

Case Officer:	Daniel Callis		
Applicant:	Martin Grant Homes Ltd & Harcourt Developments Ltd		
Proposal:	Outline application for a residential development of up to 525 dwellings, open space, children's play area and associated infrastructure (Application accompanied by an Environmental Statement)		
Ward:	Hackleton		
Councillors:	Cllr Robert Atkinson		
Reason for Referral:	Major development		
Expiry Date:	14 September 2018	Committee Date:	28 November 2019

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

The proposal is for outline permission (including access) for up to 525 dwellings, plus associated infrastructure (including a new roundabout on the Newport Pagnell Road).

Of the 525 dwellings, 410 would be in SNC and 125 in NBC.

Consultations

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

- Hardingsstone Parish Council and Great Houghton Parish Council

The following consultees have raised **no objections** to the application (sometimes subject to conditions):

- All other consultees

0 letters of objection have been received and 0 letters of support have been received. One letter has been received making comments

Planning Policy and Constraints

The site forms part of a larger site allocated for development under Policy N6 of the adopted JCS for development as a Sustainable Urban Extension (SUE) for in the region of 1,300 dwellings and associated infrastructure.

Constraints:

- Within the open countryside
- In an area of archaeological interest
- Within 2km of a Local Wildlife Site
- Contains an historic landfill site
- Within about 20m of a high pressure gas main

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
- Drainage and flooding
- Land contamination, and air quality
- Developer contributions and S106

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

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located to the south eastern edge of Northampton, east of Hardingstone and south of Brackmills industrial estate, and comprises 26.4 hectares of land divided into two parcels by The Green, a minor single track road. The northern section of the site is 8.3 hectares in size comprising an area of arable land with woodland to the north, subject to a Woodland Tree Preservation Order, and sits within Northampton Borough. The southern section is 18.1 hectares comprising an area of former landfill, now semi improved grassland and broadleaved plantation, and sits within South Northamptonshire.
- 1.2. The application site forms part of an area of land allocated for development under Policy N6 of the West Northamptonshire Joint Core Strategy as the Northampton South of Brackmills Sustainable Urban Extension (SUE) for the provision of in the region of 1,300 dwellings and associated infrastructure. The majority of the allocated SUE site is situated to the west of the application site extending towards Hardingstone, and is in the ownership of Homes England. This land is subject to an existing outline approval for development of up to 1,000 dwellings, a local centre, primary school, public house and community facility, and a reserved matters approval for the first Phase of development granted in August 2019. The area of land which is the subject of this current application is under separate ownership and forms the remainder of the land allocated under Policy N6.
- 1.3. The northern boundary of the northern parcel of land is surrounded on three sides by Brackmills Wood, which is in the ownership of the Borough Council. Beyond this, to the north, is Brackmills industrial estate. A hedgerow defines the eastern boundary beyond which is agricultural land. Beyond the hedgerow on the western boundary is currently agricultural land, which forms the remainder of the SUE allocation and is subject to the existing outline consent.

- 1.4. The Green, a minor single carriageway road, which provides access from Newport Pagnell Road to the village of Great Houghton, divides the northern and southern parcels of land and forms the district boundary between the Borough and South Northamptonshire along its northern side. The southern parcel of land comprises an area of open fields intersected by hedgerow running east/west through the centre of the site. Newport Pagnell Road forms the southern boundary of the site beyond which is recently approved residential development within South Northamptonshire currently under construction.
- 1.5. The site is not subject to any landscape or wildlife designations. The nearest heritage assets are located some considerable distance to the west in Hardingstone, with Great Houghton and Little Houghton Conservation Areas some distance further to the north east.
- 1.6. The application site is situated in Flood Zone 1 with the land generally undulating throughout, rising to the north eastern corner. Land within the southern part of the site falls generally from east to west, and from south east to north west within the northern part with a more pronounced slope in the northern section. Along The Green, the land generally rises to the north west.

2. CONSTRAINTS

- 2.1. The application site is:
 - Within the open countryside
 - In an area of archaeological interest
 - Within 2km of a Local Wildlife Site
 - Contains an historic landfill site
 - Within about 20m of a high pressure gas main

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application is in outline with all matters reserved except for access for up to 525 dwellings, open space, children's play areas and associated infrastructure.
- 3.2 The application site is a cross-boundary site divided into two parcels, the northern parcel of land being situated within Northampton Borough, and the larger southern parcel within South Northamptonshire, with the parcels divided by a minor single track road known as 'The Green' which sits within the boundary of South Northamptonshire. Whilst the application is in outline it is estimated that the development would provide approximately 115 dwellings within the northern parcel and 410 dwellings within the southern parcel.
- 3.3 The principal means of vehicular access to the site will be via a new roundabout from Newport Pagnell Road, on the southern edge of the site. The Green, a minor road that divides the site and extends from Newport Pagnell Road towards Great Houghton, is proposed to be downgraded at its western end to a footway/cycleway only. The proposed new estate road would extend from the new roundabout on Newport Pagnell Road joining The Green at its eastern end within the application site, where it would remain open to vehicles and continue on its current alignment towards Great Houghton.

- 3.4 The proposal includes areas of open space incorporating areas of drainage attenuation and green links throughout the site, with a large area of open space proposed in the northern parcel adjacent to Brackmills Wood with potential to incorporate a Local Area of Play and informal kick-about area, and a larger, more formal play area and playing pitch proposed in the southern parcel.
- 3.5 For clarification, as the application site falls within the control of two Local Planning Authorities, a planning application has been submitted to both Authorities for determination. Officers have, therefore, worked closely with officers at Northampton Borough Council both during the pre-application and planning application stage in considering the development proposals. Whilst the details submitted to both Authorities are for the site in its entirety, the relevant Authorities can only determine the part of the application that falls within their boundary. As such, SNC are required to determine the part of the application that sits within the southern parcel of land to the south of The Green only. Notwithstanding this, for the purpose of providing a comprehensive understanding of the proposed development, this report will describe and review the development in its entirety.
- 3.6 The application is supported by an indicative Masterplan, parameter plans setting out proposed Land Use, and Access and Movement, a Planning Statement, Design and Access Statement, and a number of technical supporting documents contained within an Environmental Statement including a Transport Assessment, Air Quality Assessment, Ecology report, Arboricultural and Contamination reports, Flood Risk Assessment and a Statement of Community Involvement.
- 3.7 Timescales for Delivery: The applicant/agent has advised that, in the event that planning permission is granted and the S106 is completed by Spring 2020, they would hope to be in a position to commence in Spring 2021 (following approval of reserved matters and discharging of conditions). There will be additional lead in period due to ground conditions, where piling will be required, and additional infrastructure. With two outlets, they would expect about 75 houses altogether in first year (i.e. 2022) and then 80 to 100 units per annum thereafter. So as an estimate, the site would be built out by roughly 2028.

