



PROOF OF EVIDENCE OF

Geoff Armstrong

On Behalf of:

Manor Oak Homes

In Respect of:

Appeal against the decision of South Northamptonshire Council to refuse application

S/2019/0856/MAO

Land south of Grange Park, Quinton Road, Northampton, NN4 5DF

Date:

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PINS Reference:

APP/Z2830/W/20/3251622

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S/2019/0856/MAO

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Qualifications and Experience of Witness

I am Geoff Armstrong and I will say:

I was formally instructed by Manor Oak Homes to act on their behalf on this appeal in February 2020. Prior to that I worked on their behalf since January 2018 in promoting the application site through both representations made towards the now adopted Local Plan Part 2 for South Northamptonshire and as the agent of the appeal application.

I hold a Bachelor of Arts Honours Degree in Town & Country Planning and I am a member of the Royal Town Planning Institute. I am a Director of Armstrong Rigg Planning of The Exchange, Colworth Science Park, Sharnbrook, Bedford. I have 35 years planning experience.

During this time, I have worked for a number of Local Authorities, including the London Docklands Development Corporation (LDDC) and Runnymede Borough Council, as well as DPP and Armstrong Rigg Planning. I have dealt with a wide range of retail, leisure, business, commercial and residential projects in a variety of locations, and have appeared as an expert witness at numerous Public Inquiries.

I am a Director at Armstrong Rigg Planning and before that was an Executive Director at DPP responsible for residential matters within the Company. In advising major residential clients, I have dealt with all forms of residential development.

I have visited the appeal site on numerous occasions and am familiar with the locality.

The evidence I have provided towards this appeal and the opinions expressed therein are my true and professional opinions.

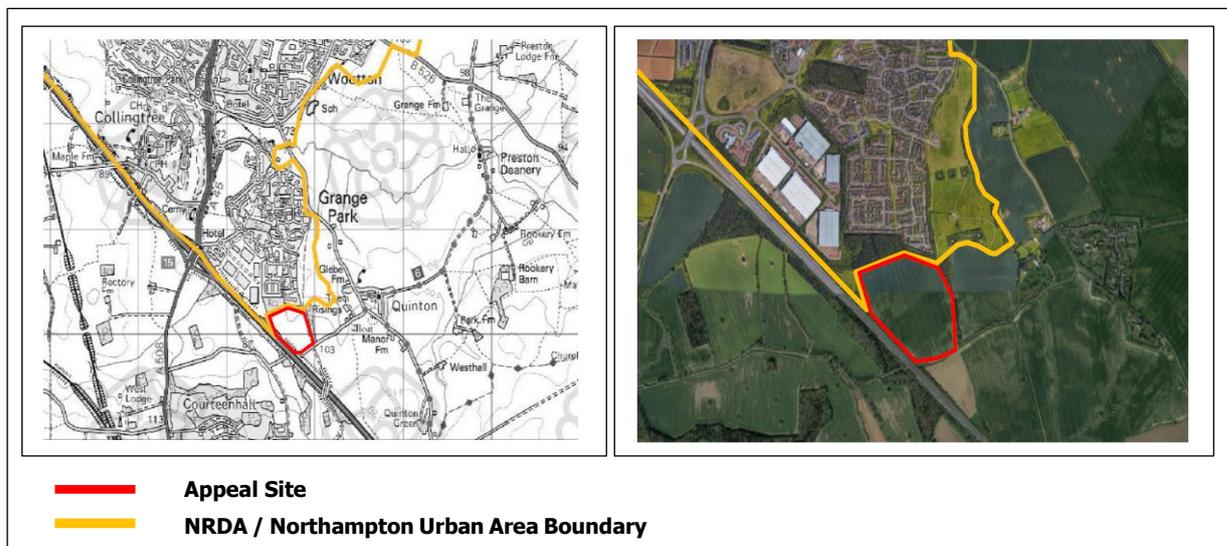
1.0 INTRODUCTION

- 1.1 My evidence is submitted on behalf of Manor Oak Homes (hereinafter referred to as 'the appellant') in support of its appeal against the decision by South Northamptonshire Council ('the Council') to refuse planning application reference S/2019/0856/MAO (the 'appeal application') relating to land south of Grange Park, Northampton (the 'appeal site'). The appeal application sought:

"Outline application for up to 300 dwellings and land for a new school (up to two forms-of-entry) along with open space, drainage, footpath improvements, new off-site footpath links, vehicular access and all matters reserved other than access at Land South of Grange Park, Quinton Road, Northampton."

- 1.2 The appeal site is located in the open countryside immediately to the south of Grange Park, a residential area comprising the southern extent of the Northampton Urban Area and Northampton Related Development Area (NRDA). The extent of the appeal site and its location relative to the southern extent of the Northampton Urban Area and the NRDA are indicated on **Figures GA1** and **GA2** below:

Figures GA1 & 2: Site in Context of NRDA and Southern Extent of Northampton Urban Area



- 1.3 The location of the appeal site relative to the NRDA is central to the issues for consideration at this appeal. As my evidence will explain, I consider the location of the site relative to the existing built up area and the NRDA boundary and the accessibility of the proposal to existing facilities and services is such that in the real world it comprises NRDA related development. The consequence of this being that the appeal proposal should be considered in the context of the acute shortfall in housing land supply in the NRDA housing land supply and that paragraph 11(d) of the NPPF and the 'tilted balance' is engaged. The Council however considers that the appeal proposal by simple virtue of the location of the site outside of the NRDA does not constitute NRDA related development, such that the SNC housing land supply (excluding

the NRDA) is applicable and, given the existence of a five year supply in SNC, paragraph 11(d) of the NPPF and the 'tilted balance' is not engaged.

- 1.4 My evidence establishes the strong positive case for the appeal proposals, responds to the issues raised by the Council in its reasons for refusal providing a critical examination of each having regard to all material considerations. In doing so I elaborate on the planning merits of the appeal proposals and undertake the planning balance exercise.
- 1.5 My evidence comprises two volumes - this proof of evidence and a separate set of appendices. In order to avoid duplication of key policy documents and decisions, a Core Documents list has been agreed with the Council.
- 1.6 Statements of Common Ground (SoCG) have been prepared and agreed with the Council and Northamptonshire County Council ('NCC' or 'the County Council') in relation to planning and highways matters. These set out matters of agreement and disagreement between the parties and should be read alongside my evidence.

Background to the Appeal

The Appeal Application

- 1.7 The appeal application was submitted on behalf of the appellants and validated on the 4th September 2019 and given reference number S/2019/0856/MAO. It was initially given the following description of development:

"Outline application for up to 330 dwellings, land for community uses, open space, drainage, footpath improvements and vehicular access with all matters reserved other than access."

- 1.8 The appeal application seeks outline planning permission with all matters other than access reserved for consideration at a later stage but is supported by an Indicative Masterplan and Parameters Plan that indicate the disposition of the various land uses.
- 1.9 Details of the background to the appeal application, including details of submitted material, consultee responses and matters leading to the Council's determination of the application, together with a description of the appeal site, planning history and the proposed development are covered in some detail in the Planning SoCG and the appellants' Statement of Case. I do not therefore intend to repeat that information here.
- 1.10 The application was supported by a comprehensive package of documents and drawings. During the determination period, amended/ additional plans and information were submitted in response to issues

raised by consultees. A schedule of the drawings and documents determined as part of the application is contained in the SoCG. It is agreed that the proposals do not comprise EIA development. Importantly, following the submission of an updated Masterplan and Parameters Plan in September 2019, which had been revised to make provision for land for a two-form of entry primary school, the description of development was changed to the following:

"Outline application for up to 300 dwellings and land for a new school (up to two forms-of-entry) along with open space, drainage, footpath improvements, new off-site footpath links, vehicular access and all matters reserved other than access at Land South of Grange Park, Quinton Road, Northampton."

- 1.11 As a site that lies immediately adjacent to the NRDA boundary, the preparation and submission of the appeal application was premised on its ability to address issues in relation to the chronic undersupply of new homes in the NRDA. With this in mind, the appellants entered into early pre-application discussions with officers, which developed quickly into an inherently positive and open working relationship aimed at securing a sustainable and deliverable development and which was deserving of its positive recommendation for approval.
- 1.12 At no point was any concern expressed that locationally the site was not capable of constituting NRDA-related housing development and should not be considered in the context of the shortfall in land supply there. The consequence of this being that discussions both prior to and following the submission of the application focussed on the proposals themselves and how the location of the site could be further exploited to achieve a greater level of connectivity with the existing community at Grange Park and to deliver additional social infrastructure and positively contribute to meeting the needs of the local area. The decision by the appellant to amend the application to make provision for a two form-of-entry school that would provide for the proposed development as well as provide capacity to cater for the needs arising from future growth on the southern edge of Northampton is but one example of this.
- 1.13 With this in mind, officers found in undertaking their planning balance exercise and recommending that members approve the application, that the benefits of the application, not least the contribution it would make to meeting the *urgent need to increase housing delivery for the NRDA, and the fact that the site abuts and has pedestrian and cycle connection routes straight into existing networks within the NRDA, which would be enhanced as part of the proposals, outweighed any harm identified, that being in this case a minor level of harm to landscape character, and recommended the application for approval*". However, and despite the best efforts of officers, Members of South Northamptonshire Council's (SNC) Planning Committee resolved to refuse the application at their meeting on the 6th February 2020.
- 1.14 The application was initially refused for three reasons but following the advice of officers and as the Planning SoCG explains, Members removed the third reason relating to noise and air quality at committee on the 11th June 2020. The remaining reasons for refusal read as follows:

"Reason for Refusal 1: Due to its location, the proposal will have a heavy reliance upon private car travel and would not provide a satisfactory means of access for pedestrians, cyclists and vehicles, shorten journeys, facilitate access to jobs and services, reduce the need to travel or encourage the use of public transport or other alternative modes of transport, reduce congestion on the local highway network, reduce carbon emissions or address social exclusion for those without a car. Therefore, the proposal would represent unsustainable development and contrary to West Northamptonshire Joint Core Strategy policies S1(D)(2), S4 (by way of conflicting with Objectives 3, 11 and 12, in para 4.63), emerging South Northamptonshire Local Plan Part 2 objective 5 (para 2.2.3) and policy SS2(1)(j) and (k) and NPPF paragraphs 12, 103, 108 and 110 (a) and (b).

Reason for Refusal 2: The site is outside the village confines of Grange Park, in the open countryside, where large scale development on unallocated sites generally is not considered appropriate. The proposal is therefore contrary to West Northamptonshire Joint Core Strategy policy R1(G), saved South Northamptonshire Local Plan (1997) policies H6 and EV2, emerging South Northamptonshire Local Plan Part 2 policies SS1, LH1(3) and paragraph 12 and 78."

- 1.15 It is important to note that in presenting the justification for the refusal of the appeal application the Council's Statement of Case does not seek to identify any additional harm caused by the proposal beyond those identified by officers. Instead, it now seeks to argue entirely contrary to officers that the site is physically and socially detached from Grange Park and the rest of the NRDA, such that it does not represent NRDA-related housing development and the proposal should be subject to the wider rural area and countryside policies of the development plan.
- 1.16 In SNC terms the appeal proposal does not represent a test case or indeed the first of its kind. The Council, in recognising the need to proactively encourage growth on the fringes of the NRDA to supplement the needs of Northampton, has already approved one scheme in the district with almost identical credentials in respect of location and connections – a 110 dwelling scheme at Wootton Fields¹. Furthermore, this was approved before the adoption of the Local Plan Part 2 (LPP2) and Policies SS1 and LH1, which provide explicit local support for such proposals.
- 1.17 The basis of the Council's support for the Wootton Fields proposal was identical to that argued as part of this appeal in that it represented NRDA-related housing development on the edge of the NRDA that would contribute towards meeting a drastic shortfall in delivery at Northampton. To quote paragraphs 10.11 to 10.13 of the officer report to committee, a copy of which can be found as my **Appendix GA1**:

10.11 Co-operation was clearly shown during the preparation of the JCS with the designation of the Northampton Related Development Area (NRDA) and the commitment by the neighbouring local authorities to provide housing to meet Northampton's under provision of deliverable housing land. However, Northampton still has an inability to

¹ Planning application reference S/2017/1985/MAO

demonstrate a robust 5 year supply of deliverable housing sites.

10.12 The emerging South Northamptonshire Local Plan Part 2 is exploring ways to pro-actively work with neighbouring authorities to address housing delivery issues within the NRDA. The proposed policy approach would allow sites to come forward that immediately adjoin the existing NRDA boundary (excluding parts that adjoin as yet unbuilt SUE's) where they include a robust trajectory that demonstrates that the site will be fully delivered within the next five years.

10.13 The site subject to this application would fall within the above category. The adjacent site is close to completion and therefore not considered to be 'unbuilt'. The agents have confirmed there are no constraints in terms of land ownership or other legal issues that would prevent the site being delivered within the required 5 year period. It is concluded that the site could contribute to meeting Northampton's need for deliverable housing sites and therefore is a material consideration in the determination of the application.

- 1.18 The Local Plan Part 2 is now adopted. As will be explored at length in my evidence it now offers explicit support for NRDA-related housing development which is directly adjacent to the NRDA. Indeed, in contrast with the draft policy framework against which the Wootton Fields proposal drew support, the LPP2 and the policies within it now carries full weight as a constituent part of the development plan.
- 1.19 Importantly, and in weighing the locational merits of the appeal proposal against the Wootton Fields scheme, in which the appeal site performs more strongly, as well as the multitude of allocations around Northampton, it cannot be concluded that the appeal site is any less sustainable than sites already planned for within the WNJCS, all of which are dependent on the provision of new footpaths, cycle and public transport links to enable residents to travel into the urban area. This conclusion is particularly relevant bearing in mind both the good level of shops, services and employment present in the adjoining Grange Park along with the existing footpath and cycle links that will be upgraded as a result of the appeal application, as well as the provision of a new dedicated flexible bus service from the site to Northampton town centre.

Planning Obligations

- 1.20 Prior to the determination of the appeal application a full list of heads of terms relating to planning contributions were agreed with the Council. These can be found at Section 12 of the Committee Report. Accordingly, a Section 106 agreement is now provided which secures the following:
- a. Provision of 35% affordable housing on site;
 - b. Payment of a financial contribution towards off site sports pitch provision in the locality of £924.70 per dwelling;
 - c. Provision of at least 15sq.m of on-site public open space per dwelling and commuted sum for maintenance at £48.00 per dwelling (index linked) OR Payment of a financial contribution towards off-site amenity space provision in the locality of £198.00 per dwelling for every square meter of

shortfall (Index linked). Freehold for POS to be transferred to Grange Park PC;

- d. Provision of at least 10sq.m of on-site designated play space per dwelling and commuted sum for maintenance at £701.70 per dwelling (index linked) OR Payment of a financial contribution towards off-site equipped play space provision in the locality of £1,041.70 per dwelling for every square meter of shortfall (Index linked). Freehold for play areas to be transferred to Grange Park PC;
- e. Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £70 per dwelling (index linked);
- f. Provision of 2.1Ha of land within the site for a new 2FE primary school. Alternatives built into agreement so that, if things change and NCC agree, land is not provided and a larger financial contribution provided instead.
- g. Payment of a financial contribution towards primary educational infrastructure serving the development of £2,250,000 (50% of the cost of a 1FE school) (index linked).
- h. Payment of a financial contribution towards library infrastructure of £109 per 1 bed; £176 per 2 bed; £239 per 3 bed; £270 per 4+ bed dwelling (index linked).
- i. Payment of a financial contribution towards primary health care provision serving the development of £778.54 per dwelling (index linked).
- j. Implementation of the approved Travel Plan.
- k. Undertake delivery/complete payment of £151,000 (index linked) towards, and agree:
 - l. a mechanism for the implementation of, upgrades to the existing bridleway and a footpath and cycle way (with streetlighting) into the existing network within Grange Park prior to 1st occupation.
- m. Payment of a financial contribution towards improvement to/creation of additional capacity at community facilities within Grange Park of £150,000 (Projects to be specified by Grange Park PC, index linked)
- n. Payment of the Council's monitoring costs of £5,000.

