

Case Officer:	Daniel Callis	
Applicant:	Persimmon homes	
Proposal:	Approval of reserved matters application, (In relation to outline planning permission S/2007/0374/OUTWNs) consent of strategic landscaping (part phase 2).	
Ward:	Tove, Towcester Brook	
Councillors:	Cllr Sandra Barnes, Cllr Richard Dallyn, Cllr Martin Johns and Cllr Lisa Samiotis	
Reason for Referral:	Major development	
Expiry Date:	28 July 2020	Committee Date: 6 August 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO RECEIPT OF SUITABLY AMENDED PLANS AND SUBJECT TO CONDITIONS

Proposal

The application comprises all the reserved matters for an area of in the northern corner of the site.

Consultations

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

- Towcester Town Council, SNC Arboriculture, SNC Ecology, NCC Archaeology

No letters of objection have been received and no letters of support have been received.

Planning Policy and Constraints

The proposal is for reserved matters on one parcel of land within the on-going Towcester South SUE development, which already has outline consent. The proposal is in broad accordance with that permission.

There are no particular constraints on this parcel of land within the SUE.

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

Conclusion

The key issues arising from the amended application details are:

- Whether or not the proposed landscaping would respect the character of the site, the existing landscaping features and conform with the approved Design Code

The landscaping to the public open space generally accords with the design ethos set out in the approved Design Code, with public spaces maintaining existing trees where possible and generally being planted out in a semi-natural manner utilising predominantly

native species.

The applicant has responded positively to all comments received from consultees to the point that the proposed landscaping is considered to give a high quality finish to the development.

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 relates to the proposed sustainable urban extension (SUE) on the southern side of the town, which in total extends to an area of 180 hectares. The SUE is bounded to the east by the A5, to the west by the A43, and to the north by the existing built development of Towcester. The SUE also adjoins the hamlet of Wood Burcote. To the south of the SUE lies open countryside.
- 1.2. The site itself comprises a key area of open space in the northern corner of the site.
- 1.3. Reserved matters have already been approved for the adjoining parcel of housing land immediately to the south (known as parcel H10 – S/2019/1147/MAR).

2. CONSTRAINTS

- 2.1. The A5 trunk road runs immediately to the east
- 2.2. Individual and Group TPO trees
- 2.3. Archaeological Asset areas:
 - Old Stratford to Dunchurch Turn Pike (Watling St)
 - Park View
- 2.4. Adjacent to the Grade I listed entrance to Towcester Racecourse (Chain Lodge)
- 2.5. Adjacent to the Grade II* Historic Park and Garden of Easton Neston estate
- 2.6. Adjacent to Park View Stables (non-designated heritage asset)

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 This area of open space will include a play area and provide a strategically important pedestrian/cycle connection between the wider development and the existing town (removing the current need for resident to cross the A5 and walk along the pavement adjacent to the racecourse boundary wall).

4. RELEVANT PLANNING HISTORY

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

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
S/2007/0374/OUTWNS	Outline application for the whole SUE development	APPROVED March 2015
S/2016/0061/COND	Design Code for this part of the site	APPROVED March 2016
S/2019/1147/MAR	Reserved matters for 74 dwellings on the parcel of land immediately to the south of the application area	APPROVED January 2020

5. PRE-APPLICATION DISCUSSIONS

5.1. No pre-application discussions have taken place with regard to this proposal

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments is 27th July 2020 although comments received after this date and before finalising this report have also been taken into account.

6.2. No comments have been raised by third parties.

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. TOWCESTER TOWN COUNCIL: **No objection.** Ask if it is possible to source timber equipment fitted with a protective aluminium 'shoe' which protects the timber below ground level to extend its longevity. Also recommend the use of wet pour safety surfacing beneath all play equipment.