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/1988/0017/PC	Tipping of inert sub-soil to fill natural depression in field	APPROVED Feb 1988
S/1989/0619/PC	Raising level of ground by tipping topsoil	APPROVED Apr 1989
S/1990/0850/P	Construction of 9 hole golf	APPROVED Apr 1993
S/1996/1122/P	Construction of 9 hole golf	APPROVED Apr 1997
S/1999/0760/P	Construction of 9 hole golf course (part retrospective)	APPROVED Apr 2001
S/2016/1292/SCR	EIA Screening Opinion for residential development for up to 470 dwellings	Opinion issued June 2016

5. PRE-APPLICATION DISCUSSIONS

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

<u>Pre.App Ref.</u>	<u>Proposal</u>
P/2016/0119/PRH	Residential development and associated infrastructure

- 5.2. The pro-app was submitted in April 2016 and Officers met with the applicants several times, in conjunction with Officers from NBC, to help refine the proposals within this allocated site. The pre-app continued right up until the submission of the formal outline application in Oct 2017.

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 (amend as appropriate). The final official date for comments was 25th November 2017, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. Representations were made by one property, 19 The Choakles, who commented that the development appears to have covered the elements required prior to submission, although the finite details are a matter for the Planning Department. On the assumption that the development is a requirement for sustained growth it is hoped that the roundabout access from the Newport Pagnell road is a mandatory completion before the bulk of work starts. It would be a significant error to allow access from 'The Green' and in any way delay completion of the roundabout.
- 6.3. By contrast, Northampton Borough Council has received 68 representations in relation to their concurrent application for the same development.
- 6.4. 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. **HACKLETON PARISH COUNCIL: No objection.** Comment that the infrastructure, as outlined in the application, should be adhered to as it was essential for the areas sustainability. Moreover, the Council supported the provision of new, as well as the retention of existing pedestrian and cycle ways. Further, that the inclusion and provision of green spaces was key to establishing an environment where people wanted to live.
- 7.3. **HARDINGSTONE PARISH COUNCIL: Object** on the grounds of:

- This proposed 525 houses is on top of the 1000+ on the neighbouring site that has been approved as part of SUE. This would add additional pressure to traffic network in the area, which already struggles at peak times.
- The already proposed developments in the area will have a huge impact on education and healthcare facilities and this will add to the pressure.
- The Parish Council feel that this added development will be over development of the area and is not necessary.
- However, should it be considered that this development will be approved the parish council would like to be consulted on s106 contribution negotiations to ensure that our thoughts about mitigation are being heard.

7.4. In relation to amendments made in 2018, the Parish reiterated that their objections still stand: - Increased traffic movement, pressure on schools and GPs, increased vehicles will mean increased air pollution. There is mention of buses being used, but in recent months some bus services have been reduced, or even stopped completely.

7.5. GREAT HOUGHTON PARISH COUNCIL: **Object** on the grounds of:

- The adverse impact that such a large development will have on the village and its residents due to anticipated substantial increase in vehicles and traffic movements on a road leading from the estate (The Green) and through the village (High Street) onto the main A428 Bedford Road. The current road into/through the village is incapable of accommodating such a huge additional traffic flow, which, if permitted, is likely to result in a number of accidents, injuries and damage as well as considerable traffic congestion. The Council therefore seeks that this proposed exit route from the site leading onto The Green be completely omitted.
- The parish council would seek that these improvements include traffic calming installations:
 - Along the length of The Green, and the High Street
 - Substantial improvement and upgrading of its junction with the A428 Bedford Road
 - The introduction of a 7.5 tonne weight restriction along these roads between the Bedford Road and the Newport Pagnell Road.
 - Introduction of a 40mph speed limit along the A428 between the little Houghton junction and the Brackmills roundabout.
 - Further development of the existing National Cycleway (6) to link from the site, through the village and Bedford Road destinations.
- The Parish Council believes that these measures should be funded entirely via a significant 'planning gain' from the developers and by way of a section 106 agreement.

7.6. LITTLE HOUGHTON PARISH COUNCIL: **No objection.** The proposed development does not directly affect their Parish, but they do have concerns about the traffic that will be increased through Great Houghton to the junction onto the

A428 Bedford road, and would like to request that this junction and traffic management through the village be looked at in length.

CONSULTEES

- 7.7. SNC PLANNING POLICY: **No objection.** The proposed development is considered to be acceptable in principle and is broadly in accordance with the policies of the WNJCS (H2, N6 in particular), subject to the delivery of affordable housing and supporting infrastructure.
- 7.8. SNC STRATEGIC HOUSING: **No objection.** This proposal will help meet some of the housing needs of South Northamptonshire district and/or Northampton Borough.
- 7.9. The Strategic Housing Team supports this proposal in principle and should it be deemed acceptable for approval.
- 7.10. With regard to viability and the reduced affordable housing provision, the offer made by the applicant is considered to be very reasonable in the circumstances.

7.11. SNC ECOLOGY: **No objection.** Comment as follows:

- Upper Nene Valley Gravel Pits SPA/Ramsar - Natural England are the “competent authority” in respect to the SPA. Is supportive of the comments and recommendations that are made by them in relation to SPA mitigation measures and other SPA matters made regarding this application.
- Minimising Impacts on and Providing Net Gains in Biodiversity - It is acknowledged that without a sufficiently robust biodiversity metric it is difficult to quantify net loss/gain, the outlined mitigation and enhancements within the development site and Brackmills Country Park are therefore the best outcome that can be expected to ensure no net loss and that a net gain in biodiversity is achieved.