1.21 A further item relating to the 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) has been requested by NCC. It is anticipated that this will be covered by the associated Community Infrastructure Levy payment secured from the developer.

1.22 A Statement of Compliance with Regulation 122 of the Community Infrastructure Levy Regulations has been agreed with the Council. I am in any event satisfied that each of the obligations sought by the Borough and County Councils satisfies the tests set out in CIL Regulation 122.

Material Changes Since the Determination of the Appeal Application

1.23 Since the appeal application was determined there have been a number of material changes that the Inspector should be aware of in relation to the relevant policies of the development plan and the constitution of the appeal proposals.

The Development Plan

- 1.24 Firstly, the Local Plan Part 2 for South Northamptonshire (LPP2) was adopted on the 2nd July 2020. The WNJCS, adopted in December 2014, was prepared to provide the strategic policy framework for West Northamptonshire with an expectation that a complementary suite of non-strategic policies guiding development at a local level, and presenting each partner authority's interpretation of the strategic framework, would be produced in due course covering each of the three separate Council areas. The LPP2 represents SNC's contribution to this development plan framework and represents the district's own targeted growth strategy. Whilst weight was given to the draft policies of the LPP2 by the Council at the point of determination, and were referenced in the reasons for refusal, they did not accrue full weight and the policies of the now replaced South Northamptonshire Local Plan 1997 took precedent.
- 1.25 Upon the adoption of the LPP2 Policies H6 and EV2 referenced in the second reason for refusal were deleted. These policies have been replaced by Policies SS1 and LH1 of the LPP2, both of which provide explicit support for NRDA-related housing development but in the rural area of SNC that accords with Policy S4 of the WNJCS. The consequences of these changes will be assessed in full in my evidence.

Updated Residential Travel Plan

- 1.26 Secondly, an updated Residential Travel Plan also been submitted as part of the appeal package. This entirely relates to the level of detail and contributions towards sustainable travel to respond to the concerns in respect of connectivity raised within the Council's first reason for refusal. The scope of the updated Residential Travel Plan is now agreed with NCC Highways in the Highways SoCG.
- 1.27 This additional information relates primarily to securing the provision of a dedicated bus service from the site to Northampton. This service will be referred to in respect of my assessment of the broader sustainability credentials of the site in the main body of my evidence.

Appeal Decisions

- 1.28 A number of planning appeals have been determined since the adoption of the WNJCS in December 2014 that sought to secure permission for developments outside of the NRDA on the basis that they would contribute directly to what is both a significant and chronic housing need at Northampton. These are set out at Section 6 of the Planning SoCG. These appeals fall in both SNC and the neighbouring Daventry District, which enjoys an identical relationship with the NRDA as the third partner authority of West Northamptonshire.
- 1.29 However, on further review I am clear that each of these appeals details an individual case in its own right – there is limited commonality between them and indeed with the current appeal proposals. Each throws up a variety of differing factors which sought to determine whether the schemes in question had a relationship with the NRDA sufficient to secure the support of Policy S4. Importantly, all of these appeals were determined some way in advance of the adoption of the LPP2 and Policies SS1 and LH1

which now provide a far clearer definition of the locational requirements of sites that qualify as NRDA-related housing development. The conjecture applied by some of the previous appeal inspectors is no longer helpful or indeed necessary. I will refer to them where necessary in my evidence but do not consider them to be of great significance to the case before the Inspector.

Scope of Evidence

- 1.30 The 1st and 2nd reasons for refusal remain and the issues they raise need to be considered at the Inquiry. As I will explain in my evidence, however, the issues that they raise are interrelated and cannot be separated in that the success of the appeal against one would inevitably result in its success against the other. As such, I address them together.
- 1.31 Against this background my evidence proceeds on the following basis: in **Section 2**, I set out the policy context within which the proposals are to be considered. This section cross refers to the policy section in the Planning SoCG, providing additional detail where necessary to provide the strategic context against which the appeal proposal should be determined – that is the clear allowances by both the WNJCS and LPP2 for development adjacent to the NRDA that contributes towards its needs. In **Section 3** I critically assess the proposals against the aforementioned policy context with particular reference to the clear functional relationship of the site with the NRDA along with the overriding and indisputable sustainability of the appeal proposals. **Section 4** provides a summary of all Third-Party representations and presents my response accordingly. At **Section 5** I undertake a planning balance to determine whether the harm caused by the proposals would be outweighed by the benefits that would accrue. I provide my summary and conclusions at **Section 6**.
- 1.32 As my evidence proceeds to demonstrate, there is a strong positive case for the appeal proposals. They would deliver much needed open market and affordable housing in a timely and sustainable way through a well-considered and high-quality development. The reasons for which the Council has refused the application are unjustified and cannot be substantiated so far as the appeal is exceptionally well related to the NRDA and would therefore make an valuable contribution to meeting the acute shortfall in the 5 year supply. For this reason, the 'tilted balance' is engaged² and any adverse impacts arising from the grant of planning permission would be significantly and demonstrably outweighed by the benefits of the scheme when assessed against the policies of the NPPF taken as a whole.

² Paragraph 11(d), National Planning Policy Framework

2.0 RELEVANT PLANNING POLICY

2.1 A list of the relevant policy documents and policies is set out in Section 5.0 of the SoCG and for ease of reference I provide an additional summary of what I consider to be the most relevant policies in respect of the main matters to be considered within evidence below.

National Planning Policy

2.2 The **National Planning Policy Framework (NPPF, February 2019)** sets out the Government's planning policies for England and how these should be applied. **Planning Practice Guidance (PPG)**, which was launched on the 6th March 2014, also contains relevant guidance. National policy and guidance are material considerations in the determination of this appeal, and it should be noted that the revised reason for refusal does not refuse the application on grounds of being contrary to either the NPPF or PPG.

2.3 The remaining reasons for refusal specifically reference the following paragraphs of the NPPF:

- **Paragraph 12:** This describes that, for the purposes of decision making, the development plan remains the start point;
- **Paragraph 103:** This paragraph outlines that significant development, of the type subject of this appeal, should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes;
- **Paragraph 108:** This requires that applications should be assessed against their ability to promote sustainable transport modes, achieve safe and suitable access for all users and mitigate any impacts on the highway network; and
- **Paragraph 110 (a) and (b):** These criteria refer to the prioritisation of travel to and from new development by firstly walking and cycling and then secondly via public transport provision which, in part, will ensure that the development addresses the needs of people with disabilities and reduced mobility.

Development Plan

2.4 The development plan comprises the **West Northamptonshire Joint Core Strategy (WNJCS, adopted December 2014)**, the **South Northamptonshire Local Plan Part 2 (LPP2, adopted July 2020)**. The former document comprises the strategic policies for the district with the latter complementing the WNJCS with a suite of non-strategic detailed policies relating to the delivery of development.

2.5 The following Development Plan policies cited in the first reason for refusal between them to comprise the fundamental spatial strategy for South Northamptonshire, including matters relating to the NRDA, and the primary framework against development proposed to meet the needs of the NRDA should be assessed.

- **WNJCS Policy S1: The distribution of development** states that development will be concentrated primarily in and adjoining the principal urban area of Northampton whilst shortening journeys and facilitating access to jobs and services;
- **WNJCS Policy S4: Northampton Related Development Area** states that Northampton's needs, both housing and employment, will be met primarily within Northampton's existing urban area and at the sustainable urban extensions within the NRDA boundary. It does, however, also allow for additional development to meet Northampton's needs if it meets the vision, objectives and policies of the WNJCS;
- **LPP2 Policy SS1:** The settlement hierarchy directs proposals for new development will to the most sustainable locations across the rural area of the district (i.e. those settlements that sit below the strategic urban growth point of the NRDA identified in the spatial strategy for West Northamptonshire in the WNJCS). It then goes on to confirm that, in accordance with this overarching statement, the LPP2 supports the delivery of housing beyond settlement confines where, amongst other instances, it is NRDA-related housing development that both directly adjoins the NRDA whilst complying with Policy S4 of the WNJCS; and
- **LPP2 Policy LH1:** Relates to residential development inside and outside settlement confines and confirms that development outside settlement confines will not be acceptable unless, amongst other instances, it is NRDA-related housing development compliant with Policy S4 of the WNJCS and directly adjoins the NRDA.

2.6 Otherwise, the following additional policies are agreed between all parties to be relevant in the context of this appeal:

- **WNJCS Policy SA: Presumption in favour of sustainable development** supports proposals that accord with the development plan unless material considerations dictate otherwise;
- **WNJCS Policy S3: The scale and distribution of development** seeks the net delivery of 42,260 new dwellings over the plan period 2011 to 2029 including 28,470 dwellings at the NRDA;
- **WNJCS Policy S6: Monitoring and review** states that key matters such as housing delivery will be monitored consistently and, where targets are not being met (or in the wording of the policy

"where policies remain ineffective") further measures will be considered which will include a review of policy or strategy;

- **WNJCS Policy S7: Provision of jobs** seeks the provision of a minimum net increase of 28,500 jobs over the plan period.
- **WNJCS Policy S10: Sustainable development principles** introduces a range of sustainability criteria against which development will be assessed. These measures largely focus on carbon reduction and protection of the environment and include amongst them a requirement for new development to be located where services and facilities can be easily accessed via walking, cycling and public transport.
- **WNJCS Policy S11: Low carbon and renewable energy** details the way in which new development, by way of design primarily, can mitigate climate change and reduce carbon emissions. The majority of measures described by this policy will be most appropriately considered at reserved matters stage.
- **WNJCS Policy C2: New developments** expects all development proposals to mitigate its impact on the highways network through a combination of achieving a modal shift from private car whilst being informed and supported by a transport assessment and travel plan where appropriate.
- **WNJCS Policy RC2: Community needs** confirms that all new development must meet the needs for community facilities and open space set out in the relevant supplementary planning documents.
- **WNJCS Policy H1: Housing density and mix and type of dwellings** requires a mix of dwellings on new residential sites to cater for the demands of all households. The use of land should be maximised with the appropriate density of site to be considered against a range of environmental factors.
- **WNJCS Policy H2: Affordable housing** sets out a West Northamptonshire-wide affordable housing target. For the purposes of the appeal site, however, and in the context of SNC more broadly it is confirmed in the Statement of Common Ground that this policy has now been superseded by Policy LH8 of the LPP2 (summarised below).
- **WNJCS Policy H4: Sustainable housing** requires that all new dwellings must be designed to accord with lifetime homes standards subject to viability;
- **WNJCS Policy BN1: Green infrastructure connections** requires the management and enhancement of existing green infrastructure networks through planting and biodiversity enhancements including measures such as the planting of native species.

- **WNJCS Policy BN2: Biodiversity** restates the Government’s objectives that species and habitats will be protected and that a net gain in biodiversity will be supported wherever it is proposed.
- **WNJCS Policy BN5: The historic environment and landscape** groups together these two policy areas and seeks to ensure that the most important elements of each are protected from the impacts of development. This includes the retention and protection of locally distinctive landscape features and the adoption of locally distinctive design to ensure a sense of place is achieved.
- **WNJCS Policy BN7A: Water supply, quality and wastewater infrastructure** requires new development to ensure that adequate and appropriate water supply and wastewater infrastructure is available, and that water quality is protected. In addition, new development should incorporate Sustainable Urban Drainage Systems that, where possible, lead to an improvement in the local drainage environment.
- **WNJCS Policy BN7: Flood risk** seeks to ensure that new development is directed towards areas at least risk of flooding with first preference towards development in the Environment Agency’s Flood Zone 1.
- **WNJCS Policy BN9: Planning for pollution control** requires development that may either create or expose users to pollution is able to mitigate impacts and, where possible, reduce them. Such matters include noise, air, light pollution along with the potential to release contaminants into the environment.
- **WNJCS Policy INF1: Approach to infrastructure delivery** requires new development to be supported by, and provide good access to, green and social infrastructure adequate to meet the needs of future users or residents. This should integrate with and complement adjoining communities.
- **WNJCS Policy INF2: Contributions to infrastructure requirements** states that new development will only be permitted if the infrastructure required to support it is already in place or there is a reliable mechanism in place to secure any required upgrades.
- **WNJCS Policy R1: Spatial strategy for the rural areas** sets out a detailed policy covering instances where development would be considered acceptable in the rural area. This policy does, however, relate exclusively to growth required to meet the needs of the rural area and does not respond to NRDA-related growth of the type proposed as part of this appeal.

- **LPP2 Policy LH8: Affordable housing** presents an affordable housing requirement of 35% on qualifying sites (10 or more dwellings or 0.5ha) either within or directly adjoining the NRDA as defined by Policy S4 of the WNJCS.
- **LPP2 Policy SDP2: Health facilities and wellbeing** states that the benefit to communities is achieved through the location of new development where it provides access to a range of local shops, services and facilities, where it promotes inclusivity, where it provides connections to footpaths and cycleways and promotes active travel, and promotes access to all forms of open space and sports facilities.
- **LPP2 Policy INF1: Infrastructure delivery and funding** echoes the requirements of the similar combined Policies INF1 and INF2 included in the WNJCS in respect of new development meeting the infrastructure needs of future users and residents.
- **LPP2 Policy INF3: Education facilities** confirms that the Council will work with partners to ensure the delivery of appropriate schooling and education facilities to meet the needs of children across the district.
- **LPP2 Policy INF4: Electric vehicle charging points** confirms the need for all new dwellings with a garage or driveway to provide charging points. Otherwise, on schemes of 10 or more dwellings with communal parking, 2 of every 10 spaces must include a charging point.
- **LPP2 Policy GS1: Open space, sport and recreation** provides a list of open space standards that all developments of 11 or more homes or 0.2ha should meet. These requirements are calculated on a 'per 1,000 people' basis and cover a range of typologies including parks and gardens, amenity green space, natural / semi-natural green space, children's play space and allotments.
- **LPP2 Policy HE2: Scheduled ancient monuments and archaeology** advocates a thorough investigation of sites prior to the submission of a planning application that establishes archaeological value. Where important remains are identified they should be retained in situ wherever possible.
- **LPP2 Policy NE1: Upper Nene Gravel Pits Special Protection Area** requires any development within 3km of the SPA to demonstrate that it will not have a significant adverse effect on birds within the area. It must also demonstrate that there will be no significant adverse effects on the SPA itself or any supporting habitat.
- **LPP2 Policy NE3: Green infrastructure corridors** states that development that undermines the integrity of green infrastructure corridors as shown on the proposals map will not be allowed unless the benefits outweigh the harm.