CONSULTEES

7.3. SNC ARBORICULTURE: No objection. Recommend substitution of tree species

7.4. SNC ECOLOGY: No objection. Recommend introduction of more wildflower meadow mix to the long grass areas

7.5. NCC ARCHAEOLOGY: **No objection** or further comment.

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 South Northamptonshire Part 2 Local Plan was adopted on 22nd July 2020 and replaces the 1997 Local Plan. The relevant planning policies of South Northamptonshire's statutory Development Plan are set out below:

WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY 2014 (JCS 2014)

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S2 - Hierarchy of Centres
- S3 - Scale and Distribution of Housing Development
- S5 - Sustainable Urban Extensions
- S6 - Phasing of Housing Development
- S10 - Sustainable Development Principles
- S11 - Low Carbon and Renewable Energy
- C1 - Changing Behaviour and Achieving Modal Shift
- C2 - New Developments
- C5 - Enhancing Local and Neighbourhood Connections
- RC2 - Community Needs
- H1 - Housing Density and Mix and Type of Dwellings
- H2 - Affordable Housing
- H4 - Sustainable Housing
- BN2 - Biodiversity
- BN5 - The Historic Environment
- BN7a – Water infrastructure
- BN7 - Flood Risk
- BN9 - Planning for Pollution Control
- BN10 - Ground Instability
- INF1 - Approach to Infrastructure Delivery
- INF2 - Contributions to Infrastructure Requirements
- T1 - Spatial Strategy for Towcester
- T3 - Towcester South Sustainable Urban Extension
- T4 - Transport Improvements for Towcester

SOUTH NORTHAMPTONSHIRE PART 2 LOCAL PLAN (Part 2LP)

The South Northamptonshire Part 2 Local Plan was adopted by the Council on 22nd July 2020 and now forms part of the Development Plan. Its policies can, therefore, now be given full weight.

The following draft Policies are considered relevant:

- POLICY SS1: The settlement hierarchy
- POLICY SS2: General development principles
- POLICY LH8: Affordable housing
- 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 HE1: Significance of heritage assets

- POLICY HE2: Scheduled ancient monuments and archaeology
- POLICY HE3: Historic parks and gardens
- 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)
- SNC adopted supplementary planning guidance (SPGs) and documents (SPDs)
- Towcester South Design Code (residential phases 1-5): The outline planning permission required the approval of a Design Code for all phases of development within the SUE. The Design Code approved on 18th March 2016 (ref: S/2016/0061/COND) covers phases 1-5 of the SUE, including all of the current reserved matters proposals.
- Towcester Masterplan: The Council adopted the Towcester Masterplan in March 2011. The Masterplan identifies the application site as one of the Key Opportunity Sites in the town (Site TE – Towcester South and Site TH – Southern Gateway) to bring forward a mixed-use development of housing and employment of up to 3300 houses and 3000 jobs.
- 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:

- Whether or not the proposed landscaping would respect the character of the site, the existing landscaping features and conform with the approved design code
- Arboricultural Impact
- Ecological Impact

Whether or not the proposed landscaping would respect the character of the site, the existing landscaping features and conform with the approved design code

9.2. The landscaping to the public open space generally accords with the design ethos set out in the approved Design Code, with public spaces maintaining existing trees where possible and generally being planted out in a semi-natural manner utilising predominantly native species.

9.3. The applicant has responded positively to all comments received from consultees to the point that the proposed landscaping is considered to give a high quality finish to the development. The play equipment has been amended to include metal feet for the timber items, to address comments/recommendations made by the Town Council.

9.4. In light of the above, the proposal is acceptable, respects the existing character of the site and conforms with Part 2 Local Plan policies SS1, SDP3, GS1, WNJCS policies SA, S11, C1, C2, BN1, BN2, BN7a, T3, T4 and the approved Design Code.

Arboricultural Impact

9.5. The areas of public open space contain a number of mature and protected trees, all of which are proposed to be retained. Retained trees are to be cleared of deadwood and climbing ivy.

9.6. The Arboricultural Officer raises no objection but does recommend the substitution of certain tree species, as well as a condition to approve the methodology for works to clean up the existing retained trees.