7.12. SNC ENVIRONMENTAL PROTECTION: **No objection.** Comment as follows:

- Noise - The report identifies that road traffic from Newport Pagnell Road is the main sound source affecting the site. There is also commercial/industrial land use located at the Brackmills Industrial Estate, located approximately 300m north of the nearest proposed dwelling, which has the potential to impact upon future receptors.

Despite some of the uncertainties, the report concludes that the aims of the National Planning Policy Framework can be achieved subject to suitable mitigation measures being applied at the development site but that the specific details of the noise mitigation measures will need to be dealt with at a detailed planning application stage and it recommended that this could be covered by suitably worded planning condition. The extent and detail of which measures apply to which plots will therefore need to be clarified at reserved matters stage.

- Ground Gas - The report states that there is further ground gas investigation required around WS06a, WS09a & WS10a and a complete gas monitoring program will be completed to give a full assessment of the ground gas regime on the site. If the ground gas regime is not fully characterised and understood then the recommendation is that gas protection measures should be incorporated across the south west of Area B within the areas affected by “made ground” (suspected to be related to the former use as landfill). The local authority will need to see the report of the further gas monitoring results or a

confirmation that full gas protective measures will be incorporated into the development within the affected areas before development can commence on site. A BGS Radon report is also recommended for the site.

- Heavy metal contamination – High Arsenic and Vanadium concentrations were discovered across the site and further investigations in the form of trial pits are recommended in the affected areas especially in the areas with deep made ground. The results of these investigations need to be reported to the local authority with confirmation of the chosen remedial method planned for the site before development commences on the site.
- Air quality – Request the applicant be required to take what measures they can take to support sustainable travel, air quality improvements and traffic reduction at the application stage and for these measures to be conditioned through the planning consent if the proposals are acceptable.

7.13. SNC HERITAGE: **No objection.** Within the boundary of the site there are no designated assets. There are, however, a couple of sites shown as archaeological assets, suggesting prehistoric remains of the site.

7.14. Beyond the site the nearest designated heritage assets are associated with the historic hamlet of Preston Deanery, the Grade II* Church of St Peter and St Paul and a Grade II listed bridge. The significance of these assets lies primarily in their age, vernacular construction, function, etc; their settings which in the case of the bridge is very location specific taking the road across the stream whereas the church is located within what would have been a key position in the earlier settlement, now largely deserted. This position while providing a rural setting contributes little to overall significance.

7.15. Further, as the hamlet, is located within a small valley and is physically and visually separate from the proposed site, the proposed development is not considered to affect the setting of these heritage assets.

7.16. SNC WASTE: No objection. Developer will have to satisfy to the local authority that they have adequate provision for waste and recycling storage. Bin stores for flats need to be 1.4 sqm per flat and households need 1.8sqm.

7.17. SNC BUILDING CONTROL: **No objection.** Give generic advice on requirements for fire vehicle access.

7.18. NCC HIGHWAYS: **No objections** subject to the following being secured via condition or legal obligation:

- Financial contribution towards Queen Eleanor and Tesco/Mereway junctions (off-site works)
- Financial contribution towards public transport serving the development
- Carrying out of the following off-site improvement works:
 - New pedestrian crossing outside Waitrose, Wootton
 - Caswell Rd/Rhosili Rd/Pavillion Drive junction improvements (Brackmills Ind Est)
 - Wooldale Rd/ Caroline Chisholm School Access junction improvements

- Wooldale Rd/Quinton Rd junction improvements
- Wooldale Rd/Berry Lane junction improvements
- Carrying out of the new site access works (onto Newport Pagnell Rd) prior to work commencing on the wider site. Including the provision of 2 bus stops, puffin crossing, and the gateway feature prior to first occupation
- Providing an 'internal' link road to the adjoining new Hardingstone SUE
- Provision of 1 pair of sheltered bus stops through main estate route
- Pedestrianizing the relevant section of The Green prior to occupation of the 301st dwelling
- Compliance with the approved Travel Plan
- Approval of a Construction Management Plan

7.19. NCC ARCHAEOLOGY: **No objection.** The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. This can be secured via conditions.

7.20. In the event of permission being granted NCC would expect to produce a mitigation strategy in the form of a Brief which would clearly identify the archaeological work which would be needed to discharge the archaeological condition.

7.21. NCC KEY SERVICES: **No objection.** The County Council requires financial contributions from this development for the following:

- Early Years education
- Primary Education
- Libraries

They also require the provision of 11 fire hydrants on the site.

(Officer Note: Officers are still in negotiation with NCC as to whether the 'Early Years' contribution is justified and not covered by CIL)

7.22. LEAD LOCAL FLOOD AUTHORITY: **No objection.** Request the inclusion of a verification condition to check the drainage works.

7.23. ENVIRONMENT AGENCY: **No objections** subject to the inclusion of conditions relating to: unexpected land contamination and; no infiltration of surface water drainage into the ground in the area of the former landfill.

The previous use of the proposed development site as a former landfill presents a risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters.

In light of the above, we do not believe that the use of infiltration SuDS is appropriate in this location. We therefore request a planning condition is included as part of any permission granted. Without this condition the EA would object to the

proposal in line with paragraph 170 of the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

- 7.24. NATURAL ENGLAND: **No objection**. Following further receipt of further details in relation to package of improvements set out on drawing 'Brackmills Country Park Ecological Mitigation and Enhancement Works', request confirmation that works will be completed by developer with maintenance by NBC supported by a commuted sum, agreement of detailed specification of works.
- 7.25. CRIME PREVENTION DESIGN ADVISOR: **No objection**. The development should also achieve the highest standards of sustainable design including safety and security considerations (WNJCS Police S10) and comply with saved SNC policy G3 which requires development to have 'full regard to the needs of security and crime prevention'. The best way to ensure that compliance is achieved is to condition the developer to meet the requirements of a Secured by Design Silver accreditation for the built form.