- **LPP2 Policy NE4: Trees, woodlands and hedgerows** requires the retention of trees and woodlands wherever possible and, in instances where trees are to be removed, their replacement elsewhere within the site. Proposals that result in the removal of or harm to protected trees will rarely be acceptable.
- **LPP2 Policy NE5: Biodiversity and geodiversity** requires new development to mitigate harm to biodiversity and geodiversity and, where possible, achieve net gains. Any proposals which result in significant harm to either will rarely be allowed.

2.7 Copies of policies quoted by the reasons for refusal can be found within the suite of core documents.

2.8 Whilst I am aware that the policies of the WNJCS are now all over 5 years old and therefore should be considered as out of date in the absence of a full review of their compliance with the NPPF I am similarly aware that such a review was completed by the West Northampton Joint Planning Unit (WNJPU) in December 2019. Subsequently, the findings of this review, essentially concluding that the policy framework of the WNJCS is up-to-date, have been endorsed by each of the three partner authorities, SNC included. For the purposes of this appeal it is therefore not my intention to challenge the robustness of this review and I consequently accept the findings of the WNJPU that, at this stage, the WNJCS policies most relevant to this appeal are up-to-date.

3.0 THE CASE FOR THE APPELLANT

- 3.1 The evidence submitted on behalf of the appellant, together with the SoCGs, demonstrates that the appeal proposal would deliver a high quality and sustainable scheme that is well related to the NRDA and would make an important and valuable contribution towards meeting the acute shortfall in deliverable supply that prevails there.
- 3.2 Central to the appellant's case is the way in which the appeal application seeks to respond positively and proactively to the core purpose of the planning system explained at paragraph 7 of the NPPF, that is to contribute to the achievement of sustainable development. Critically in respect of the housing land supply position at Northampton it also seeks to support the Government's objective of significantly boosting the supply of homes set out at paragraph 59 of the NPPF, ensuring that a sufficient amount of land can come forward for such a purpose where it is needed.
- 3.3 These central objectives of the NPPF are refreshed and further illuminated by the purposes of the Government's recent 'Planning for the Future'³ white paper (August 2020) which sets out the following as its mission statement, placing the delivery of new homes in a sustainable fashion at its heart:

"The planning system is central to our most important national challenges: tackling head on the shortage of beautiful, high quality homes and places where people want to live and work; combating climate change; improving biodiversity; supporting sustainable growth in all parts of the country and rebalancing our economy; delivering opportunities for the construction sector, upon which millions of livelihoods depend; the ability of more people to own assets and have a stake in our society; and our capacity to house the homeless and provide security and dignity."

- 3.4 It is against the context set out above that this appeal should be considered.
- 3.5 The appeal application was refused for three reasons. The 3rd reason for refusal has since been withdrawn by the Council leaving two substantive reasons for refusal (Reasons 1 & 2). These remaining reasons for refusal raise the following issues:

Reason 1:

- Whether by virtue of its location, the proposal would have a heavy reliance on the private car and would not adequately provide for access by those on foot or cycle, encourage the use of public

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf

transport connectivity and reduce social exclusion for those without a car such that it would not represent a sustainable form of development.

Reason 2:

- Whether the appeal proposal is well related to, and therefore constitutes, NRDA-related development or whether it is not and represents an inappropriate form of development in the open countryside.
- Whether by virtue of the relationship of the appeal site with the NRDA, there exists a shortfall in the 5-year supply of deliverable housing land and as a result, paragraph 11(d) of the NPPF and the 'tilted balance' is engaged.

Planning Balance

- Whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the appeal proposal, when assessed against the provisions of the NPPF taken as a whole.

3.6 While there are two reasons for refusal, the issues raised by these are inextricably linked and to a great extent hinge on a single key issue. That is: whether in practice the appeal proposal comprises NRDA-related housing development, insofar as it accords with Policy S4 of the WNJCS. Accordingly, if, as I consider to be the case, the appeal site has an appropriate relationship with the NRDA and the proposals represent a sustainable development such that they secure the support of Policy S4 (Reason 1), the presumption in favour of such development within that policy and LPP2 Policies SS1 and LH1 come into play (Reason 2). In the event that the appeal proposal is found to be NRDA-related housing development, the positive consequence is that the 'tilted balance' would apply, so far as it would be within a planning area with an undisputed 2.75 year housing land supply⁴ (the NRDA). It then falls to the planning balance to determine whether the benefits of the proposal would outweigh any identified harms, which in this case would be some harm to the intrinsic character and beauty of the countryside arising from the development of a greenfield site on the edge of a settlement, albeit a development that due to the existence of significant woodland planting would be well contained and would not appear as an arbitrary or artificial extension of the existing built form and would maintain a strong and defensible boundary to the adjoining open countryside⁵. The consequence of this being that the second reason for refusal, relating to unsupported development in the open countryside, would fall away.

3.7 Alternatively, in the event that the appeal proposal is not concluded to represent NRDA-related housing development the significant range of benefits offered by the proposal and highlighted in my planning balance exercise would be entirely sufficient to outweigh the limited harm attributable to landscape impact

⁴ Paragraph 7.4, Planning SoCG

⁵ Paragraph 7.9, Planning SoCG

and the resultant conflict with the policies of the development plan even without the benefit of the tilted balance.

Reason for Refusal 1

- 3.8 The first reason for refusal alleges conflict with West Northamptonshire Joint Core Strategy policies S1(D)(2), S4 (by way of conflicting with Objectives 3, 11 and 12, in para 4.63), South Northamptonshire Local Plan Part 2 objective 5 (para 2.2.3) and policy SS2(1)(j) and (k) and NPPF paragraphs 12, 103, 108 and 110 (a) and (b) so far as its location would give rise to a heavy reliance on the private car such that it would represent unsustainable development. I deal with each of these policies below in turn, albeit commencing my review with Policy S4 which, as already established in my evidence, represents the key policy against which the appeal proposal should be assessed and one which is central to establishing the principle of development.

WNJCS Policy S4 – Northampton Related Development Area

- 3.9 There is no dispute between the parties that the appeal site directly adjoins the NRDA - it is agreed⁶ that the appeal site is located immediately adjacent to the southern boundary of the NRDA as defined on the Proposals Map associated with the WNJCS. Nor is there understood to be any dispute that in the event that the appeal proposal is considered to accord with Policy S4 of the WNJCS it should be considered as NRDA development. Indeed, while Policy S4 may not expressly permit major development on unallocated sites outside the NRDA, a point noted in the officers Committee Report, that did not alter their positive views regarding the benefits of the proposal i.e. it allows development seeking to meet Northampton's needs (the NRDA) to come forward where it would meet the vision, objectives and policies of the WNJCS. This policy support has, since the determination of this application, been strengthened by the adoption of the LPP2, which includes two policies – SS1 and LH1 – which, in categorising the types of development that may be acceptable in the open countryside, expressly allow for growth adjoining the NRDA where a need exists. Indeed, whereas there might have previously been a level of doubt as to whether Policy S4 provided an allowance for such growth the LPP2 is now clear in respect of the positive approach that should now be taken. Proposals which abut but meet the needs of the NRDA – Policy SS1 describes this as "*NRDA-related housing development*" – should be supported if they accord with the broader tests of Policy S4.
- 3.10 The function of Policy S4 is clear – now illustrated by Policies SS1 and LH1 of the LPP2 – that it represents a permissive policy that enables additional development to meet the needs of Northampton to come forward on the boundary of the NRDA only if it meets the vision, objectives and policies of the WNJCS. Specifically, the Council's first reason for refusal refutes the compliance of the appeal proposal with Policy

⁶ Paragraph 7.1, Planning SoCG

S4 by virtue of a supposed conflict with Objectives 3, 11 and 12 of the WNJCS, set out at paragraph 4.63 of the plan. On review of the wording of the first reason for refusal I consider that the objective with which the Council identify the clearest conflict is Objective 3, relating to connectivity, reduction of journey lengths and addressing social exclusion of those who do not have a car.

- 3.11 Contrary to the views expressed by the Council, I consider the appeal proposal is entirely in line with the overall vision and objectives of the WNJCS. Of principal importance the appeal application seeks to accord with one of the central pillars of the spatial strategy of the WNJCS, to direct a significant level of well-planned residential development towards the most sustainable location in both SNC and West Northamptonshire as a whole – the NRDA. Policy S1 of the WNJCS, presenting the spatial strategy for West Northamptonshire, identifies the importance of the NRDA in the settlement hierarchy, placing it at the top and directing that, in respect of the distribution of development, *"development will be concentrated primarily in and adjoining the principle urban area of Northampton"*.
- 3.12 It is, of course, accepted that it is not simply enough to comply with the spatial strategy of the plan, that this must be done in such a way that it is sustainable in the context of West Northamptonshire. On this basis I have undertaken a review of the appeal proposals against not only the three objectives where there is deemed to be a conflict, but the full suite of objectives in their entirety. The full wording of these objectives can be found at my **Appendix GA2**. My conclusions as are follows:

Objective 1 - Climate Change

- 3.13 Firstly, I note that the Council cites no conflict with this objective, despite its reference to sustainable travel modes in the fourth bullet point; an omission that is symptomatic of the reasons for refusal having been conceived under a level of duress following an initial recommendation for approval from officers. Regardless, I deal with matters relating to sustainable travel later in my evidence.
- 3.14 The first and third points of this objective relating to sustainable design and the incorporation of renewable energy sources are matters that would ordinarily be dealt with at reserved matters stage. While there is no suggestion by the Council that the measures proposed in this statement cannot be achieved at detailed design stage, the appellant has sought to address this matter now. Accordingly, an Energy Strategy has been prepared by Sol Environment, which shows that through the utilisation of a variety of energy efficient build techniques along with the integration of energy saving technology a significant reduction in energy consumption (and subsequent CO2 emissions) compared to the 2013 Part L Compliant Scenario can be achieved. The appellant is happy to offer that the appeal proposal's compliance with the measures and targets set out in this statement can be secured by way of an appropriately worded condition. A copy of this strategy is contained at **Appendix GA3**.
- 3.15 On the second point in respect of flooding, the site lies entirely within the Environment Agency's Flood Zone 1, and the Lead Local Flood Authority, in response to the appeal application, raised no objection

subject to the imposition of standard conditions⁷.

- 3.16 The fourth point will be dealt with in greater detail later in this section of my evidence when I come to address issues in respect of connectivity. Ultimately, however, the proposed development would make a significant contribution towards the promotion of sustainable modes of travel through the provision of footpath and cycle linkages to Grange Park and through the provision of a new bus service dedicated to the site. Importantly, the bus service that is to be provided to and from the site would feature a zero-emissions vehicle that would significantly contribute towards the carbon reduction targets of the Council.

Objective 2 - Infrastructure and Development

- 3.17 Provision for infrastructure requirements arising from the proposals would be secured via S106 obligation and CIL. The appellant has made provision for all necessary contributions, each representing investments in the local community, which would bring benefits to existing residents in terms of additional and/or improved infrastructure. It is important to note that the improvements to be secured go well beyond simply mitigating the effects of the proposed development, and in a number of cases seek to supplement existing community and recreation services to the benefits of both future and existing residents. The scheme, in particular, would secure an excess of new primary school places as well as an excess of public and community open space across all typologies.

Objective 3 - Connections

- 3.18 This objective represents one of three in which the Council deems the appeal application contravenes. The objective in full requires development to achieve the following:

"To reduce the need to travel, shorten travel distances and make sustainable travel a priority across West Northamptonshire by maximising the use of alternative travel modes. In so doing, combat congestion in our main towns and town centres, reduce carbon emissions and address social exclusion for those in both rural and urban areas who do not have access to a private car."

- 3.19 The key issue raised by this objective – whether the proposal would help to reduce the need to travel and encourage a modal shift away from the private car – will be addressed later in this section. To briefly conclude on this objective at this stage, it is appropriate to refer to the Highways SoCG, which sets out the agreed position with the Highway Authority who's views carry considerable weight in respect of whether the site is sustainable by way of connections, overall accessibility and reliance on private car or otherwise.

- 3.20 At 2.2 of the Highways SoCG it is agreed between parties that:

⁷ Planning SoCG paragraph 7.9

- *"The appeal proposal would benefit from sufficient footpath and cycleway connections with Grange Park to allow access to the shops, services and community facilities contained within it;*
- *In general the site represents a sustainable location for development in respect of connectivity and access to sustainable modes of transport; and*
- *The application proposal would not represent a development that is reliant on the use of private car."*

3.21 Importantly, and in respect of the last bullet point above, the required 20% modal shift away from private car usage required by Northamptonshire County Council's Transport Strategy for Growth (NTSG) will be achieved through the implementation of the Residential Travel Plan secured by the Section 106 agreement before the Inspector. The way in which this will be achieved, and what this 20% reduction means in real terms, is explained in the detailed statement prepared by MAC Consulting and included at my **Appendix GA4**. Whilst paragraph 5.13 of the Council's Statement of Case suggests that the appeal proposal should be achieving a 40% modal split away from private car usage, I consider this to be an entirely inappropriate targets against which to measure the sustainable transport credentials of the scheme. I deal with this matter later in this section.

Objective 4 - Protecting and Building Urban Communities

3.22 At its heart the appeal proposal seeks to deliver a sustainable extension to the existing urban community of Grange Park. It seeks to do so in a way that provides strong physical linkages between the site and the existing community along with walking and cycle routes that, on the agreement of NCC Highways, would offer sufficient connectivity to the range of shops and services at Grange Park. Conversely, these links would also allow existing residents access to the new school site and open space within the appeal scheme. However, perhaps most critically in respect of this objective the appeal proposal would secure up to 105 additional affordable dwellings, representing a policy compliant contribution of 35% of the entire scheme, at a time when housing delivery and affordable housing delivery in particular is deficient across the NRDA.

Objective 5 - Supporting Northampton Town Centre

3.23 This objective is of lesser relevance to the appeal proposals. Regardless, it is contended that the creation of 300 additional homes, with an approximate population of 720 residents based on the UK average household size of 2.4 people, would help generate additional local spend that would inevitably be focused on Northampton town centre. This would be facilitated in part through the provision of a new dedicated bus service from the site to the town centre, which would be free to users for the first 12 months.

Objective 6 - Supporting Daventry Town Centre

Objective 7 - Supporting Towcester and Brackley's Town Centres

3.24 Neither of these objectives are relevant to the consideration of the appeal proposals. Suffice to say, whilst being unable to explicitly meet these objectives the proposals do not conflict with them.

Objective 8 - Economic Advantage

Objective 9 - Specialist Business Development

- 3.25 These objectives are taken together as they relate to job creation and the growth of the local economy. To achieve these objectives, West Northamptonshire, and Northampton in particular, must grow at a rate commensurate with the demand for new homes partially related to jobs growth and inwards investment. Housing delivery must escalate to ensure the homes required by the growing workforce of Northampton can be secured. At the point of last publication, the NRDA Housing Land Supply Assessment (April 2019) showed that it was only possible to demonstrate a 2.75-year supply across the NRDA. The appeal scheme will go some way towards overcoming this deficiency in housing delivery, one which is currently presenting a barrier to economic growth and inwards investment.
- 3.26 Additionally, and as set out in the planning balance section of my evidence, the application proposal would be realistically expected to generate 75 jobs per annum during construction phase and then a further 113 jobs in the local community beyond this point as the spending and support offered by future residents of the 300 new homes takes effect. These figures are reached using House Builders' Federation and Homes and Communities Agency multipliers, the calculations of which are explained further in my planning balance section.

