satisfactory form of development and to comply with Policy G3(A) of the South Northamptonshire Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy and Section 12 of the National Planning Policy Framework.

Travel Plan

5. The development hereby permitted shall be carried out in accordance with the measures detailed within the submitted Framework Residential Travel Plan (produced by JPP Consulting Ltd, reference R-RTP-9531M-01-C, dated June 2019).

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Flood Risk Assessment

6. The development shall proceed in accordance with the Flood Risk Assessment (produced by JPP Consulting Ltd, reference R-FRA-9531M-01-C, dated April 2019) and the Flood Risk Assessment Adendum (produced by MAC Ltd, reference 143-FRA-01-0, dated August 2019), unless otherwise previously approved in writing by the Local Planning Authority.

Reason: To protect the development and its occupants from the increased risk of flooding in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in Section 14 of the National...
Planning Policy Framework.

Clearance of vegetation

7. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless alternative provisions have been previously agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Ecology

8. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements in the Bat - Daytime Tree Inspection Report (Ref: 19-0477), Bats - Nocturnal Activity Survey Report (Ref: 18-1246 V2), Badger Survey Report (Ref: 18-0428 V3), Breeding Bird Survey Report (Ref: 18-0113 V3), Wintering Bird Survey Report (Ref: 17-2308), Extended Phase 1 Report (Ref: 17-2322 V3), by Lockhart Garrett, dated 1st June 2019, 26th March 2019, 26th March 2019, 14th June 2018, 26th March 2019 & 26th March 2019, respectively, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Noise/Acoustic Fencing

9. No development shall commence, or building occupied, until an Acoustic Design Statement/Scheme for protecting the proposed dwellings from traffic noise from the M1 motorway has been submitted to and approved in writing by the Local Planning Authority. The submitted Acoustic Design Statement shall have regard to the Professional Practice Guidance on Planning & Noise and Acoustics Ventilation and Overheating Residential Design Guides as published by Association of Noise Consultants and Institute of Acoustics (ProPG: Planning & Noise New Residential Development May 2017 and Acoustics Ventilation And Overhearing Residential Design Guide January 2020 Version 1), and as based on recommendations detailed in the Resource and Environmental Consultancy (REC) Ltd Noise Impact Assessment Grange Park REC Ref AC104966-2R1 Dated 2 April 2019 and Technical Note Ref AC104966-3r0 dated 29 August 2019. The Acoustic Design Statement/Scheme shall detail noise mitigation measures required to meet the aims of paragraphs 180 and 182 of the National Planning Policy Framework for each dwelling comprising the approved development (i.e. Details of the mitigation measures including barriers, fences, window glazing...
and any alternative ventilation specification(s)). Any mitigations measures detailed in the sound insulation scheme shall be implemented as approved.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise from road and rail traffic sources and to comply with advice in paragraphs 180 and 182 of the National Planning Policy Framework, Noise Policy Statement for England, The Governments Planning Practice Guidance, and Policy G3 of the South Northamptonshire Local Plan.

**Electric Vehicle Charging**

10. No dwelling hereby permitted shall be occupied until it has been provided with electrical vehicle charging infrastructure to serve that dwelling. Flats shall be provided with electrical vehicle charging infrastructure in accordance with the standards set out on page 23 of the adopted South Northamptonshire Council Parking: Standards and Design SPD prior to the first occupation of any flat within each block, respectively.

Reason: To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

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

**Construction Method Statement**

11. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Statement shall provide for at a minimum:
   a) The parking of vehicles of site operatives and visitors;
   b) The routing of HGVs to and from the site;
   c) Loading and unloading of plant and materials;
   d) Storage of plant and materials used in constructing the development;
   e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
   f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
   g) Measures to control the emission of dust and dirt during construction;
   h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
   i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Policy G3 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy
Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**CEMP**

12. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
   a) Risk assessment of potentially damaging construction activities;
   b) Identification of ‘Biodiversity Protection Zones’;
   c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
   d) The location and timing of sensitive works to avoid harm to biodiversity features;
   e) The times during construction when specialist ecologists need to be present on site to oversee works;
   f) Responsible persons and lines of communication;
   g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
   h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**Archaeology**

13. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
   i. fieldwork in accordance with the agreed written scheme of investigation;
   ii. post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
   iii. completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and
submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with NPPF Chapter 16 paragraph 199.

Fire Hydrants

14. No development shall take place until a scheme and timetable detailing the provision of fire hydrants and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

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

Ecology – Bird and Bat Boxes

15. Full details of a scheme for the location of bat and bird boxes (including phasing) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling on site. Thereafter, the bat and bird boxes shall be installed on the site in accordance with the approved details and shall be retained in perpetuity.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

Trees

16. No development shall take place until the existing tree(s) to be retained have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;

a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.

b) The barriers shall comply with the specification set out in British Standard BS5837:2012 ‘Trees in Relation to Construction – Recommendations’ that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.

c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment, machinery and surplus material has been removed from the site.
d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies G3(A) and EV21 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

Highways – junction works

17. Prior to the commencement of development on site, full engineering and construction details of the approved access junction and associated works, as shown on drawing no. TA111 rev C, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to commencement of any wider site clearance, earth moving, or infrastructure installation not associated with the access provision and prior to the construction of any dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

18. Before the commencement of construction of any dwelling, full engineering and construction details of the off-site highway improvements to the junction of the A508 and Courteenhall Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details and completed prior to the first occupation of any dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Public Open Space & Landscaping

19. Prior to the commencement of development on site, full landscaping details of the area of open space along the site’s eastern and north-eastern edges (including details of a made footway/cycleway linking Courteenhall Road with...
both Hazel Copse - via Alamein Wood - and Foxfields Country Park) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and shall be open to public use prior to the first occupation of any dwelling on site.