The use of a central super LEAP to accommodate play opportunities for all age groups is welcomed as is the fact that it is surrounded by roads which will reduce opportunities for nuisance for the surrounding houses. Those linear pieces of green space on both west and east boundaries should be well overlooked from adjacent development to ensure they are safe spaces.

The site does seem to be overly permeable and comment has been made in the past about the Green Lane being used as a convenient 'escape route' and a means of evading detection by criminals especially if it is of a suitable grade to enable motorcycles or moped use as pursuit by police will not be possible.

Discourage the use of rear parking courts.

- 7.26. NHS ENGLAND: **No objection**. Request financial contributions via the S106 agreement towards the provision or enhancement of health care facilities in Delapre Medical Centre, Denton Village surgery and Wootton Medical Centre, who will be picking up the patients from the new development.
- 7.27. HISTORIC ENGLAND: **No objections** or further comment.
- 7.28. HIGHWAYS ENGLAND: **No objection** or further comment.
- 7.29. ANGLIAN WATER: **No objection**. There is adequate capacity in the waste water treatment serving the development. The development does have the potential to cause flooding downstream in the foul sewerage network, but this can be suitably mitigated via a planning condition.
- 7.30. CADENT GAS LTD: **No objection**. Note the proposal is in proximity to a high pressure gas main.
- 7.31. PLANNING CASEWORK UNIT: **No objection** or further comments.
- 7.32. *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.

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

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 N6 – Northampton South of Brackmills Sustainable Urban Extension
- 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 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 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 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)
- SNC Supplementary Planning Documents and Guidance (SPDs and SPGs)
- 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
- Drainage and flooding
- Land contamination, and air quality
- Developer contributions and S106

Principle of Development

Policy Context

- 9.2. The site forms part of a larger site allocated for development under Policy N6 of the adopted JCS for development as a Sustainable Urban Extension (SUE) for in the region of 1,300 dwellings and associated infrastructure.
- 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 technically within the open countryside. However, any conflict with these policies has to be considered in light of the later allocation in the JCS.
- 9.5. The NPPF places considerable importance on the need to have an up-to-date development plan and, that where the development plan is out of date, Local Planning Authorities are advised to grant planning permission unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Paragraph 8 of the NPPF seeks

to ensure the planning system maintains the provision of a sufficient number and range of homes to meet the needs of present and future generations.

Assessment

- 9.6. 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 which is currently the case for Northampton Borough. Therefore, in accordance with the presumption in favour of sustainable development, as outlined in Paragraph 11, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 9.7. The fact that the site forms part of a larger site allocated for development under Policy N6 of the adopted JCS for development as a Sustainable Urban Extension (SUE) for in the region of 1,300 dwellings and associated infrastructure should be given significant weight. In this context, it is considered that the development of the site is broadly compliant with policy.
- 9.8. Whilst it is recognised that the provision of up to 525 dwellings as proposed under this application is in addition to the existing 1,000 dwellings already approved on the remaining part of the Policy N6 site allocation which would result in a potential 1,525 dwellings in excess of the 1,300 originally anticipated by the policy, there is currently a significant deficit on the five year housing supply within the NRDA. As such, and subject to appropriate mitigation of any impacts arising from the development considered in more detail in the remainder of this report, it is not considered that this should weigh against the proposal.
- 9.9. The development would make a significant contribution towards the Council's housing requirements, and those of the wider NRDA. In addition, the dwellings proposed within the SNC boundary would make a positive contribution to the District in terms of generating income through the New Homes Bonus and Council Tax.

Conclusion

- 9.10. As such, and subject to the considerations below, the proposal accords in principle with the overriding aims of the Development Plan for the area and the NPPF. The provision of housing will assist in achieving/maintaining a 5 year housing land supply within South Northants and the NRDA, as required by the Government.

Design, and impact on the character of the area

- 9.11. 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.
- 9.12. 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.
- 9.13. 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.

- 9.14. 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 and areas of greenspace and landscaping, incorporating proposed informal and formal play areas, and drainage areas. The eastern boundary of the site is proposed as a green edge to include a corridor of open space and linear woodland to provide a sensitive edge to the adjacent open countryside. Further woodland planting and an area of open space incorporating a play area is proposed in the northern parcel of land adjacent to Brackmills Wood. Within the southern parcel, a centralised Local Equipped Area for Play is proposed with an adjacent more formal kick about area. The specific details of these areas of formal and informal greenspace would form part of a detailed reserved matters application.
- 9.15. The primary vehicular access to the site would be from new roundabout on Newport Pagnell Road with a primary road running through the site connecting to The Green at its eastern end and extending into the northern parcel of land crossing The Green. The western stretch of The Green is proposed to be downgraded to become a pedestrian/ cycle green link and allow for further pedestrian and cycle linkages into the adjacent Homes England site to the north of The Green. Additional pedestrian/ cycle links are proposed from the northern parcel of land into Brackmills Wood and the industrial estate beyond. Provision for a vehicular link into the adjacent Homes England site to the west from the northern parcel of land is also proposed. The specific design details of these links would be agreed as part of any reserved matters application.
- 9.16. A section of hedgerow is proposed to be removed along the southern boundary of the site with Newport Pagnell Road directly opposite recent Morris Homes development to the south. This will give the site a positive frontage and help contribute to creating a sense of place/arrival into the urban area. Beyond this, the length of hedgerow to the east is proposed to be retained to allow a sense of transition from the countryside to the urban area when travelling in a westerly direction along Newport Pagnell Road. Sections of hedgerow along 'The Green' are also proposed to be removed to allow views from new properties towards 'The Green' and the Homes England development beyond and would allow for surveillance of this route.
- 9.17. The submitted Land Use Parameter Plan indicates building heights throughout the development of 2-2.5 storeys. The proposal seeks to provide higher density development towards the existing urban areas and lower densities towards the rural edges providing an average overall density throughout the site of 35 dwellings per hectare in accordance with the requirements of Policy H1 of the West Northamptonshire Joint Core Strategy.
- 9.18. Full details of the precise layout, appearance and building heights, and housing mix would be considered at reserved matters stage.