Objective 10 - Educational Attainment

- 3.27 The appeal proposals make a significant contribution towards local education infrastructure above and beyond the basic requirements of NCC and the needs of the proposed development. Along with the provision of financial contributions to be secured via a combination of Section 106 and CIL payments the appeal scheme would provide a 2.1ha site capable of delivering a two forms of entry primary school, accommodating up to 210 pupils. On this NCC concluded that *"this proposed approach is welcomed by the county council; inclusion of a 2.1ha site will enable a flexible, strategic approach towards delivery of new primary education capacity to meet the needs of the development, as well as anticipated growth in the surrounding area"*.

Objective 11 - Housing

- 3.28 This represents the second of the objectives that the Council considers the appeal application to conflict with. In full it requires development:

"To provide a range of housing in sustainable locations to ensure all residents have access to a home that they can afford and that meets their needs. Housing development will be focused at the most sustainable location of Northampton, supported by Daventry and Towcester and Brackley in their roles as rural service centres with limited development in the rural areas to provide for local needs and support local services."

- 3.29 The Council's concern arises because it considers that the site is not NRDA-related housing development

and represents housing in the rural area in which there is currently no shortfall, an entirely circular argument. For the reasons I have already explained, I consider the proposal is NRDA-related housing development. It would therefore deliver a significant contribution towards housing provision in West Northamptonshire at its single most sustainable growth point, the NRDA, offering a range of house types and sizes from one through to five bedroom and will deliver a policy compliant 105 new affordable dwellings.

3.30 This level of provision is particularly compelling given the acute need for both market and affordable dwellings that exists in the NRDA where it is only possible to demonstrate a 2.75-year housing land supply and where there has been an estimated shortfall in affordable housing provision over the past three years of approximately 1,513 units.

3.31 As stated at paragraph 3.6 of the committee report the scheme can be substantially delivered, if not potentially even in its entirety, within 5 years of the grant of outline planning permission. The report states:

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

3.32 Based on the appellant's track record of securing deliverable development sites allied with the high level of market demand that exists locally there is no doubt in my mind that these timescales can be achieved. A summary of the timelines to sale relating to a selection of the appellant's other sites in the East Midlands / East of England regions and clear confirmation of the developer interest that exists in respect of the appeal site is included at my **Appendix GA5**.

3.33 In summary and reflecting on the significant contribution the appeal proposal will make towards the NRDA's deliverable housing land supply there can be no doubt that it meets this objective.

Objective 12 - Protecting and Supporting Rural Communities

3.34 This represents the final objective that the Council considers the appeal proposal conflicts with. It requires development:

"To protect and support rural communities to ensure they thrive and remain vital."

- 3.35 Again, while I am not clear as to how exactly the proposal would conflict with this objective. I assume that again it relates to the fact that the Council considers the development relates to the rural area rather than the NRDA and because of an absence of need there (albeit I do not agree that it necessarily follows) it would impact negatively on rural communities.
- 3.36 Whilst the appeal site lies in the open countryside it immediately abuts the NRDA, and thus, the proposal would present itself as development for the urban area, and when consented and built will comprise part of the urban area. Indeed, it is agreed in the Planning SoCG that it would not result either physically or visually in any coalescence with any rural village and nor has there been any suggestion that it would not result in a burdening of rural community infrastructure or impinge on any other wider rural interests. Objections have been made by Quinton and Hackleton Parish Councils but neither of these submissions raise any concern that the proposal would impact on the vitality of their communities. Instead they object almost entirely in respect of local traffic generation, a matter that has been considered fully by NCC Highways who have raised no objection.
- 3.37 Conversely the appeal proposals would deliver 300 dwellings on a sustainable, urban-facing site within South Northamptonshire that would increase access to a range of new homes in an attractive location with easy access to the open countryside. This would present new house-buyers seeking a new property away from the more urbanised areas of West Northamptonshire but with potential jobs in the NRDA an alternative to buying up stock in the existing rural villages of SNC, particularly those closest to Northampton such as Quinton and Hackleton.
- 3.38 By way of comparison, the 2019 ratio of median house price to median gross annual earning (the "*affordability ratio*") published by ONS⁸ for 'rural' SNC is 9.99 compared to 7.02 for Northampton. This will be due in some part to Northampton's housing needs being met by more desirable properties in the rural area, appealing to more affluent purchasers with jobs at the town seeking a less urban way of life. The delivery of the appeal proposals at a site with rural views and a substantial supply of local open space would provide potential homeowners with a genuine choice of property that would lessen the demand for homes at the villages or pressure on the local facilities there.
- 3.39 Similarly, the appeal proposal would include up to 105 affordable dwellings at a location in close proximity to a range of rural villages where affordable housing is less likely to be secured. Critically, the site falls within South Northamptonshire District so residents of villages such as Quinton and Hackleton would qualify for a property at the site by virtue of their local connection⁹. This stock would therefore partially serve the needs of the surrounding parishes and allow families unable to purchase / secure a property in

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<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

⁹ See paragraph 2.4.3 of SNC's housing allocations policy <https://www.southnorthants.gov.uk/downloads/download/6/housing-register>

their settlement of choice greater ease of access to a range of new homes.

- 3.40 In addition, the proposals facilitate a new two forms-of-entry primary school that would cater for not only the needs of the proposed development (NCC has confirmed that these would be met by a single form-of-entry) but also create capacity for the surrounding rural catchments with most villages no longer benefitting from a primary school.
- 3.41 On the basis of these two points combined – housing and education provision – it cannot be in dispute that the appeal proposal would tangibly ensure the vitality of the surrounding rural area.

Objective 13 - Rural Diversification and Employment

- 3.42 The appeal proposal would support this objective in the way that it is capable of providing accessible housing for rural-based workers at an accessible location on the edge of the Northampton urban area.

Objective 14 - Green Infrastructure

- 3.43 A key benefit offered by the appeal proposal is its ability to secure a net gain in biodiversity, in line with paragraph 175(d) of the NPPF. As demonstrated by the Biodiversity Impact Assessment (BIA) Calculator prepared by Lockhart Garratt the site is capable of securing a biodiversity net gain of 3.37 biodiversity units or 10.27% net gain in total. This is included at **Appendix GA6** of this statement. This represents an exceedance of the 10% net gain requirement on new development described by the current draft of the Environment Bill 2020, to be calculated using the DEFRA metric.

Objective 15 - High Quality Design

- 3.44 No objection was raised by the Council in respect of the design of the scheme, nor was it raised as a concern by either the Crime Prevention Design Advisor or any of the Third-Party responses. Indeed, in recognising the outline nature of the appeal application the Council concluded, at paragraph 9.27 of the Committee Report, that *"the detailed design of the proposal in terms of layout, appearance, scale and landscaping would be a matter for consideration at reserved matters stage"*.

Objective 16 - Heritage

- 3.45 The appeal proposal would not result in any impact on heritage assets. This is confirmed at paragraph 7.9 of the Planning Statement of Common Ground where it is concluded that *"as a result of the physical and visual separation between the appeal site and the nearest designated above ground heritage asset the proposal would not cause any harm to the historic environment. It is also common ground that any implications in respect of archaeology can be dealt with by way of planning condition"*.

Conclusions of Review Against the WNJCS Objectives

- 3.46 On the basis of the above assessment of the merits of the appeal proposal against the objectives of the WNJCS upon which the support of Policy S4 relies, with a particular focus on objectives 3, 11 and 12, it

is my unequivocal view that the appeal proposal not only meets each objective but, in some instances, significantly exceed their expectations. Accordingly, the appeal proposal, in light of the pressing need for new homes at the NRDA, should carry the full support of both Policy S4 and by extension Policies SS1 and LH1 of the LPP2.

- 3.47 With reference to the issues raised by the Council's first reason for refusal, I consider it necessary to give further consideration to the issues raised by objective 3 of Policy S4 and whether the concerns expressed by it in relation to the accessibility of the site and whether it would encourage trips by private car, are substantiated. I turn to consider this in more detail below.

Assessment of Accessibility

- 3.48 The thrust of the Council's objection to the appeal proposal is that it would result in a development that is "unsustainable" by virtue of the fact that it would be served by deficient walking, cycling and public transport links that would result in an over-reliance on the private car and social exclusion amongst residents with no access to private transportation of their own. As I will demonstrate now these concerns are unjustified. To provide a structured response to the issues raised by the Council, I respond I turn to the issues raised at paragraph 5.7 to 5.13 of the Council's Statement of Case. Where relevant, I make reference to the Council's consideration of the Wootton Fields scheme. My comments in this section are supported in greater detail by the additional technical evidence prepared by MAC Consulting which can be found at my **Appendix GA4**.
- 3.49 At paragraph 5.7 of its Statement of Case the Council opens with its assertion that the site "is not located within easy reach of a range of services. Walking distances to services are considerable and there is no easy access to public transport. The site will be highly dependent on car use. The proposal is also contrary to the NPPF, in particular paragraphs 103, 108 and 110 (a) and (b)". It then states at paragraph 5.9 that "given the long walking distances involved, future residents cannot easily reach employment, health care and shops in Grange Park. When all the key services, facilities and employment opportunities potentially available to future residents are taken as a whole, the proposed development is not sustainably located for walkers".
- 3.50 As a start point there is no objection from NCC Highways that the site is an unacceptable distance from local services or that walking distances are unacceptable. In fact, at paragraph 2.2 of the Highways SoCG they are clear, where it is agreed that "in general the site represents a sustainable location for development in respect of connectivity and access to sustainable modes of transport". This statement is reflective of the lack of any objection from NCC in respect of walking distances and overall sustainability during the appeal application.
- 3.51 Similarly and more specifically, it is agreed at paragraph 2.7 of the Highways SoCG that "the Transport Assessment (provided in support of the appeal application) also demonstrates that the proposed

development is located in a sustainable location within acceptable walking distance of various facilities”. These facilities along with the various isochrones indicating the walking routes and distances are shown on the ‘Local Facilities Plan with Actual Walking Distances’ plan prepared by JPP Consulting, contained at my **Appendix GA7**.

- 3.52 The distances of a selection of key facilities from both entrances to the development are also listed in detail at **Table GA1** below. From the new Alamein Wood entrance (details of the construction and costings of which can be found at my **Appendix GA8**) they all fall within the maximum acceptable walking distance of 2km set out at Table 3.2 of the Chartered Institution of Highways and Transportation (CIHT) publication ‘Providing Journeys on Foot’¹⁰ which remains the recognised industry standard. Perhaps more importantly, and reflective of actual behaviour, all of the key facilities identified in the table also fall within a mile of the site (approximately 1.6km). In respect of trips conducted over this distance – that is up to a mile – section 2 of a separate CIHT document entitled ‘Planning for Walking’ describes these behavioural trends as follows:

“Across Britain, approximately 80% of journeys shorter than 1 mile are made wholly on foot – something that has changed little in 30 years (Figure 1). The main reason for the decline in walking is the fall in the total number of journeys shorter than 1 mile, which has halved in thirty years (Figure 2). It is not that people are less likely to make short journeys on foot but rather that fewer of the journeys they make can be accomplished on foot. If destinations are within walking distance, people are more likely to walk if walking is safe and comfortable and the environment is attractive.”

- 3.53 These observations have more recently been corroborated by the comprehensive National Travel Survey conducted by ONS in 2018 which once again demonstrates that 80% of trips under one mile are on foot¹¹.
- 3.54 From the existing entrance to the site, representing the County Council-maintained bridleway from Foxfields Country Park into its north east corner, the walking and cycling distance to all of the key services and facilities in Grange Park to the north is only marginally longer – an additional 200m. Upon its lighting, resurfacing and general upgrade to be secured by way of the accompanying Section 106 agreement this route will similarly offers pedestrians and cyclists an equally practical, attractive and convenient route to access all of the shops, services and facilities at Grange Park. This route provides access to all shops, services and facilities with all of them continuing to fall within the 2km CIHT recommended distance and the majority of them falling within the mile walking distance identified in the Planning for Walking document.

¹⁰ <http://www.hwa.uk.com/site/wp-content/uploads/2017/09/NR.4.3F-CIHT-Guidelines-for-Providing-Journeys-on-Foot-Chapter-3.pdf>

¹¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/823068/national-travel-survey-2018.pdf

3.55 It is relevant here to refer to the Wootton Fields proposal as a baseline of what both the Council and I agree represents acceptable and sustainable development in the context of the NRDA. This was a scheme considered on an identical basis to the appeal proposal in that it was located adjacent to the NRDA and sought to meet the needs of the NRDA at a time when it was recognised that the housing land supply position at Northampton was deficient. Like the appeal application it was considered by SNC's Planning Committee with the meeting in question falling on 31st January 2018. For context, paragraph 1.1 of the Committee Report describes the site and its location as follows:

"The application site is an agricultural field currently used as grazing, located on an urban edge approximately 4km south east of Northampton town centre and immediately adjacent to a housing development that is currently under construction and partially complete."

3.56 The locational characteristics of the Wootton Fields scheme are very similar to that of the appeal site, only the Wootton Fields proposal was not to be delivered in the context of an existing functioning community, unlike the appeal proposal's relationship with Grange Park. The location of the Wootton Fields site in relation to both the appeal site and the NRDA is shown at my **Appendix GA9**. It is also notable from the committee report that there is an absence of any concerns in respect of the accessibility of the site via walking or cycling. I would conclude, as demonstrated at my Table 1 below, that this was on the basis that a wide range of key facilities were all within the acceptable 2km walking distance from the site. Accordingly, the committee report concluded positively that:

"...it is considered that there is an overriding need to deliver the quantity of housing required to support Northampton in meeting their requirement to demonstrate a robust 5-year supply of deliverable housing land. For this reason and the sustainability of the site it is considered that there is sufficient material planning considerations to consider that the principle of the development is acceptable."

3.57 It is important to make clear the accessibility of a scheme which sought to serve exactly the same purposes as the appeal scheme and was approved using exactly the same policy mechanism relied on by the appellant, compliance with Policy S4 of the WNJCS, and was considered unquestionably sustainable in the conclusions of the Committee Report. A review of Section 4 of the Transport Assessment approved as part of the application (enclosed at **Appendix GA10**) reveals that at the time of the determination of the application (along with as of now) the Wootton Fields proposal lay a similar, if not greater distance, from the majority of shops services and facilities than the appeal site, regardless of whether the Alamein Wood or Foxfields Country Park access is used. Quite correctly, in my view, it was still concluded as sustainable for identical reasons as set out in my case in relation to the appeal site.