Reason: To ensure the appropriate provision of safe pedestrian and cycle access from the site to Grange Park (avoiding unlit country roads) in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

Drainage

20. Before any above ground works commence a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings/dwellings hereby approved.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy G3(M) of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

21. Before any above ground works commence a scheme for the provision and implementation of surface water drainage (including phasing, where necessary) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

1) Include details of all overground structures (headwalls, etc.), and;
2) Include a scheme for the maintenance and upkeep of the surface water drainage system, and;
3) Be designed to prevent the infiltration of surface water into the area subject to historic landfill.
4) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
5) Cross sections of all control chambers (including site specific levels mAOD)
6) Details of any proposed surface water pumping station, in accordance with CIRIA C753.

The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings/dwellings hereby approved.

Reason: To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of
adjacent land and property to comply with Policy G3(M) of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

22. No dwelling hereby approved shall be occupied until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include:

a) A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
b) A site plan including access points, maintenance access easements and outfalls.
c) Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
d) Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure the future maintenance of drainage systems associated with the development to comply with Policy G3(M) of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

23. A Verification Report for the installed surface water drainage system for the site, based on the approved Flood Risk Assessment Addendum, shall be prepared by a suitably qualified independent drainage engineer and submitted to and approved by the Local Planning Authority prior to the occupation of the 100th dwelling. The details of the verification shall include:

a) Any departure from the agreed design is keeping with the approved principles
b) Any As-Built Drawings and accompanying photos
c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
e) Confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy G3(M) of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the
National Planning Policy Framework.

Contaminated Land

24. No part of the development hereby permitted shall take place until:

   a) a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’, and
   b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

25. If a potential risk from contamination is identified as a result of the work carried out under condition 24 above, then no part of the development hereby permitted shall take place until:

   a) a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present has been carried out;
   b) the risks to receptors and to inform the remediation strategy proposals has been documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’ and
   c) both (a) and (b) above has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.
26. If contamination is found by undertaking the work carried out under condition 25, then no development hereby permitted shall take place until:

   a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
   b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

27. If remedial works have been identified in condition 26, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 26. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

LEMP

28. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP include the provisions made for Ecological Enhancements and shall include the following:

   a) Description and evaluation of features to be managed.
   b) Ecological trends and constraints on site that might influence management.
   c) Aims and objectives of management.
   d) Appropriate management options for achieving aims and objectives.
   e) Prescriptions for management actions.
   f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
   g) Details of the body or organization responsible for implementation of the plan.
h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

**Ecology – protected species survey**

29. If the development hereby approved does not commence by 1st June 2021 a revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on badgers and bats (in trees). The survey results, together with any necessary changes to the mitigation plan or method statement, shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

**Construction works restrictive times**

30. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays. No construction traffic shall enter or leave the site before 07.30 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy G3(D&E) of the South Northamptonshire Local Plan.
31. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

INFORMATIVES

1. The applicant’s attention is drawn to the presence of a public right of way crossing the site. If it is necessary to divert this route (in part or whole) in order to allow the development to take place, early application should be made to this Local Planning Authority for a Path Order made under the Town and Country Planning Act 1990 s. 257. If the proposed diverted route affects a neighbouring landowner, the application should be accompanied by a signed and dated consent from such landowner indemnifying the Local Planning Authority from any claims for damage or otherwise and agreeing to the diversion on his land.

Before submitting the application, the applicant is recommended to consult with all other councils in whose area the proposed diversion is located (Parish/Town Council and County Council) particularly if new furniture or structures are required.

The existing route must remain open and the surface undisturbed until the Path Order has been confirmed and the route certified by the Local Planning Authority as suitable for use

2. Your attention is drawn to the fact that trees on this site are protected by a tree preservation order (TPO). Whilst this permission may have granted consent for removal of some of the protected trees others will be shown to be retained. It is an offence to cut down, top, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, uprooting, wilful damage or wilful destruction of any tree covered by a TPO without prior written consent.

3. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England
could result in prosecution. If any vegetation or trees are to be removed, it should first be ensured that they do not contain nesting birds or roosting bats. For further information or to obtain approval contact Natural England.

4. Please be advised that the Community Infrastructure Levy (CIL) will be applied to development on this site. The amount of levy payable will be calculated when the reserved matters application is submitted. The levy will be payable at the time the development commences. More information about the CIL (including the Charging Schedule, definitions of which developments are liable and which developments are exempt, and the instalments policy) can be viewed on our website: http://www.southnorthants.gov.uk/7143.htm Application forms, guidance notes and relevant legislation on the CIL can be found on the government website, the Planning Portal: http://www.planningportal.gov.uk

5. Your attention is drawn to the associated planning obligation that was entered into in accordance with S106 Town and Country Planning Act 1990 prior to this decision notice being issued.

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