Landscape and Visual Impact

- 9.19. 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.
- 9.20. The overall site comprises 26.4 hectares of undulating land (partly agricultural/arable - and partly nil use). The application site is not subject to any specific local or national landscape designation. The nearest conservation area is to the west in Hardingstone (situated beyond the adjacent land consented Homes

England site) with Great Houghton and Little Houghton Conservation Areas some distance further to the north-east.

- 9.21. The principle of development of the site has already been accepted through the allocation of the site for a Sustainable Urban Extension under the JCS, and the strategic visual and landscape impacts were considered as part of that process.
- 9.22. In respect of the southern parcel of land, views of the development would be more prominent along parts of Newport Pagnell Road where the existing hedgerow is proposed to be removed. Existing and proposed planting, the details of which would be considered at reserved matters stage, would assist in partially obscuring views from the east of the site. Again, from the west, views would be seen in the context of proposed development on the adjacent land. Overall, the built form would be seen in the context of proposed residential development to the west and existing and proposed development to the south of Newport Pagnell Road.
- 9.23. In respect of the northern parcel of land, the site is screened from the north by Brackmills Wood and Country Park. The development would be visible from the fields and the public footpath to the west but would in time be obscured by the proposed development permitted under the outline consent on the Homes England land. The development would be visible from the east and the south along The Green, but would in part be obscured by the existing vegetation along the eastern boundary and any additional planting approved as part of a landscaping scheme.
- 9.24. It is inevitable that the landscape character would change significantly with the development of the site. However, these impacts need to be weighed against the requirement for growth. The provision of sufficient and appropriate green infrastructure throughout the site and sensitive design of layout and building heights at reserved matters stage would assist in mitigating some of the impact on the existing landscape.

Open Space

- 9.25. The submitted open space plan indicates a total of 4.9 hectares of open space within the northern parcel and 5.06 hectares within the southern parcel. Provision within the southern parcel (within SNC) would include a centralised area of green space to include a Local Equipped Area for Play and adjacent informal seven-a-side 'kickabout' pitch with a larger SUDs basin in the south western corner adjacent to The Green. Green links around the edges of the site are proposed to provide a circular walking/dog walking route, with a 'trim trail' proposed along the western boundary of the southern parcel. Provision within the northern parcel (NBC) would comprise areas of natural and semi-natural open space including the retained area of woodland to the north of the site and additional woodland planting to the immediate south of this. A Local Area for Play and informal kick-about area are proposed on an adjacent area of open space, and a Sustainable Urban Drainage basin.
- 9.26. Given that this is an outline planning application, whilst the broad locations of open space are indicated in the Illustrative Masterplan, the precise locations and details of these areas is yet to be fully defined. However, in order to provide certainty of an appropriate level of provision throughout the site, the Section 106 Agreement will include a minimum level of open space provision and typologies that is to be included within the part of the site within SNC. The Section 106 Agreement will also provide for a mechanism to be agreed that would ensure that these spaces are appropriately maintained throughout the life of the development (likely via a management company).

- 9.27. 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.

Access and impact on the local highway network

- 9.28. The application is in outline with access for consideration. This includes the new roundabout on the Newport Pagnell Road, the down-grading of part of The Green to a pedestrian/cycle way and the provision of a new spine road through the site giving through access to The Green.

Policy Context

- 9.29. Policy N9A of the JCS requires the SUE to mitigate the impacts of the proposed development on the highway network and provide an integrated transport network focused on sustainable transport modes.
- 9.30. Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Assessment

- 9.31. The main vehicular access to the site would be from Newport Pagnell Road via a four-arm roundabout replacing the existing T-junction and right turn lane into the Morris Homes development to the south of Newport Pagnell Road. 'The Green' at its western end will be closed off from Newport Pagnell Road to provide a pedestrian/ cycle link, with the road re-routed through the application site and re-joining the existing alignment of The Green to the north-east, as the new road crosses into the northern parcel of land. The new spine road running north-east through the development from Newport Pagnell Road will form a priority junction with The Green, (The Green will be the minor arm of this junction). The spine road, which will comprise a 3m footway/cycleway along the northern side of the carriageway and 2m footway on the southern side, will extend into the northern parcel of land with a full vehicular link into the adjacent Homes England site.
- 9.32. The application is accompanied by a Transport Assessment (TA) in accordance with the requirements of the NPPF. An updated TA was submitted in June 2018 in response to issues raised in consultation responses. The TA carried out an assessment of the impact of the development on the local highway network at a number of junctions considering committed and proposed development flows up to the year 2031.
- 9.33. In respect of concerns regarding potential traffic impacts on The Green and toward Great Houghton, the updated TA advises July 2018 advises that in respect of the distribution of traffic *"approximately 13 two way vehicle flows during the worst peak period would utilise The Green to the east of the site, travelling towards Great Houghton, when seeking to access the A428 Bedford Road. Such a low number of two way vehicle flows, would not be considered to be severe impact upon the village, with one vehicle trip generated approximately every 5 minutes during the peak periods."*
- 9.34. The TA proposes a number of improvements to the existing carriageway in order to facilitate the provision of the new access roundabout on Newport Pagnell Road, including:

- Relocation of existing 40mph speed limit on Newport Pagnell Road in line with the newly aligned carriageway with a new gateway feature.
- Existing bus stops on northern and southern sides of Newport Pagnell Road will be moved and realigned with new bus stop markings provided.
- Extension of footways, provision of dropped kerbs and safe refuge areas for pedestrians/ cyclists
- Provision of new puffin crossing on Newport Pagnell Road (Western Arm) away from immediate roundabout junction.

9.35. In addition, the following off-site highway mitigation measures are proposed and would be secured by condition by the relevant planning authority:

- Provision of signalised Pedestrian Crossing on Newport Pagnell Road/ east of entrance to Waitrose;

9.36. The off-site junction improvements are:

- Caswell Road/ Rhosili Road/ Pavillion Drive;
- Wooldale Road / Caroline Chisholm School Access;
- Wooldale Road / Quinton Road; and
- Wooldale Road / Berry Lane roundabout.

9.37. In addition to the above, developer contributions would be secured by a S106 Legal Agreement towards mitigation schemes proposed on the Queen Eleanor and Tesco/Mereway gyratories, and towards the provision of public transport to mitigate the impacts of the development proposed.