3.58 A comparison of the distances from services of the appeal proposal via each of the proposed pedestrian entrances with those described in the Wootton Fields Transport Assessment serves only to strengthen my views regarding the accessibility of the appeal proposal. These are all derived from the shortest

possible route via pavements and the formal footpath network. Whilst some of the distances in the table represent my own measurements those distances agreed in the Highways Statement of Common Ground, included in the Appeal Site column, and those taken from the Wootton Fields Transport Assessment, included in the Wootton Fields column, are identified with an asterisk:

Table GA1: Walking Distance from Amenities to the Nearest Entrance of the Sites

Facility / Amenity	Appeal Site (Alamein Wood entrance)	Appeal Site (Foxfields Country Park entrance)	Wootton Fields
Primary School	On site*	On site	1.7km*
Equipped Play Area	On site	On site	Adjacent
Public Open Space	Adjacent	Adjacent	1.3km
Sports Pitches	Adjacent	Adjacent	1.8km
Pre-School / Nursery	1.2km	1.4km	1.7km*
Community Centre	1.2km*	1.4km	+2.0km
Convenience Store	1.3km*	1.5km	1.7km*
Local Employment	1.4km*	1.6km	2.0km*
Doctors Surgery	1.4km*	1.6km	+2.0km
Dental Surgery	1.4km*	1.6km	+2.0km
Pharmacy	1.4km*	1.6km	+2.0km
Public House	1.4km	1.6km	+2.0km
Eatery / Restaurant	1.4km	1.6km	+2.0km
Coffee Shop	1.4km	1.6km	+2.0km
Secondary School	+2.0km	+2.0km	1.7km*

3.59 For robustness, and in recognising the differing dimensions of each site, I also provide below a calculation of distances from the centre of the developable area of each site to each of the listed services and facilities. This allows an appreciation of the average walking distance of residents at each development. These distances are calculated on the basis that the distance from the centre of the developable area of the appeal site lies approximately 200m to the south of the Alamein Woods entrance with the centre of the smaller Wootton fields proposal lying approximately 100m from its own entrance onto Poppyfield Road:

Table GA2: Walking Distances from Amenities to the Centre of the Developable Area of Each Site

Facility / Amenity	Appeal Site (Alamein Wood entrance)	Appeal Site (Foxfields Country Park entrance)	Wootton Fields
Primary School	On site	On site	1.8km
Equipped Play Area	On site	On site	0.1km
Public Open Space	0.2km	0.2km	1.4km
Sports Pitches	0.2km	0.2km	1.9km
Pre-School / Nursery	1.4km	1.6km	1.8km
Community Centre	1.4km	1.6km	+2.0km
Convenience Store	1.5km	1.7km	1.8km
Local Employment	1.6km	1.8km	+2.0km
Doctors Surgery	1.6km	1.8km	+2.0km
Dental Surgery	1.6km	1.8km	+2.0km
Pharmacy	1.6km	1.8km	+2.0km
Public House	1.6km	1.8km	+2.0km
Eatery / Restaurant	1.6km	1.8km	+2.0km
Coffee Shop	1.6km	1.8km	+2.0km
Secondary School	+2.0km	+2.0km	1.8km

3.60 What is clear is that in all instances, other than in respect of access to the nearest secondary school, the appeal site represents a far more accessible development than the Wootton Fields scheme by foot and by bicycle irrespective of whether the Alamein or Foxfields route is taken. Even then the proposed bus service to be secured as part of the Travel Plan will provide a dedicated scheduled daily morning and afternoon service to and from the school from the appeal site. Based upon the distances to shops, services and amenities set out above the Council, illustrated by paragraph 10.15 of the committee report, concluded the following in respect of the Wootton Fields proposal:

"The proposal represents a site on the edge of an existing urban area with access to employment, local services and good public transport links. Therefore, the site is considered to be sustainable."

3.61 This almost exactly describes the current appeal proposals. Therefore, based on the positive and indeed notably better performance of the appeal scheme in respect of accessibility compared to a scheme considered by the Council as being sustainable and accessible it begs the question as to why the Council appear to feel it necessary to impose a higher bar for the appeal proposals. Even when considered

against other development, in this instance the Wootton Fields scheme, that has been welcomed and found to be sustainable and accessible in the district the appeal scheme holds up as offering an extremely high level of accessibility as defined by the CIHT standards.

- 3.62 The Council states at paragraph 5.7 that *"the appellant proposes potential off-site footpath, cycleway and streetlighting works to improve connectivity with Grange Park. These works must be subject to a Section 106 agreement to secure their completion before the first occupation of a house. However, even if such off-site works are completed, the proposal will not be well connected to the principal urban area of Northampton, including Grange Park"*.
- 3.63 Payment to cover the implementation of these works, as illustrated on Drawing No. 6473/ASP01B at Appendix NN of the Transport Assessment prepared by JPP Consulting, would be secured by the Section 106 agreement. A visualisation of the new Alamein Wood link, showing its construction and demonstrating the intervisibility between the site and the existing development at Grange Park, is included as part of Aspect Landscape Planning's note rebutting Third Party comments included at my **Appendix GA18**. Importantly the Foxfields Country Park link already exists and will only require a combination of surface repairs and bollard lighting to transform it into a fully accessible route to and from the development usable by walkers, cyclists and horse riders alike.
- 3.64 The Council's assertions that even with a combination of these works the proposal would not be well connected to the urban area are bewildering. Not only, is no further explanation provided as to why this would be case, but such a conclusion is also entirely at odds with the views of the Highways Authority as expressed in the Highways SoCG that *"the appeal proposal would benefit from sufficient footpath and cycleway connections with Grange Park to allow access to the shops, services and community facilities contained within it"*¹².
- 3.65 Even more bewildering is the statement at paragraph 5.8 of the Council's Statement of Case that *"the appeal site is located within an acceptable cycle distance to the facilities of Grange Park. However, not all future residents will own a bike or want or be able to cycle, particularly at night-time, in wet weather, carrying shopping or accompanied by children"*. The recognition that the site is within an acceptable cycle distance of local facilities for cyclists, is welcomed, but brings into question why then when using the same standards are those facilities within an acceptable distance for those on foot.
- 3.66 Paragraph 5.10 of the Council's Statement of Case comprise yet more unfounded conjectures stating that *"the site is remote from existing bus routes. The site cannot be made sustainable by new bus routes. It is not well integrated into the existing urban area. The proposed community bus service is not realistic*

¹² Paragraph 2.2, Highways SoCG

and is unlikely to be deliverable, particularly in the medium and long term”.

- 3.67 Firstly, it cannot be concluded that the site is remote from existing bus routes. The northern entrance of the site lies approximately 620m from the nearest bus stops on Wake Way within Grange Park, accessible via the Alamein Greenway which leads through the heart of Grange Park. Whilst admittedly this falls outside the recommended walking distance to bus services of 400m set out in the CIHT document 'Buses in Urban Developments', to describe this relationship as "*remote*" is, in my view, hyperbole. As a point of note the nearest bus services to the sustainable development at Wootton Fields, as detailed in the appellant's Transport Assessment, were between 750m and 850m away. In reality a 400m walk is on average undertaken in 5 minutes, thus most of the site is within a 10 to 15-minute walk from this bus stop which provides a reliable and regular existing service to Northampton town centre.
- 3.68 Regardless, this point is academic as the appellant has now secured a dedicated bus service at the site, using a zero-emissions vehicle, that would provide scheduled trips to both Northampton town centre and the nearest secondary school, Caroline Chisholm School. A funding mechanism will be put in place that will secure this service for at least the first ten years of the lifetime of the development. The internal road layout would adequately allow this service to enter the site and stop at appropriate points around an internal loop. The scope of this service, as described in the proposal set out by the provider Ability (Northants) CIC and agreed as an appropriate level of provision in the Highways SoCG, can be found enclosed in full at **Appendix GA11** of this statement. It would be as follows:
- A scheduled morning and evening peak time service;
 - To include one return service to Northampton on a Saturday;
 - A schedule service for pupils attending Caroline Chisholm School in Wootton;
 - A daily service to Northampton out of peak times to enable residents to access the wide range of shops and facilities that exist in the town; and
 - Access to the ABILITY Community Bus Service demand responsive service that will enable residents to book a bus trip from their home to wide range of destination in the service area at any required time.
- 3.69 Contrary to the suggestion of the Council there is no reason that this service would not be delivered – its scope has been agreed as acceptable by NCC in the Highways SoCG and the sum required to facilitate its provision would be secured via the Section 106 agreement before the Inspector. The frequency and flexibility of this service represents a significant sustainability benefit of the appeal proposal, one which should be weighed heavily in the balance when concluding on the overall accessibility of the site. A similar service is already operation locally, which connects the village of Hackleton to Northampton town centre. Indeed, the Third-Party representation submitted by Hackleton Parish Council praises the service, confirming its popularity with elderly residents and those of limited mobility.

3.70 Importantly, and to counter one of the main concerns of both the Council and Third Parties, a funding mechanism has been agreed with the service provider that will ensure that it can be viably provided for not just the five year period agreed as acceptable by NCC in the Highways Statement of Common Ground but at least the first ten years of the lifetime of the appeal proposal (it is worth noting that no bus service at all was requested by NCC during the course of the application prior to offering no objection to the proposal). Whilst this is described in greater detail within the accompanying evidence prepared by MAC Consulting (my **Appendix GA4**) the funding mechanism can briefly be described as comprising full payment for the service by the appellant from years 1 to 5 with the service to then be further subsidised by a combination of accumulated profit and an additional top up payment by the appellant through years 6 to 10. At this stage it is assumed that the appeal proposal will be built out in full and regular travel patterns including patronage of the bus service will have been established.

3.71 In attempting to discredit the accessibility of the site by means such as walking, cycling and public transport paragraphs 5.11 to 5.13 of the Council's Statement of Case then seeks to major on its assertion that the appeal proposal would be heavily reliant on car usage and would not encourage a satisfactory modal shift. This culminates in a comparison of the site to the aspirations of the Sustainable Urban Extensions included in the WNJCS. At paragraph 5.13 the Council states:

"The appeal proposal has poor sustainability credentials in comparison with the allocated Sustainable Urban Extensions around Northampton, that according to the JCS are "aspiring to achieve a modal split of no more than 40% of trips being made by car." Grange Park currently experiences high levels of car/van use (85% by modal split) and the appeal site is located further away from employment sites than existing houses at Grange Park. The aspirations of the draft Travel Plan will not make the appeal site sustainable."

3.72 I consider this entirely specious in its reasoning. As a start point it once again sets an artificially high standard for the appeal proposal by comparing it to the 'aspirations' for the Sustainable Urban Extensions, where a highly ambitious modal split of 40% of trips by car is mooted. The appeal proposals are not within the scope of the defined sites caught by this aspiration and instead represents a modest residential-led development that seeks to contribute swiftly and sustainably to the needs of the NRDA.

3.73 On this basis it is important to refer to the Modal Shift Targets included at paragraph 6.13 of the WNJCS which states:

"This Plan is based on the Modal Shift Targets initially set out in Northamptonshire County Council's Transport Strategy for Growth (NTSG) and subsequently in the Northamptonshire Transport Plan. These are: 5% Modal Shift away from Private Car Trips across existing developments and a 20% shift away from Private Car Trips from all new development."

3.74 It is evident that a 20% shift away from private car, rather than modal split, is the expectation for proposals such as that proposed by the appeal, to ensure it contributes positively towards sustainably

travel trends. This target is defined in paragraph 3.1.2 Table 3.2 of the Framework Travel Plan, prepared by JPP Consulting, and in paragraph 4.2.1 Table 4.2 of the approved Detailed Residential Travel Plan, prepared by MAC Consulting.

3.75 The latter of these documents sets £479,100 worth of measures to support and encourage the use of sustainable transport. These measures would be secured by way of the Section 106 agreement. The package is as follows:

- Provision of a Travel Plan Co-ordinator;
- Creation of walking buses to local school(s);
- Provision of fitness trackers;
- Improvements to offsite cycle parking;
- Provision of a £300 voucher, to purchase cycling equipment;
- Funding for a dedicated bus service for a five-year period;
- Free public transport on the development's dedicated bus service for 12 months; and
- Funds to help set up a car club.

3.76 At the end of the 5-year target period it is expected that the 85% of single occupancy car journeys would have reduced to 68%. In which case and following detailed discussions with NCC Highways during the course of the appeal application, the appellant is committed to achieving the 20% modal shift target.

3.77 Based upon my evidence above, the concerns of the Council in respect of the sustainability of the site are unjustified. A package of measures are proposed including a range of physical walking and cycle links that build upon those already in place to allow more than sufficient access to a full range of local shops, services and amenities. By comparison the appeal proposal compares very favourably to that at Wootton Fields that was found to be sustainable in all respects by the Council only two years ago in 2018.

3.78 A significant package of measures would be secured through the Section 106 agreement that would ensure a modal shift of at least 20%, as required by the NTSG and WNJCS. As demonstrated by my **Tables GA1 and GA2** the ability to meet this target is helped in great part by the close relationship of the site to a wide range of shops, services, facilities and a significant supply of employment opportunities in and around Grange Park and Junction 15 of the M1. This exactly meets the target set for new development in West Northamptonshire, other than at the SUE's which must accommodate their own aspirational, rather than fixed, targets of a 40% modal split away from car usage.

3.79 Perhaps most significantly it has now been demonstrated that a regular, cheap and flexible bus service can be provided to and from the site mirroring the type of service already enjoyed and praised by several rural wards across the district, including Hackleton Parish Council as respondents to this appeal.

3.80 All of these points and measures combined demonstrate that the appeal proposal is appropriately accessible and sustainable and, furthermore, achieves the modal shift away from private car usage required of all developments across West Northamptonshire. There can be no doubt that appeal proposal satisfies all of the objectives of the WNJCS and benefits from the support of Policy S4. Accordingly, it represents "*NRDA-related development*" within the meaning of Policy SS1 and should be considered in that context.

WNJCS Policy S1 – The Distribution of Development

3.81 The first reason for refusal alleges that the appeal application is in conflict with Policy S1 of the WNJCS which essentially presents the spatial strategy for West Northamptonshire. Specifically, it alleges conflict with criteria (D)(2) of this policy which relates explicitly to limiting development in the rural area and placing the emphasis on "*shortening journeys and facilitating access to jobs and services*".

3.82 It is firstly notable that in applying this policy, the Council gloss over the very first criteria that, as a priority, seeks to ensure that "*development will be concentrated primarily in, and adjoining, the principal urban area of Northampton*". It is unarguable that the appeal proposals satisfy this requirement.

3.83 Although the appeal site does fall in the rural area by virtue of its location outside but immediately adjacent to the boundary of the NRDA it still represents one of the single most sustainable locations for growth in West Northamptonshire. This is by virtue to the fact that it is immediately adjacent to the plan area's single most sustainable location and largest growth point, the NRDA. When compared to any other location across rural West Northamptonshire it presents the very best opportunity to shorten journeys and facilitate access and jobs to services, particularly in light of the extensive range of connections and sustainable transport measures to be put in place as part of the final development.

3.84 In short it cannot possibly be concluded that the appeal proposals conflict with Policy S1 and in fact they directly accord with its central aim of directing the majority of development towards the NRDA.

LPP2 Policy SS2 – General Development and Design Principles

3.85 By way of an extension of the same theme relating to access to sustainable means of travel the first reason for refusal further alleges that the appeal proposal conflicts with LPP2 Policy SS2 criteria (j) and (k) which relate to safe and suitable access provided to all people, including walkers and cyclists, and access to public transport respectively.

3.86 With reference to the points already made, there is no doubt that the proposals meet these criteria. The proposal incorporates appropriate and safe segregated public footpaths and cycleways leading to Grange Park which would supplement existing links and facilitate access to services via both walking and cycling within the acceptable industry standards set out in the CHIT guidance. In addition, the scheme would secure a flexible and responsive bus service that would take future residents to key local destinations

such as the centre of Northampton and Caroline Chisholm School.

- 3.87 Similarly, due to my conclusions in respect of sustainable transport connections and the subsequent compliance of the appeal proposal with Policies S4 and SS2 in particular it should inevitably be concluded that any alleged conflict with paragraphs 103, 108 and 110 of the NPPF is avoided in that they all cover identical matters.