9.7. Amended plans have been requested from the applicant and an update will be provided prior to, or at, the committee meeting.

9.8. Overall, however, the proposal is considered to retain and protect virtually all the existing trees and enhance their amenity value by making them prominent within the open space.

Ecology Impact

9.9. Ecology was considered as part of the outline planning permission and ecological mitigation is covered by condition 18 of the outline permission.

9.10. The areas of public open space contain a number of mature trees, all of which are proposed to be retained. Additional planting with native species will enhance the biodiversity of this part of the site.

9.11. The Ecology Officer raises no objection and confirms the proposals accord with the ecology mitigation and enhancement strategies already approved. However, he does recommend the introduction of more wildflower meadow mix to the long grass areas.

Amended plans have been requested from the applicant and an update will be provided prior to, or at, the committee meeting.

Overall, however, the proposal is not considered to cause any undue harm to protected species and will deliver valuable ecological enhancements.

HUMAN RIGHTS AND EQUALITIES

- 9.12. Due regard has been taken to South Northamptonshire Council's equality duty as contained within the Equalities Act 2010.
- 9.13. 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 The application relates to an outline planning permission granted before the introduction of CIL in this area and, therefore, the proposal is not CIL liable.

11. PLANNING BALANCE AND CONCLUSION

- 11.1. The landscaping to public open spaces generally accords with the design ethos set out in the approved Design Code, with public spaces maintaining existing trees where possible and generally being planted out in a semi-natural manner utilising predominantly native species. The play equipment is to the satisfaction of the Town Council, having been amended to include raised metal feet.
- 11.2. The proposal is acceptable, respects the existing character of the site and conforms with Part 2 Local Plan policies SS1, SDP3, GS1, NE4, NE5, WNJCS policies SA, S11, C1, C2, BN1, BN2, BN7a, T3, T4 and the approved Design Code.

12. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO THE RECEIPT OF SUITABLE AMENDED PLANS AND SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

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

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

Park View Stables gateway feature

2. Details of the metal gate feature at the eastern entrance to Park View Stables shall be submitted to and approved in writing by the Local Planning Authority, thereafter, the work shall be completed in accordance with the approved details and prior to the first opening of the open space to the public.

Reason : In the interests of visual amenity.

Phasing of implementation

3. No building shall be constructed above slab level that fronts onto these areas of public open space until a phasing strategy for the implementation of the landscaping to the public open spaces hereby approved (which details a timetable for completion of landscaping as the development progresses) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscaping shall be installed in accordance with the approved phasing strategy and timetable.

Reason : To ensure that the landscape scheme is provided in a timely manner in the interest of well planned development and visual amenity and to accord with policy SS2 of the South Northamptonshire Part 2 Local Plan.

Works to existing trees

4. The existing retained trees within the site shall be inspected by a qualified Arborist who shall produce a report outlining the conditions of the trees and any work required to them in the interests of good arboricultural practice (including deadwooding, ivy removal, crown thinning, etc). The report shall be submitted to and approved in writing by the Local Planning Authority and the work completed prior to the opening of the open space to the public. All tree works shall be carried out in accordance with British Standard 3998: Recommendations for Tree Works and undertaken by suitably qualified and insured arboricultural contractors.

Reason : In the interests of good arboricultural practice and maintaining the amenity value of the existing trees.

Maintenance of planting

5. Once completed, all planting, seeding or turfing comprised in the approved details of landscaping for the areas of public open space shall be maintained as approved for a period of 5 years. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Part 2 Local Plan.

INFORMATIVES:-

1. Your attention is drawn to the planning obligation that was entered into in accordance with S106 Town and Country Planning Act 1990 prior to the grant of the respective outline planning permission.
2. Your attention is drawn to the need to comply with the conditions imposed on the outline planning permission Ref No. S/2007/0374/OUTWNS (including Condition 15) and the other reserved matters ref No. S/2016/1201/MAR.

CASE OFFICER: Daniel Callis

TEL: 01327 322346