9.38. In respect of public transport provision, it is intended that a new bus service would be provided for the site, potentially through the diversion of an existing service through the site. This is subject to ongoing discussions with the service provider. Appropriate S106 contributions will be secured in this regard to ensure delivery, with a condition requiring the provision of a pair of bus stops along the main spine road through the development. The submitted TA advises that discussions between the applicant and Stagecoach have indicated that a bus service for the site can be implemented independently from the adjacent Homes England SUE scheme if necessary.

9.39. Given that this is an outline planning application, subsequent applications would need to be submitted to the Council for Reserved Matters consent. This would, in addition to finalising the layout of the development, and design of buildings, include the precise details of car parking provision. This would enable an appropriate provision to be considered and secured in order to prevent any significant adverse impact on the surrounding highway system, and to prevent the displacement of vehicles onto surrounding developments, which would not be desirable.

9.40. The application is supported by a Framework Travel Plan which outlines measures to be implemented as part of the development to promote sustainable transport measures. Measures proposed include Welcome Packs for new residents providing information on safe pedestrian routes to local facilities, bus timetable and route information, and details of car share websites; and improved pedestrian/cycle routes

and connectivity through the site and to the surrounding area. The implementation of these measures would be secured by condition.

- 9.41. A Construction Environment Management Plan will be required by condition in order to agree the route of construction traffic, site compounds and construction matters are appropriately mitigated to ensure there is no unacceptable adverse impact on the surrounding road network and amenity.
- 9.42. In response to the objections regarding additional traffic through Great Houghton and at the junction with the A428 (Bedford Road), the Local Highway Authority will have considered this as part of their assessment of impact on the wider road network and they have raised no objection on this issue.

Conclusion

- 9.43. Subject to appropriate conditions and S106 obligations to secure the proposed mitigation measures as outlined above, the Highway Authority raise no objection to the proposed development. The mitigation measures proposed are considered sufficient to mitigate the highway impacts of the development such that it would not lead to a severe cumulative residual impact on the highway network in accordance with the requirements of the NPPF and, therefore, the development is considered acceptable in this regard.

Heritage Impact

- 9.44. In light of the responses from SNC Heritage and Historic England, 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.
- 9.45. 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

- 9.46. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.47. 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.
- 9.48. 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.

9.49. 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.

9.50. 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

9.51. 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.

9.52. 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.

9.53. 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.

9.54. 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”.

- 9.55. 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.
- 9.56. 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
- 9.57. 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.
- 9.58. 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.
- 9.59. 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

- 9.60. 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')
- 9.61. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site contains a number of mature trees and hedgerows within and adjacent the site, and therefore has the potential to be suitable habitat for bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates.
- 9.62. 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.
- 9.63. 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.

Baseline position

- 9.64. The application is supported by an Environmental Statement and Chapter 7 comprises a detailed protected species survey, which concluded that at least six species of bat use the Application Site for foraging. The greatest level of activity was recorded within the woodland adjacent to the northern Site boundary and along the eastern boundary of Hampton Green North. The trees on the application site have all been surveyed to see if they are used by bats for roosting. Although some of them have the potential to be used as roosts, the survey work has shown that none are being used as roosts.
- 9.65. The survey also found evidence of Badger foraging and occasional stands of Japanese knotweed are present towards the eastern and southern boundaries.
- 9.66. Given the proximity of the Site to the Upper Nene Valley Gravel Pits SPA, which is designated for its overwintering populations of bittern and golden plover and migratory populations of gadwall there is potential for birds from the SPA to utilise surrounding arable habitat, including that located within the Site, for foraging. However, the site is not considered to 'supporting habitat' for the SPA (if it were then there would be potential for a threat to the integrity of the SPA).
- 9.67. There are no statutory nature conservation designations present on or immediately adjacent to the Site. However, a non-statutory designation, Brackmills Small Wood PWS, is located immediately adjacent to the northern boundary of the Site and several statutory and non-statutory nature conservation designations occur within 2km of the Application Site.

Mitigation

- 9.68. Most of the existing trees and hedges to the site's boundaries will be retained as part of the proposed development. There will also be some significant areas of additional tree and thicket planting (circa 1Ha) within the POS.
- 9.69. A number of bird and bat box features (roughly 1 per 15 dwellings) will be installed at the Site to provide additional nesting and roosting opportunities, respectively. In addition to the above, erection of 10 No. bat boxes at the County Wildlife Site of Brackmills Small Wood is proposed to enable longer term monitoring of bat populations at the Site.
- 9.70. In addition, enhanced pedestrian links are proposed from the site to Brackmills Wood (to the north) to further encourage recreational use of this adjacent woodland and ease potential increased pressure on the SPA (resulting from additional visitors). The scheme also includes enhancements to an area of land within Brackmills Wood adjoining the site comprising thinning and coppicing of existing trees, the provision of a new wildlife pond, new wildflower grassland and markers for woodland walks.

Conclusion

- 9.71. 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.

Drainage and flooding

- 9.72. Policy BN7 of the JCS states that all new development should demonstrate that there is no increased risk of flooding to existing properties and should seek to improve existing flood risk management. Surface water management incorporating sustainable drainage techniques should be accompanied by a long-term management plan and protect and enhance water quality. The design standard for new development within the Upper Nene catchment is for the 0.5% probability (1 in 200 chance of occurring in any year) event plus climate change.
- 9.73. The NPPF seeks to ensure that in determining development proposals flood risk is not increased elsewhere and that development does not contribute to or is put at risk from unacceptable levels of water pollution.
- 9.74. The application site is situated in Flood Zone 1, having a low risk of flooding. The site is not subject to any existing land drainage features or watercourses within its boundaries. The closest public and surface water sewers are located on Newport Pagnell Road and Lady Hollows Drive to the south west of the site, and Gowerton Road to the north. The site is a greenfield site and therefore it is necessary to demonstrate that development of the site does not increase the risk of flooding, and has either a nil detriment on surface water flooding or seeks to improve existing flood risk management.
- 9.75. The application is supported by a Flood Risk Assessment (FRA) and subsequent addendums. The submitted FRA advises that infiltration into the underlying bedrock is not viable for the site. The north catchment area will be served by a single basin located towards the northern boundary. The southern catchment area will be served by a number of surface water sewer networks which drain in a 6.5 metre swale adjacent to The Green draining into an attenuation basin with a pumping station

arrangement. Both systems will outfall into an existing land drainage system to the north west of the site which runs north downhill towards Gowerton Road.