Reason for Refusal 2

- 3.88 As I set out at the beginning of this section I consider the two reasons for refusal to be inextricably linked in that if it were to be concluded that the appeal proposal does not comprise development for the NRDA it should inevitably be concluded, by virtue of the site's location in the designated open countryside, that there is no other policy mechanism to support its delivery and it should inevitably fail when assessed against the general policies for the rural area. These are identified in the reason for refusal as the now deleted Policies H6 and EV2 of the now replaced South Northamptonshire Local Plan 1997 and their subsequent replacements, Policies SS1 and LH1 of the LPP2. Between them these policies all frame the general allowances for development in the rural area. Incidental to these policies is then Policy R1 of the WNJCS that describes the spatial strategy for the rural area, principally relating to growth away from the NRDA.
- 3.89 Central to the principle of the appeal proposal are the allowances set out as part of both Policy SS1 and Policy LH1 which respectively lend explicit support to:

"NRDA-related housing development beyond settlement confines...where it complies with Policy S4 of the WNJCS and directly adjoins the NRDA."

And:

"Development outside settlement confines...(which) Is NRDA-related housing development compliant with Policy S4 of the WNJCS and directly adjoins the NRDA."

- 3.90 In each instance it is recognised that the accord of development adjacent to the NRDA boundary, such as the appeal proposal, with Policy S4 and more widely the objectives of the WNJCS is key to establishing this allowance. It is a natural consequence in respect of a 300-dwelling scheme unrelated to any other development in the rural area that, if it were not considered to comply with Policy S4 and therefore were not to comprise NRDA development, neither Policy SS1 or LH1 would lend it support. However, so far as the proposal represents NRDA development and, as I know go onto to show, the benefits it would bring would substantially and demonstrably outweigh any harm, then it is in direct compliance with both policies any the Council's second reason for refusal is also unsubstantiated.

4.0 PLANNING BALANCE

- 4.1 The Council consider that harm would arise from conflict with the development plan so far as the proposal represents unsustainable development in the open countryside. This, they say should weigh heavily against the proposals. So far as the development plan is concerned, I have explained that contrary to the case being made by the Council, the appeal proposal is well related to the existing built-up area and represents development related to the NRDA. It is therefore in a location where development that meets the needs of the NRDA is appropriate. Given the shortfall in the NRDA's 5 year supply, the fact that the appeal site is located outside the Northampton Urban Area cannot in this case be a reason in principle to object and the proposals must be considered in the context of the presumption in favour of sustainable development. Other than the limited harm in relation to landscape (which is not a reason for refusal), it is agreed between the parties that it is of a scale that can be accommodated without harm to local infrastructure.
- 4.2 I accept that as with the development of any greenfield site, the proposals would result in some landscape and visual change and that some harm to landscape character would arise from this. The nature and extent of the impact is agreed between the parties¹³ to be that identified by officers in their committee report, as follows:

"...the proposed development would result in a significant change in landscape character. There will be harm to the intrinsic character and beauty of the countryside. The southern boundary is relatively open and there will be views of the development as one approached the site along the public right of way from that direction. The removal of the existing hedgerow to widen the road and create the site's access would open up the site to views from the Courteenhall Road, albeit for only a relatively short length. Generally, due to the existence of significant woodland planting, the development would be well contained and would not appear as an arbitrary or artificial extension of the existing built form and would maintain a strong and defensible boundary to the adjoining open countryside. The appeal proposal would not give rise to physical or visual coalescence between Grange Park, as the southern extent of the Northampton urban area, and any nearby village. There is no landscape, townscape or visual impact objection to the proposed development."

- 4.3 It is important to note that the Council raises no objection to the proposals on the grounds of landscape, townscape or visual impact and that as a result of existing woodland planting and landscape buffers, it is agreed that the development would appear as a natural to the existing built form. In this case the impacts would be limited and there would be no overall significant adverse landscape or visual effects arising from the proposals that indicate planning permission should be refused.

¹³ Paragraph 7.2, Planning SoCG

- 4.4 The construction stage of the development may bring with it some effects which are short-term, temporary in nature, and localised to the site and immediate area. However, best practice measures would be put in place to mitigate any adverse temporary impacts in terms of noise, the operation of construction traffic, plant and machinery or the management of any other related disturbance or nuisance. This is likely to include controls on working hours and dust suppression measures. These could all be agreed as part of a construction management plan secured via a suitable planning condition.
- 4.5 On the other side of the balance, the proposals would provide for the following significant and far reaching public benefits:
- 4.6 Against the limited harm of landscape impact must be weighed the very significant economic, social and environmental benefits set out below.

Economic Benefits:

- The creation of new FTE jobs during the preparation, demolition and construction stage of the development.
- The creation of jobs through the supply chain.
- The generation of additional spending in the local economy from new households and construction workforce that will support local business and shops.
- The provision of an increased range and choice in the housing stock.
- A CIL contribution that, due to the appeal site's location on the edge of but not within the NRDA, is double that expected of other NRDA-related development.
- The generation of significant additional Council Tax receipts and New Homes Bonus Payments.

Social Benefits:

- Delivery of up to 300 homes in an agreed mix, including 105 (35%) affordable homes.
- Provision of land for a new 2-form entry Primary School.
- A financial contribution to enable the provision of early years and childcare and primary and secondary school provision.
- A financial contribution towards the improvement and expansion of local healthcare facilities to the wider public benefit.
- A financial contribution towards improvements to local community facilities in Grange Park.
- A financial contribution towards improvements to local open space and recreation facilities at the NRDA.
- Provision of approximately 3.3ha of the site as new publicly accessible open space, including a LEAP and attenuation pond, which will maintain the existing public rights of way and provide new footpaths linking into the existing network.
- Introduction of a high quality new built environment, green infrastructure and open space alongside new and improved education and community facilities will provide expanded opportunities for improving physical health and well-being, social interaction and community development.
- New and improved foot and cycleway links between the site and Grange Park.
- Provision of a new dedicated bus service running between the site and Northampton with the

provision to serve additional villages and communities on route.

Environmental Benefits:

- Retention and enhancement of existing woodland planting, trees and hedgerows as part of a comprehensive landscaping scheme.
- Introduction of extensive landscaping that will minimise any harm to the character and appearance of the surrounding landscape and integrate the development into the surrounding countryside.
- The creation of 5.28ha of open space in total that maintains the existing public rights of way running through the site and provides new footpaths that connect to the off-site network.
- With this the creation of approximately 2ha of natural and semi-natural green space that would lend itself to habitat creation.
- Enhanced opportunities for nature conservation, ecology, biodiversity, access and recreation with the potential to secure a net biodiversity increase of at least 10% across the site.
- Protection and enhancement of existing habitats both on and off-site.
- Sustainable Drainage Systems and works to improve drainage in the local area.

Economic Benefits

4.7 The development would provide for much needed housing in the area, increasing the range and choice of housing stock available to the market, including affordable housing. This would improve the opportunity for existing residents to remain in the town or new residents to locate there resulting in an increase in the available expenditure locally. The introduction of up to 300 new households would result in significant additional spending per annum in the local economy, including convenience and comparison shopping and recreation and leisure activity. The new housing would also raise significant Council tax receipts and New Homes Bonus Payments.

4.8 The housebuilding industry is vital to the UK economy, whether this be because of the direct and indirect jobs it generates, the suppliers it supports, the huge source of income it provides for the Government, the affordable housing and community infrastructure it delivers or simply by providing the homes people need. The Coronavirus Pandemic and the measures that Governments across the world have had to put in place to protect public health have created a global jobs catastrophe, which in the UK has resulted in a severe recession, the likes of which, according to the Chancellor and the Bank of England, we have never seen before. The economic benefits arising for housing development are therefore ones upon which we all depend, and which form a linchpin within the economy; the current circumstances the UK finds itself in only serves to heighten their worth and the weight that should be attributed to them.

Economic Benefits

4.9 The NPPF confirms the economic objective of sustainable development as helping to build "*a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the*

right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure". The proposals would deliver clear economic benefits in terms of investment in the local economy through the construction of dwellings, increased expenditure in the local economy by new residents and increased Community Infrastructure Levy (CIL) payments to local infrastructure.

Investment in the Local Economy

- 4.10 A report by the Home Builders Federation (**Appendix GA12**) demonstrates that for each dwelling built, 1.5 new jobs are created. On this basis, the development of 300 homes over approximately 6 years would generate approximately 75 jobs per annum ($1.5 \times 50\text{dpa} = 75$). These jobs would range from low to high skilled professions and would draw upon the local and wider employment market.
- 4.11 In addition to jobs created as a direct effect of the construction and management of the project, local businesses would be used for construction supplies and services thus creating additional economic benefit locally. Further indirect economic benefit is therefore likely to be felt by local businesses, shops and services on a day to day basis to accommodate the needs of the construction labour force. This would include first and foremost the shops and businesses within neighbouring Grange Park. The Home Builders Federation Report calculates that the construction industry has an indirect and induced multiplier effect of 2.51 which means that for every 1 direct job generated a further 1.51 indirect and induced jobs are supported in the supply chain. Applying this multiplier to the 39 direct construction jobs indicates that an additional 113 jobs could be supported per year of construction across the local and UK economy.
- 4.12 This calculation takes place before the additional associated construction jobs associated with the delivery of the new school facility on the site are factored in.

Increased Spend in Local Economy

- 4.13 The Proposed Development would also have indirect permanent effects on employment generated by the increase in population using services and facilities in the local area, therefore supporting jobs. Guidance produced by the Homes and Communities Agency in its 2015 document 'Calculating Job by Cost' (**Appendix GA13**) indicates that an increase in spend of £97,200 in the local area results in one additional job. Based on an average weekly household spend of £258 (ONS 2011) on local goods the scheme would generate some £4,024,800 per year ($\text{£}258 \times 52 \text{ weeks} \times 300 \text{ homes}$) resulting in an additional 41 indirect jobs.

Increased CIL Income

- 4.14 The proposal would secure CIL money payable towards social infrastructure projects relating to the Northampton urban area / the NRDA at a rate which is double that applicable to developments within the NRDA itself. The current CIL rate per square metre for development within the NRDA is £61.44 per square metre, as per SNC's current charging schedule (2020 rates). Whilst the appeal proposal will contribute up

to 300 new homes towards meeting the housing needs of Northampton the location of the site outside, but on the edge of, the NRDA necessitates an increased CIL rate per square metre of £122.93. CIL receipts which are disproportionately higher than similar NRDA-related housing development would therefore have a heightened positive impact on securing infrastructure improvements in the local area.

- 4.15 The above economic benefits combined should be afforded **significant positive weight** in the planning balance.

Social Benefits

- 4.16 The NPPF confirms the social objective of sustainable development as to support *"strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being"*. As set out in further detail in the sub-sections below, the proposals would deliver clear social benefits in terms of the delivery of new homes, the delivery of social infrastructure and an over-provision of open space in a sustainable location on the edge of West Northamptonshire's principal growth area, the NRDA. In doing so it will help meet a critical and chronic need for both market and affordable units at the NRDA.

Housing Delivery

- 4.17 The NPPF confirms at paragraph 8 that the delivery of new housing is a key element of social sustainability and at paragraph 73 that a 5-year supply of housing is the minimum that local authorities should be able to demonstrate. It common ground that, while SNC can demonstrate a 5-year supply of housing land across the rural parts of the district, the separate planning area of the NRDA to which the appeal proposal unquestionably relates and seeks to contribute a vital provision of up to 300 new dwellings cannot. On this basis, and as the appeal proposal in my view comprises NRDA-related housing development, this appeal should be considered in the context of the NRDA's supply position. The way in which these two supply positions interact is described best at paragraph 9.18 of the committee report, set out below. Indeed, the delivery of new dwellings on a sustainable site within close proximity to local facilities is a clear material benefit of the proposal.
- 4.18 The housing land supply in the NRDA is hugely deficient. Currently it stands at 2.75-years with an undersupply over the first 8 years of the plan period of 3,535 homes. The critical nature of this position is not disputed by Officers and the extent of the need is agreed in the Statement of Common Ground. In setting the context paragraphs 9.17 and 9.18 of the Committee Report state that

"However, the JCS covers the whole of West Northants and, within the NDRA, the housing land supply is in a much less healthy position. This is as a result of several of the allocated

SUEs not coming forward in the timescales anticipated. At present the NDRA is acknowledged as having a housing land supply of 2.75 years. Delivery is over 3,500 dwellings behind schedule (Source: Northampton Borough Council 5 Year Housing Land Supply Assessment for the NRDA, April 2019).

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

4.19 In weighing this factor in the planning balance, at paragraph 11.7 of the Committee Report, the Case Officer stated that *“the shortfall in housing delivery within the NRDA is a material consideration to which significant weight must be afforded (our emphasis). The fact that this development could make a meaningful contribution towards increasing housing delivery within the next 5 years is a factor that counts heavily in favour of the scheme.”*

4.20 The need for new homes at the NRDA is therefore acute. The delivery of 300 new dwellings on a deliverable housing site immediately on the edge of the NRDA itself should therefore be afforded **very significant positive weight** in the planning balance.

Affordable Housing

4.21 One of the effects associated with chronically slow delivery of new homes is an associated shortfall in affordable dwellings, an issue that is similarly acute at the NRDA. Over the three year rolling monitoring period set out in the most recent Joint Authorities Monitoring Report (JAMR) for the NRDA, published in 2019 (**Appendix GA14**), there has been a requirement for the delivery of 5,877 homes at the NRDA judged against the WNJCS trajectory with a policy requirement for affordable housing at sites of more than 15 dwellings in the NRDA of 35%. However, only 2,976 dwellings have been completed at the NRDA across all tenures over the same period.

4.22 The JAMR also sets out a summary of recent performance in respect of affordable housing delivery. Paragraph 3.63 of the statement confirms that *“in terms of dwellings permitted during the period 2016-19 the permissions granted in the Northampton Related Development Area should deliver 25.29% (affordable housing). This remains below the 35% target in policy H2. Whilst many of the schemes granted permission will deliver the full 35% set out in the policy, the overall percentage is reduced by those cases where the amount of affordable housing has been reduced on viability grounds. For example, during this period permissions, including reserved matters approval have been granted on Sustainable Urban Extensions, including Northampton South and Northampton Upton Park, where a reduced rate of affordable housing has been agreed on viability grounds”.* Of those homes that have been delivered only

approximately 25% of them are affordable in tenure, falling significantly below the 35% target for the NRDA.

- 4.23 As a total figure Table 14 of the JAMR indicates that 544 affordable dwellings have been delivered at the NRDA over the period 2016-2019. By way of comparison, in the event that the required housing trajectory for the NRDA for the same period had been met and the policy compliant 35% of affordable dwellings achieved the delivery of 2,057 affordable dwellings would have been secured. Over only a three-year period there has been a shortfall in delivery of affordable dwellings of some 1,513 units. Once again, the need resultant of this can only be called acute.
- 4.24 In accordance with the findings of recent appeal decisions in Wokingham Borough irrespective of whether the Council can demonstrate a 5 year supply, in cases where there is an acute need for affordable housing provision, affordable housing delivery on site should be seen as a significant benefit that should be afforded significant weight in the planning balance:
- **Land at Stanbury House, Basingstoke Road, Spencers Wood, Wokingham** (Appeal Reference: APP/X0360/W/15/3097721) dated 18th September 2018 (**Appendix GA15**). Appeal allowed. Appeal decision recognises an increasing and acute need for affordable housing and considers that a policy compliant provision was a significant benefit weighing heavily in favour of the scheme.
 - **Land at Lambs Lane and Beech Hill Road, Spencers Wood, Wokingham** (Appeal Ref: APP/X0360/W/18/3199728) dated 8th January 2019 (**Appendix GA16**). At paragraphs 73–75 the inspector confirms the need for affordable housing is acute and considers that even if there has been more affordable housing provided than annual need in 2017/18 this does not make up for the substantial under provision in previous years. Although the appeal was dismissed on other grounds, the provision of affordable housing was seen as a significant benefit of the scheme.
 - **Land at Parklands, east of Basingstoke Road, Spencers Wood, Wokingham** (Appeal Ref: APP/X0360/W/18/3204133) dated February 2019 (**Appendix GA17**). Appeal allowed. Paragraph 27 confirms that there is an acute need for affordable. Recognises the Council is taking action but the past record of delivery has fallen short of the requirement. Significant weight was given to the benefits of the provision of affordable housing.
- 4.25 On the basis of the significant recent under-delivery of affordable dwellings at the NRDA and concluding similar to the various Inspectors presiding over the appeal cases summarised above, it is clear that the provision of up to 105 affordable homes at the appeal site represents a benefit that must carry **very significant weight**.