- 9.76. inclusion of conditions relating to: unexpected land contamination and; no infiltration of surface water drainage into the ground in the area of the former landfill.
- 9.77. The previous use of the proposed development site as a former landfill presents a risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters.
- 9.78. In light of the above, the use of infiltration SuDS would not be appropriate in this location. The Environment Agency, therefore, requires a planning condition to preclude this. Without this condition the EA would object to the proposal in line with paragraph 170 of the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.
- 9.79. In respect of foul drainage, this would drain via a network of gravity sewers to the south out falling to an Anglian Water manhole on Lady Hollow Drive. Anglian Water has confirmed there is existing capacity within the Great Billing catchment area.
- 9.80. Subject to conditions to agree a detailed surface water drainage scheme, and appropriate verification and management of the approved scheme, and a detailed foul water drainage strategy, the relevant drainage authorities have no objection to the development as proposed.
- 9.81. As such, it is considered that subject to approval of appropriate details by condition, the development would not give rise to any increased flood risk within the area and would not put existing or proposed occupiers at risk in accordance with the requirements of both national and local policy.

Land contamination and air quality

- 9.82. Policies S10 and BN9 of the JCS seek to ensure new development minimises pollution from noise, air and run off. The NPPF seeks to ensure that development is appropriate for its location in respect of pollution and contamination and impacts of noise arising from development are minimised.
- 9.83. In respect of contamination, the application is supported by a Phase 1 Environmental Risk Assessment which identifies that the potential sources of contamination on site are from the previous uses including agriculture, landfill, former buildings, backfilled ponds and on and off-site sources of ground gas. Conditions are recommended to ensure appropriate mitigation and remediation of the site.
- 9.84. The development will be required by planning condition to provide 1 electrical vehicle (EV) charging unit per dwelling, plus some shared communal units for the flats. This is in line with the emerging policy INF4 of the South Northants Local Plan Part 2, which is moving towards adoption. It is also in line with the requirements of para 105 of the NPPF (Feb 2019) and the Council's adopted SPD 'Parking: Design and Standards'.
- 9.85. Provision of EV charging will have the combined benefits of: helping to encourage the up-take of electric vehicles; reducing transport emissions, and; improving air quality.

9.86. Environmental issues during construction, such as traffic, noise, dust and mud will be controlled via a planning condition requiring the submission, approval and subsequent compliance with a Construction Environmental Management Plan (CEMP).

Planning obligations and S106

9.87. 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.

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

9.89. 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.

9.90. 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.

9.91. The application is supported by a Viability Report which has been subject to extensive and rigorous analysis by Officers. This has concluded that the 13% affordable housing proposed by the applicant is a fair and reasonable return for the local community in light of the constraints identified.

9.92. Policy N6 of the JCS which requires the provision of a primary school, and local and community facilities. These facilities are proposed under the existing outline consent for the adjacent part of the SUE site, which includes a requirement for the provision of a primary school, local centre subject to marketing and a community facility. In respect of the development proposed under this application, an appropriate level of developer contributions would be sought in respect of early years and primary education and healthcare to mitigate the impacts of the development proposed and would be secured by a Section 106 Legal Agreement.

9.93. Secondary education forms part of both the Borough Council's and South Northamptonshire Council's CIL requirements and would be considered by the respective Council's alongside other infrastructure requirements.

9.94. The Heads of Terms for the S106 agreement are:

- Affordable Housing 13% (50% affordable rent/50% shared ownership)
- Off-site highways mitigation (either carrying out or making a financial contribution towards the improvement of multiple junctions)
- Public Transport
- Travel Plan Monitoring
- Early Years Education
- Primary Education

- Libraries
- Healthcare
- Maintenance of public open space and designated play areas
- Off-site sports pitch provision
- Provision of recycling and waste bins
- Provision of a vehicle access to the adjoining SUE being developed by Homes England
- Monitoring fee

Northampton Borough-specific requirements

- Off-site sports provision
- Air Quality Mitigation
- Brackmills Wood enhancements – maintenance
- Construction Futures

9.95. All the above S106 requirements are subject to compliance with Regulation 122 and 123 of The Community Infrastructure Levy Regulations 2010).

9.96. 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. This is discussed further below.

9.97. Whilst it is disappointing to both officers and the applicant that the site is only able to achieve the reduced level of affordable housing, these viability issues must be weighed against the provision of much needed housing to meet the aims of the JCS.

HUMAN RIGHTS AND EQUALITIES

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

9.99. 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 and if claimed could result in a zero charge, unless disqualifying events occur. (For further information relating to CIL please visit <http://www.southnorthants.gov.uk/7143.htm>).

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

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

relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

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

11. PLANNING BALANCE AND CONCLUSION

11.1. The proposal generally complies with the relevant Development Plan policies and guidance listed at section 8 of this report and is considered to be sustainable development.

11.2. The site is allocated for residential development by policy H6 of the JCS and the main impacts of the proposal (highways, ecology, drainage, land contamination and air quality) can all be suitably controlled and mitigated via planning conditions and the S106.

11.3. The development will deliver a reduced amount of affordable housing (13%, rather than 35%) but it has been demonstrated that this is the result of genuine constraints on viability. The shortfall in provision of affordable housing is not considered to outweigh the benefits of delivering this strategic development and the contribution it would make to the supply of housing in the area, which is particularly urgent within the NRDA.

11.4. There are no other material considerations that dictate otherwise, and so in accordance with Paragraph 11 of the NPPF, permission should therefore be granted.