Public Open Space

- 4.26 One of the key benefits of the appeal proposal is the provision of a level of open space that is significantly in excess of the basis requirement described by Policy GS1 of the LPP2. Whilst the appeal proposal was determined at a time when the level of open space provision across all typologies was calculated using a lower standard, described in the now replaced South Northamptonshire Local Plan 1997 (only 0.45ha was required across the whole site), I am still pleased to confirm that even when compared to the significantly increased basic requirement set out in Policy GS1 the appeal scheme is still capable of delivering a substantial uplift when assessed against this figure.
- 4.27 Different to the replaced Local Plan standards the current requirement is based on a per 1,000 resident basis, rather than against unit numbers. In which case, based on the standard UK household size of 2.4 people the policy requirements for the 300-dwelling appeal scheme (720 people) are set out at **Table GA3**, below:

Table GA3: Open Space Provision

Open space type	Quantity per 1,000 people	Required from appeal scheme
Parks and Gardens	0.4ha	0.29ha
Amenity Green Space	0.6ha	0.43ha
Natural / Semi-Natural Green Space	1.15ha	0.83ha
Children’s / young person’s play	0.25ha	0.18ha
Allotments	0.3ha	0.22ha
Total	2.7ha	1.95ha

- 4.28 The Case Officer at paragraph 9.40 of his Committee Report states that the appeal proposals offer a total of approximately 5ha of open space (excluding the attenuation basins). This actual figure for the site is in fact 5.28ha including the basins as demonstrated by the final Parameter Plan prepared by RG+P.
- 4.29 The attenuation basins along with the acoustic bund account for 1.87ha which would be delivered and maintained as semi-natural green space, a figure significantly in advance of that required by Policy GS1. Otherwise, a 0.11ha Local Equipped Area of Play (LEAP) is to be provided towards the core of the development with an additional ‘Trim Trail’ around the periphery of the site. Once again, the provision of these two formal facilities would see the 0.18ha for play significantly exceeded. Lastly, this leaves a 3.3ha provision of general open space across the site, predominantly around the periphery. This could amply accommodate the combined 0.94ha requirement for a combination of parks and gardens, amenity green space and allotments required on the site.
- 4.30 Whilst it is acknowledged that Sport England has objected to the proposal on the basis of lack of on-site

provision of sports pitches and indoor facilities this is based on a mis-apprehension on the part of Sport England – a point which is covered succinctly at paragraph 9.43 of the Committee Report where the Case Officer confirms *"Sport England have objected that the demand created by this proposed development for both indoor and outdoor sports facilities has not been addressed. Indoor strategic sports facility provision is covered by CIL. As mentioned above, outdoor facilities (sports pitches) will be covered by a S106 contribution for off-site provision"*.

4.31 In which case it is clear that the appeal proposal, albeit led by an illustrative parameters plan at this stage, presents the opportunity to deliver a significant level of open space across all typologies as part of the development. Due to the strong proposed footpath and cycle linkages between the site and Grange Park this will be to the benefit of not only future residents of the scheme but also existing residents of Grange Park. On this basis the provision of a substantial quantum of open space at the site would represent a benefit that carries **positive weight** in the planning balance.

Enhanced footpath, bridleway and sustainable transport provision

4.32 A key element of the appeal proposal is the improvements to the local footpaths and cycle network both through the site and beyond to both the north and the south. This level of heightened local accessibility will now be enhanced through the provision of a regular weekday zero-emission bus service, providing a combination of scheduled and on-demand trips, along with additional services at the weekend. All of these measures will be secured through payments to be included in the accompanying Section 106 agreement that is now before the Inspector.

4.33 The standard of connectivity between the site and both Grange Park and the wider Northampton urban area stands as one of the key areas of dispute as part of this appeal. As has been demonstrated earlier in this section the links to be provided are in fact numerous and offer an entirely appropriate choice of sustainable travel to and from the site to a range of facilities to the north.

4.34 In total, and to the benefit of both existing and future residents, it is proposed to deliver the following range of upgrades as part of the appeal proposals:

- A resurfacing of the existing bridleway running along the entire eastern edge of the appeal site. This will comprise the upgrade of the current muddy, unsurfaced track to provide a shared footpath and cycleway and a verge along its length to accommodate horse riders. This will continue to link to the continuation of the bridleway through Foxfields Country Park to the north whilst it will be supplemented by a safe crossing point, comprising a tactile dropped kerb and refuge, to the southern side of Quinton Road;
- A payment, secured by way of Section 106, to facilitate the delivery of an additional new 10m wide corridor linking the site with the southern extent of the Alamein Greenway through Alamein Wood to the north. This route will be surfaced and lit to the specification of the Parish Council;

- A further payment allowing all necessary repairs to the continuation of the currently heavily rutted bridleway through Foxfields Country Park. Once again it is intended that this route will be lit, in this instance with low level bollards, to create a safer walking environment by way of greater levels of surveillance and a surer surface underfoot; and
- A new dedicated zero-emissions bus service from the site to both Northampton, offering alternative access to a full range of shops, services and amenities, and to the nearest Secondary School, Caroline Chisholm School, to the north. This service will be secured for the first ten years of the development, allowing a significant length of time for it to become self-sustaining. Patronage of the service will be encouraged during the first 12 months of its operation through the provision of free travel for all residents. As an additional benefit to the local area the service will not only provide regular services to and from the appeal proposal to Northampton but will also provide supplementary services to existing communities at Courteenhall, Quinton, Hardingstone, Wootton and Grange Park itself. The scope and coverage of service is shown at Figure 4.2 of MAC Consulting's evidence, which can be found as my **Appendix GA4**.

4.35 Contrary to the Council's assertion that these linkages are inadequate the appellant considers them to represent a significant package of works that will not only provide a sustainable living environment at the site featuring a choice of means of travel but will also enhance the overall sustainability of Grange Park. Combined these upgrades to the local footpath, cycle network and level of public transport provision must carry **significant positive weight** in the planning balance.

Provision of additional education infrastructure

4.36 A key benefit of the proposal would be the provision of a new serviced primary school site and related financial contribution towards the delivery of the facility, a level of contribution towards local social infrastructure in excess of that required by NCC, as the local education authority.

4.37 As a basic requirement NCC states in its response to the application dated 24th September 2019 that *"when considering the pressures on existing primary school capacity in the local area it is expected that an additional form of entry will be required to accommodate the pupils from this development"*. This would necessitate the provision of a 1.7ha site.

4.38 The committee report summarises the current position in respect of local primary school provision neatly. Paragraphs 9.113 to 9.115 states that

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

However, NCC's preferred model (for efficiency reasons) is for all new primary schools to

be 2FE. Whilst the proposed development only generates demand for the equivalent of 50% of a 1FE primary school, the applicant has agreed to include the provision of land for a 2FE school (and payment equivalent to 50% of building a 1FE school), meaning NCC can (through other sources) potentially fund the construction of a 2FE school in the fullness of time.

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

- 4.39 It is clear that, when faced with an opportunity to ensure that the scheme once again provides additional benefits to the local community, the appellant chose to do more – to provide a 2.1ha site capable of delivering a two forms of entry facility, accommodating up to 210 pupils. On this NCC concluded that *"this proposed approach is welcomed by the county council; inclusion of a 2.1ha site will enable a flexible, strategic approach towards delivery of new primary education capacity to meet the needs of the development, as well as anticipated growth in the surrounding area"*. This overprovision of land, along with an appropriate financial payment towards the delivery of the new school, represents a significant benefit to the local community and must therefore carry **significant positive weight** in the planning balance. Whilst it is not certain when the school will be delivered by NCC the fact that this is facilitated by the development is key. The land is available and the school will be delivered as and when it is needed.

Environmental Benefits

- 4.40 The NPPF confirms the environmental role as *"to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."* Whilst the appeal site is largely devoid of any significant environmental constraints one of the key principles that was adopted by the appellant in the development of the draft proposals subject of the outline appeal application was to ensure that it represented a scheme that respected its setting and preserved the most important environmental features across the site.

Ecology and Trees

- 4.41 It is common ground that on the basis of 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 to be safeguarded. It is also common ground that the main body of the site, comprising a regularly cultivated agricultural field, has limited habitat value. Further to this, the appeal proposals actually offer an opportunity for biodiversity enhancement and would protect and enhance biodiversity in line with national and local planning policy. The site is capable of securing a biodiversity net gain of 3.37 biodiversity units or 10.27% net gain in total. This is demonstrated by the Biodiversity Impact Assessment (BIA) Calculator, prepared by Lockhart Garratt, included at my **Appendix GA6**.

- 4.42 The ecological and arboricultural benefits of the proposal should be afforded **positive weight** in the planning balance.

Overall Planning Balance

- 4.43 Having established the principal of development through reference to Policy S4 of the WNJCS and Policies SS1 and LH1 of the LPP2 it is clear that the site represents a suitable location for sustainable development. Resultant of the relationship of the site with the NRDA, in that the appeal proposal must be considered as development for the NRDA, and as concluded at paragraph 11.1 of the Committee Report the 'tilted balance' described by paragraph 11(d) of the NPPF is invoked due to the critical undersupply of new homes at the NRDA – a 2.75-year supply. On this basis, and in applying the planning balance, it stands that the appeal proposal should be allowed unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in (the) Framework taken as a whole"*.
- 4.44 It is common ground with the Council that the only harm arising from the proposed development, other than the Council's disputed assertions of conflict of the proposal with the development plan and the under-provision of sustainable transport links, is the localised impact on the landscape. The position in respect of this impact is set out as part of the Statement of Common Ground and then repeated again at the start of this section. I agree with the comments in the Committee Report that *"it is inevitable that the landscape character would change significantly with the development of the site"*. This is a foregone consequence of developing a greenfield site.
- 4.45 However, I also welcome the following summation that immediately follows this comment, with the Case Officer confirming that *"with significant mature woodland to the north, east, west and south-west of the site, the visual impact of the development beyond the site boundaries would be well contained. Only the southern boundary is relatively open (enclosed by a well-managed field hedge), and with the land rising gently to the south, there would be views of the development as one approached the site along the public right of way from that direction"*. This succinctly describes a proposal where landscape impact is localised and minimal at worst. On this basis it must be concluded that such impact results in **limited negative weight** in the planning balance.
- 4.46 Against the limited weight affordable to the limited level of landscape/visual harm, we must weigh the following material benefits:

Economic Benefits:

- Increased investment and spend in the local economy: The proposed development would deliver

economic benefits both during and after construction.

- Increased CIL income and infrastructure contributions: The proposal would secure CIL money payable towards social infrastructure projects relating to the Northampton urban area / the NRDA at a rate which is double that applicable to developments within the NRDA itself. Together with the increased investment and spend in the local economy these benefits should be afforded **significant positive weight** in planning balance.

Social Benefits:

- Housing Delivery: The appeal proposal seeks to deliver up to 300 dwellings against the backdrop of an undisputed chronic need for new homes at the NRDA where, as of April 2019, the local land supply was equivalent to a 2.75-year supply against the housing requirement identified in the adopted WNJCS. In this context, housing delivery should be afforded **very significant positive weight** in the planning balance.
- Affordable Housing: I have demonstrated within my evidence that there is an acute need for affordable housing in at the NRDA. In this context, the scheme's viable provision of 105 affordable dwellings should be afforded **very significant positive weight** in the planning balance.
- Open Space Provision: As confirmed by the Parameter Plan submitted to the Council on 30th August 2019 the proposal would provide an excess of open space across all typologies when compared with Council standard. Such a generous supply must carry **positive weight** in the planning balance.
- Enhanced footpath, cycleway and sustainable transport provision: Combined the substantial package of upgrades to the local footpath, cycleway and public transport network will significantly enhance the sustainability of not only the site but its immediate locality. These combined benefits, and their ability to encourage a marked modal shift in current travel patterns, must carry **significant positive weight** in the planning balance.
- Provision of additional education infrastructure: A key benefit of the proposal will be the provision of a new serviced primary school site and related financial contribution towards the delivery of the facility, a level of contribution towards local social infrastructure in excess of that required by NCC, as the local education authority. This overprovision of land, along with an appropriate financial payment towards the delivery of the new school, represents a significant benefit to the local community and must therefore carry **significant positive weight** in the planning balance.

Environmental Benefits:

- Ecology and Trees: It is demonstrated by the Biodiversity Impact Assessment Calculator prepared by

Lockhart Garratt that the site is capable of securing a biodiversity net gain of 3.37 biodiversity units or 10.27% net gain in total. These benefits should be afforded **positive weight** in the planning balance.

- 4.47 In conclusion, in my professional judgement, it is clear that: the very significant positive weight afforded to the provision of up to 195 market dwellings that will meet the severe need for new homes at the NRDA and the provision of 105 affordable dwellings to meet an acute need at the same; the significant positive weight to be afforded to economic contribution of the scheme and the provision of land for a new primary school and to be afforded to the upgrade of an extensive length of the local footpath and cycle network along, a new zero-emission bus service; and the positive weight to be attributed to the over-provision of public open space and a net increase in biodiversity at the site significantly outweigh and therefore override the moderate negative weight that can be afforded to the very localised landscape and visual harm caused by the development through the loss of designated countryside and the change in character of part of the site from open arable agricultural land to residential development.
- 4.48 The proposals therefore represent substantial public benefits which more than outweigh any adverse effects and the proposals therefore accord with **Policy SA** of the WNJCS and the NPPF when read as a whole, such that the proposal is in accordance with the development plan and should be allowed.

5.0 THIRD PARTY RESPONSES

5.1 Asides from the consideration of key issues described by the two reasons for refusal a number of Third-Party Responses have been received towards the appeal. Along with the submissions from local residents responses have been received from Grange Park, Quinton and Hackleton Parish Councils. Similarly, submissions have been made by two local Councillors. I consider all of the points raised within them have been dealt with robustly either in my evidence, set out above, or during the rigorous assessment of the appeal application by SNC prior to its determination. Regardless, I appreciate the importance of ensuring that all additional matters are covered fully.