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**
- 2. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**
 - a) Provision of 13% affordable housing on site (covering SNC and NBC areas) with a tenure split of 50% affordable rent/50% shared ownership**
 - b) Payment of a financial contribution towards off site sports and recreation provision in the locality of £924.70 per dwelling (index linked)**
 - 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)
- 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)
 - 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 AGREED)
 - g) Payment of a financial contribution towards primary educational infrastructure serving the development of £0 per 1 bed; £1,614 per 2 bed; £3,972 per 3 bed; £4,592 per 4+ bed dwelling (index linked).
 - h) Payment of a financial contribution towards library infrastructure serving the development of £109 per 1 bed; £176 per 2 bed; £239 per 3 bed; £270 per 4+ bed dwelling (index linked).
 - i) Payment of a financial contribution towards primary health care provision serving the development of £707.80 per dwelling (index linked).
 - j) Payment of a financial contribution towards improvements to the Queen Eleanor gyratory of £261,174 (index linked). This covers the whole development (SNC and NBC).
 - k) Payment of a financial contribution towards improvements to the Tesco/Mereway gyratory of £313,897 (index linked). This covers the whole development (SNC and NBC).
 - l) Payment of a financial contribution towards public transport provision of £1,000 per dwelling (index linked).
 - m) Provision of a road up to the boundary of the adjacent Hardingstone SUE to provide a future internal link (and no ransom strip).
 - n) Payment of the Council's (SNC) monitoring costs of £5,000.

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Reserved Matters and Time Limit

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 Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Approved Plans

3. 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:

Site Location Plan (CAM.0897)_03 Rev J)
Indicative Masterplan (CAM.897_01 Rev R)
Access and Movement Parameter Plan (CAM.0897_18 Rev D)
Land Use Parameter Plan (CAM.0897_19 Rev E)
Open Space Plan (CAM.897_14H-1)
Pedestrian Crossing (Plan Ref: 20168_03_08)
Proposed Improvements/ Downgrading The Green (Plan Ref: 20168_03_04)
Caswell Road/ Rhosili Road/ Pavillion Drive (Plan Ref: 20168_08_020_03C)
Wooldale Road/ Caroline Chisholm School Access (Plan Ref: 20168_08_020_10)
Wooldale Road/ Quinton Road (Plan ref: 20168_08_020_11B)
Wooldale Road/ Berry Lane roundabout (Plan ref: 20168_08_12A)

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

Number of dwellings

4. No more than 410 dwellings shall be accommodated on that part of the site falling within South Northamptonshire.

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 Travel Plan dated June 2018 (reference 20168/10-17/4444 Rev B by Consulting Development Engineers.

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

Compliance with Flood Risk Assessment

6. The development shall proceed in accordance with the Flood Risk Assessment (produced by M-EC, reference 20168/06-17/3941 rev A, dated September 2017), Addendum Report (produced by M-EC, reference 2-168/12-17/5596, dated December 2017) and Flood Risk Assessment Addendum (produced by M-EC, reference 20168/05-18/6045, dated May 2018)) 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.

Ecology

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.

8. The development hereby permitted shall be carried out in accordance with the recommendations set out in sections 7.5 and 7.6 of the Ecology chapter of the Environmental Statement by CSA Environmental (dated September 2017) 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 Mitigation

9. The development shall be carried out in accordance with the mitigation measures identified in Section 7 of the submitted Noise Assessment by M-EC dated October 2017.

Reason: To ensure a satisfactory standard of development and in the interests of residential amenity in accordance with the requirements of Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

Electric charging points

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 approved Travel Plan 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

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 routeing 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;
 - j) The mitigation measures recommended at (ADD REFERENCES) of the submitted Environmental Statement (DATE)

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.

Archaeology

12. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall

thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Fire Hydrants

13. 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 and Trees

14. 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.

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.

15. 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

New Access

16. Prior to the commencement of development on site, full engineering and construction details of the approved Newport Pagnell Road access and roundabout and associated works, as shown on drawing no. 20168_03_02 Rev B, shall be submitted to and approved in writing by the Local Planning Authority. The works, including the relocation of the speed limit as shown on the approved plan, 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. The bus stops and puffin crossing as detailed on the approved plan shall be provided prior to first occupation of any dwelling hereby permitted.

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.

Highway Improvements

17. Before the commencement of construction of any dwelling, full engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority:
 - Pedestrian Crossing (Plan Ref: 20168_03_08)
 - Caswell Road/ Rhosili Road/ Pavillion Drive (Plan Ref: 20168_08_020_03C)
 - Wooldale Road/ Caroline Chisholm School Access (Plan Ref: 20168_08_020_10)
 - Wooldale Road/ Quinton Road (Plan ref: 20168_08_020_11B)
 - Wooldale Road/ Berry Lane roundabout (Plan ref: 20168_08_12A)

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

Pedestrianisation and estate road

18. A detailed scheme and timetable for the pedestrianisation and removal of vehicle rights to The Green and provision of the estate road linking from Newport Pagnell Road to The Green as indicated on the Indicative Masterplan (CAM.0897_01 Rev R) shall be submitted for approval in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details prior to the occupation of the 300th dwelling.

Reason: In the interests of highway safety 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

Bus Stops

19. Details for the provision of one pair of bus stops (with shelters and associated infrastructure) on the main route through the estate, as shown indicatively on the Indicative Masterplan, shall be submitted to and approved in writing by the Local Planning Authority and be provided in accordance with the approved details prior to the occupation of the 300th dwelling.

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.

Foul 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.

Surface Water Drainage

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 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. 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.

Contamination

23. 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.

24. If a potential risk from contamination is identified as a result of the work carried out under condition 23 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.

25. If contamination is found by undertaking the work carried out under condition 24, 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.

26. If remedial works have been identified in condition 25, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 25. 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

27. 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.

Archaeology

28. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 12 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

Ecology

29. Prior to the submission of each reserved matters application in respect of the site within South Northamptonshire, details of the need and scope for updating any protected species surveys shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The supplementary surveys shall be of an appropriate type for the habitats and/or species present and survey methods shall follow national good practice guidelines, and shall be used to inform the preparation of ecological measures and mitigation within the Landscape and Ecological Management Plan. The development shall be carried out in accordance with any approved mitigation measures contained therein.

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

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.

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