5.2 In total 35 responses were received from local residents along with two further representations from local Councillors. The matters raised within these submissions, often repeated, can be summarised as follows:

- Conflict of the appeal proposal with the development plan;
- The resultant pressure on local amenities and community facilities;
- Poor accessibility to and from the site via means other than private car;
- An increase in traffic noise as a result of additional traffic on the local road network;
- The increase in traffic and localised congestion more generally;
- Highway safety including that of pedestrians and cyclists;
- Impact on local ecology and biodiversity;
- The isolated nature of the site from shops, services and facilities resulting in social exclusion;
- Poor air quality due to the proximity to the M1 primarily;
- Noise impact on future residents due to proximity to the M1; and
- Loss of open space.

5.3 The response of Grange Park Parish Council can be summarised as follows:

- The location of the site in the open countryside and resultant loss of open space;
- Limitations to the scope of the travel plan, including the temporary nature of the bus service;
- The isolation of future residents due to the single vehicular access point off Quinton Road;
- Poor accessibility to and from the site via means other than private car; and
- The increase in traffic and localised congestion more generally.

5.4 The response of Quinton Parish Council can be summarised as follows:

- The increase in traffic and localised congestion, with a particular concern in respect of the traffic passing through Quinton via the Wootton Road; and
- Noise impact on future residents due to road noise from the M1.

5.5 The response of Hackleton Parish Council can be summarised as follows:

- The increase in traffic and localised congestion more generally.
- Negative impact on the character of the local area; and
- The likely usage of the community bus service by older residents only.

5.6 My response to each of the matters summarised above is either already addressed in my evidence, particularly in respect of the spatial policies of the development plan and the overall accessibility and locational sustainability of the site or can be found at **Appendix GA18** of this statement.

5.7 Responses were also received from the Council's Archaeological Advisor, Lesley-Ann Mather, informing the Inspector that the wording of the standard archaeological condition has changed. Similarly, a response was received from NCC's Drainage Engineer, Malcolm Ball, reiterating their lack of objection subject to conditions. On review of the wording of the conditions proposed by both I can confirm that they would be acceptable to the appellant.

6.0 SUMMARY AND CONCLUSIONS

- 6.1 This is a summary of both the appeal application process, described in greater detail in the appellant's Statement of Case, and my proof and should be read in conjunction with it. My evidence has been prepared in support of an appeal by Manor Oak Homes against the decision of South Northamptonshire Council to refuse their application for 300 dwellings and land for a new two form-of-entry primary school at Land south of Grange Park, Northampton. The planning application sought permission for the following:

"Outline application for up to 300 dwellings and land for a new school (up to two forms-of-entry) along with open space, drainage, footpath improvements, new off-site footpath links, vehicular access and all matters reserved other than access at Land South of Grange Park, Quinton Road, Northampton."

- 6.2 I was formally instructed by the appellants to act on their behalf on this appeal in February 2020 after members resolved to refuse the application during the same month. Prior to that I worked on their behalf since January 2018 in promoting the application site through both representations made towards the now adopted Local Plan Part 2 for South Northamptonshire and as the agent of the appeal application.

The Appeal Application

- 6.3 The submission of the appeal application followed an extensive pre-application process centred on what officers recognised as the pressing need to identify additional housing sites at the NRDA with the delivery of sites on the edge of the urban area. The delivery of such sites was positively encouraged by, at the time, draft Policy NRDA1 that was featured within the most recent draft of the emerging Local Plan at the time of the pre-application enquiry submission. This policy presented the Council's early response to the NRDA undersupply in the emerging Local Plan, one which is now demonstrated clearly through the inclusion of permissive Policies SS1 and LH1.
- 6.4 On the basis of the constructive input of Officers secured during the course of the pre-application enquiry process (which are summarised in Section 3 of the appellant's Statement of Case) a scheme reflecting the extent and composition of the current appeal proposal was submitted. I feel confident in stating that it was clear that officers recognised the merits of the appeal site from the outset. Whilst detailed concerns were raised in respect of access to public transport, concerns that continued to be weighed in the balance when officers recommended the approval of the appeal application to members, it is clear that they considered, like myself, that these matters were not sufficient to significantly and demonstrably outweigh the benefits of the proposal. Regardless, as is set out clearly in my evidence, these issues have now been overcome.
- 6.5 The appeal application was submitted on behalf of the appellants and validated on the 4th September

2019 and given reference number S/2019/0856/MAO. It was initially given the following description of development:

"Outline application for up to 330 dwellings, land for community uses, open space, drainage, footpath improvements and vehicular access with all matters reserved other than access."

6.6 During the course of the application, a meeting was held with the Case Officer on Friday 21st June 2019 to review consultee responses and discuss matters relating to education provision following receipt of comments from Northamptonshire County Council specifically. The meeting was attended by an officer from the Local Education Authority, NCC. In order to ensure the flexible delivery of appropriate education provision – both now and in the future – it was agreed that land should be identified on the appeal site sufficient to accommodate up to a two form-of-entry primary school.

6.7 Following the meeting, and as a result of the request from NCC for a new school site, revisions were made to the masterplan and associated suite of documents. This resulted in SNC amending the description of development as set out below and as referenced on the final decision notice:

"Outline application for up to 300 dwellings and land for a new school (up to two forms-of-entry) along with open space, drainage, footpath improvements, new off-site footpath links, vehicular access and all matters reserved other than access at Lan South of Grange Park, Quinton Road, Northampton."

6.8 This represents the description of the final appeal scheme, described in greater detail in the Planning Statement of Common Ground.

6.9 In response to the revised plans NCC responded with a letter dated 24th September 2019 stating a required uplift in the level of contribution sought towards schools – namely secondary education – due to amendments to the Community Infrastructure Levy (CIL) Regulations which removed the statutory Regulation 123 list. Essentially NCC's position was that as it could no longer be guaranteed that money towards education could be secured through CIL an additional sum should be specified in the Section 106 Agreement.

6.10 The position of NCC prompted a further meeting with both SNC and NCC Officers which took place on 9th October 2019. At this meeting the way in which SNC intend to allocate CIL money was discussed with subsequent agreement from the Case Officer by email (dated 18th October 2019) that secondary education would indeed still be funded via CIL receipts. This confirmation informed the scope of the final agreed Heads of Terms set out at paragraph 12 of the Committee Report.

6.11 In balancing all of the relevant material considerations that arose as a result of the application, which

compellingly included the *"urgent need to increase housing delivery for the NRDA, and given the fact the site abuts and does have pedestrian and cycle connection routes straight into existing networks within the NRDA"*, officers recommended that the appeal application should be approved, subject to conditions. This recommendation was considered by members at the Council's Planning Committee on 6th February 2020.

6.12 Despite the clear advice from officers, and a reiteration of the sustainability merits of the scheme at the committee meeting itself, the appeal application was refused by members for three reasons, which can be summarised as follows:

- **Reason for Refusal 1:** *The development is in an unsustainable location that would be reliant on usage by private car. To this end it is in conflict with the vision and objectives of the WNJCS.*
- **Reason for Refusal 2:** *The site is outside the village confines of Grange Park, in the open countryside, where large scale development is not supported.*
- **Reason for Refusal 3:** *Due to the site's proximity to the M1 motorway the proposal would give rise to potential risk to residents and users of the school by way of air quality and noise impact.*

6.13 Following the determination of the appeal application, it was taken back to planning committee on 11th June 2020 with a recommendation from officers that reasons for refusal 3 should not be defended. The Council's Planning Committee agreed to remove the reason for refusal.

The Appeal Site

6.14 The appeal site comprises a single agricultural field in arable use of approximately 16.27 hectares in size and is located immediately to the south of Grange Park, a residential area comprising the southern extent of the Northampton Related Development Area (NRDA). The NRDA is *"the extent of the area in which Northampton's housing needs, including affordable housing, will be accommodated"*¹⁴ and represents the principal growth point in West Northamptonshire. The appeal site is therefore located at what has been determined to be one of the most sustainable locations in the district in respect of proximity to jobs, services, shops and general amenities.

6.15 The site lies to the south of Grange Park which comprises a large, modern urban extension of approximately 1,000 homes built during the late 1990s and into the 2000s. The most recent expansion of Grange Park comprised the development of three large distribution warehouses on its western extent which are now occupied by Clipper Logistics and Amazon.

¹⁴ Paragraph 5.33 of the adopted West Northamptonshire Joint Core Strategy

- 6.16 The site is afforded connections to Foxfields Country Park to its immediate north east by way of the existing bridleway. The country park represents an expansive recreation resource which principally serves Grange Park. It comprises a number of sports pitches, a pavilion and more natural areas of planting and landscaping that provide an environment for circular walks.
- 6.17 The site is contained to the west by the embankment of the M1 motorway which represents a physical barrier between its western boundary and the open countryside beyond. Whilst currently comprising gently undulating agricultural fields similar to the appeal site a significant tract of the land to the west of the M1 has recently been subject of a Development Consent Order, made by the Secretary of State on 9th October 2019, for a rail freight terminal comprising 613,000m² of warehousing and ancillary buildings.

Appeal Proposals

- 6.18 Following the amendments to the scheme made during the course of the application the proposal in front of the Inspector now comprises the following elements:
- Up to 300 dwellings;
 - A proposed dwelling mix of 1, 2, 3, 4 and 5-bedroom houses including a 35% provision of affordable units, a dwelling mix agreed by SNC Strategic Housing and a level of affordable housing agreed by SNC's Planning Department;
 - Land for the provision of a two form-of-entry school;
 - On-site open space, including both a trim-trail and a LEAP, in excess of SNC standards;
 - A drainage scheme deemed as acceptable by the Lead Local Flood Authority;
 - A scheme of vehicular access to the site via a single junction from Courteenhall / Quinton Road deemed acceptable by NCC Highways;
 - Footpath upgrades and new footpath links into Grange Park; and
 - An earth bund and timber acoustic fence to alleviate noise from the M1, a scheme of mitigation considered appropriate by SNC's Environmental Protection Officer.
- 6.19 A full scheme of planning contributions necessary to mitigate any negative impact of the appeal application and all compliant with the Regulation 122 of the CIL Regulations was set out and agreed to in the Committee Report. This included a Residential Travel Plan which, as an additional element in response to the concerns of the Council, now secures provision of a dedicated bus service from the site to Northampton for a period of 5-years.

Planning Policy

- 6.20 The SoCG provides detail of planning policies considered of relevance to this appeal. Due to the clear and unarguable relationship the appeal proposal has with the NRDA it is my consideration that the following

four policies only are key to the consideration of the appeal application:

- **WNJCS Policy S1: The distribution of development** states that development will be principally concentrated primarily in and adjoining the principal urban area of Northampton whilst shortening journeys and facilitating access to jobs and services;
- **WNJCS Policy S4: Northampton Related Development Area** states that Northampton's needs, both housing and employment, will be met primarily within Northampton's existing urban area and at the sustainable urban extensions within the NRDA boundary. It does, however, also allow for additional development to meet Northampton's needs only if it meets the vision, objectives and policies of the WNJCS;
- **LPP2 Policy SS1:** The settlement hierarchy firstly states that proposals for new development will be directed towards the most sustainable locations in the district. It then goes on to confirm that, in accordance with this overarching statement, the LPP2 supports the delivery of housing beyond settlement confines where, amongst other instances, it is NRDA-related development that both directly adjoins the NRDA whilst complying with Policy S4 of the WNJCS; and
- **LPP2 Policy LH1:** Residential development inside and outside settlement confines confirms that development outside of settlement confines will not be acceptable unless, amongst other instances, it is NRDA-related development compliant with Policy S4 of the WNJCS and directly adjoins the NRDA.

Case for the Appellant

6.21 I maintain that the appeal proposals comply with the adopted development plan as the contribution of up to 300 new dwellings clearly represents development for the NRDA. On this basis the appeal application carries the clear support of **Policies S1 and S4** of the WNJCS as well as **Policies SS1 and LH1** of the LPP2. In totality, and in that the appeal proposals represent sustainably development, they similarly accord with **Policy SA** of the WNJCS and the NPPF when read as a whole.

6.22 It is common ground with the Council that the only harm arising from the proposed development, other than the Council's disputed assertions of conflict of the proposal with the development plan and the under-provision of sustainable transport links, is the localised impact on the landscape. The position in respect of this impact is set out as part of the Statement of Common Ground and then repeated again during my planning balance exercise. I agree with the comments in the Committee Report that *"it is inevitable that the landscape character would change significantly with the development of the site"*. This is a foregone consequence of development. On this basis it must be concluded that such impact results in **moderate negative weight** in the planning balance.

6.23 Against the moderate weight affordable to be attributed to landscape/visual harm we must weigh the following material benefits:

Economic Benefits:

- Increased investment and spend in the local economy: The proposed development would deliver economic benefits both during and after construction.
- Increased CIL income and infrastructure contributions: The proposal would secure CIL money payable towards social infrastructure projects relating to the Northampton urban area / the NRDA at a rate which is double that applicable to developments within the NRDA itself. Together with the increased investment and spend in the local economy these benefits should be afforded **significant positive weight** in planning balance.

Social Benefits:

- Housing Delivery: The appeal proposal seeks to deliver up to 300 dwellings against the backdrop of an undisputed chronic need for new homes at the NRDA where, as of April 2019, the local land supply was equivalent to a 2.75-year supply against the housing requirement identified in the adopted WNJCS. In this context, housing delivery should be afforded **very significant positive weight** in the planning balance.
- Affordable Housing: I have demonstrated within my evidence that there is an acute need for affordable housing in at the NRDA. In this context, the scheme's viable provision of 105 affordable dwellings should be afforded **very significant positive weight** in the planning balance.
- Open Space Provision: As confirmed by the Parameter Plan submitted to the Council on 30th August 2019 the proposal would provide an excess of open space across all typologies when compared with Council standard. Such a generous supply must carry **positive weight** in the planning balance.
- Enhanced footpath, cycleway and sustainable transport provision: Combined the substantial package of upgrades to the local footpath, cycleway and public transport network will significantly enhance the sustainability of not only the site but its immediate locality. These combined benefits, and their ability to encourage a marked modal shift in current travel patterns, must carry **significant positive weight** in the planning balance.
- Provision of additional education infrastructure: A key benefit of the proposal will be the provision of a new serviced primary school site and related financial contribution towards the delivery of the facility, a level of contribution towards local social infrastructure in excess of that required by NCC,

as the local education authority. This overprovision of land, along with an appropriate financial payment towards the delivery of the new school, represents a significant benefit to the local community and must therefore carry **significant positive weight** in the planning balance.

Environmental Benefits:

- Ecology and Trees: It is demonstrated by the Biodiversity Impact Assessment Calculator prepared by Lockhart Garratt that the site is capable of securing a biodiversity net gain of 3.37 biodiversity units or 10.27% net gain in total. These benefits should be afforded **positive weight** in the planning balance.

6.24 In conclusion, in my professional judgement, it is clear that: the very significant positive weight afforded to the provision of up to 195 market dwellings that will meet the severe need for new homes at the NRDA and the provision of 105 affordable dwellings to meet an acute need at the same; the significant positive weight to be afforded to economic contribution of the scheme and the provision of land for a new primary school and to be afforded to the upgrade of an extensive length of the local footpath and cycle network along, a new zero-emission bus service; and the positive weight to be attributed to the over-provision of public open space and a net increase in biodiversity at the site significantly outweigh and therefore override the moderate negative weight that can be afforded to the very localised landscape and visual harm caused by the development through the loss of designated countryside and the change in character of part of the site from open arable agricultural land to residential development.

6.25 The proposals therefore represent overriding public benefits and accords with **Policy SA** of the WNJCS and the NPPF when read as a whole, such that the proposal is in accordance with the development plan and should be allowed.