## APPLICATIONS FOR DETERMINATION

### PLANNING MANAGEMENT COMMITTEE - 10th July 2019

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| 19/00594/FUL  | Conversion and extension of the existing memorial clinic to create 14 one and two bedroom flats for occupation by the older population (over 55s) with secure amenity space, communal living areas and associated parking (re-submission of 18/00646/FUL)  
*Rushden Memorial Clinic, Hayway, Rushden, Northamptonshire* | Grant   | 2        |
| 19/00798/OUT  | Outline: Residential development of up to 115 dwellings (all matters reserved except access)  
*OP7200 TF0003, Stamford Road, Easton On The Hill, Northamptonshire* | Refuse  | 22       |
19/00594/FUL

Date Valid 7th May 2019  Expiry Date 6th August 2019
Parish Rushden  Ward Rushden Spencer

Applicant Mr Lawson
Agent Matchbox Architects Ltd

Location Rushden Memorial Clinic, Hayway, Rushden, Northamptonshire, NN10 6AG
Proposal Conversion and extension of the existing memorial clinic to create 14 one and two bedroom flats for occupation by the older population (over 55s) with secure amenity space, communal living areas and associated parking (re-submission of 18/00646/FUL)

This application is reported to the Planning Management Committee because it falls outside the Scheme of Delegation in Part 3.2 of the Council's Constitution (2019).

1 Summary of Recommendation
1.1 That permission is GRANTED subject to conditions.

2 The Proposal
2.1 The application proposes a two storey rear extension and single storey side extension to the former Rushden Memorial Clinic to enable its conversion into 14 no. apartments with associated access and car parking.

2.2 The scheme proposes the following mix of dwellings spread over three floors:
- 10 x 2 bed apartments
- 4 x 1 bed apartments

3 The Site and Surroundings
3.1 The application site accommodates a two storey building with accommodation in the roof space. It was formerly used as a clinic. It has been vacant for some time, is boarded up and secured at the perimeter. The building occupies a large plot fronting onto The Hayway, with the property roughly positioned in the centre of the site.

3.2 The site is surrounded by residential development of varying character. It is evident from the prevailing built form of the northeastern side of Hayway that other large plots have been developed over time resulting in a series of infill developments in depth.

3.3 The site benefits from dense low level vegetation and large, mature trees both to the interior and site boundaries.

3.4 The property is not within a conservation area, but it is considered to be a non-designated heritage asset for the reasons given in paragraph 6.7 of this report.
3.5 The site is within the Special Protection Area (SPA) buffer zone and land levels rise in a northeasterly direction.

4 Policy Considerations

National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 11 - The Network of Urban and Rural Areas
Policy 28 - Housing Requirements
Policy 29 - Distribution of New Homes
Policy 30 - Housing Mix and Tenure

4.3 Rushden Neighbourhood Plan (RNP) (2018)
H2 - Location of new housing development
H4 - Market housing type and mix
EN1 - Design in development
EN2 - Landscaping in development
T1 - Development generating a transport impact

4.4 Other documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Northamptonshire Parking Standards (2016)
SPA Supplementary Planning Document (2016)
Trees and Landscape Supplementary Planning Document (2013)

5 Relevant Planning History

91/00564/FUL - Single storey rear extension. PERMITTED.
08/00186/FUL - Replacement of fire escape staircase. PERMITTED.
18/00646/FUL - Conversion and extension of existing building to create 12no. one and two bedroom flats. Construction of two bungalows within the grounds of the existing building. Appeal against non-determination pending. Planning Management Committee resolved to REFUSE.

6 Consultations and Representations

6.1 Neighbours: 10 objections summarised as follows:

- The conversion should be sympathetic to the character of the original building and its external façade.
- The proposal represents an over development of the site.
- A conversion to flats would be out of character with the building.
• Loss of local heritage, including internal features.
• The Hayway and Spencer Road already suffer from parking issues brought on by the shoe factory and visitors to the park and this would be compounded by the level of development proposed at the site.
• Rushden does not need more flats.
• Concerns about traffic problems on Hayway, which is already bad due to presence of schools, factory and Rushden Lakes.
• The proposed extensions are not in keeping with the character of the building.
• Concerns that there are bats in the area.
• Concerns about air pollution on Hayway.
• The front area has a covenant that restricts any form of 'building' that would affect the gardens.
• Parking provision is inadequate.
• The proposed flats would offer poor living conditions in that the rooms are very small.
• No provision for the collection of waste.

6.2 Rushden Town Council: Objection

Rushden Town Council have considered the latest application for this site but feel they do not address most of our original concerns and therefore we would like to make the following objections:

The latest scheme now incorporates 14 flats. We considered 12 flats to be an overdevelopment of the site so we clearly object most strongly to addition of two extra flats. The site is located on an attractive residential road and the scale and density of the proposed scheme is not appropriate for the existing area. Flatted accommodation of this scale would be out of character and detrimental to neighbouring properties.

Rushden already has an overprovision of flatted development. Within the last 5 years more than 350 flats have been built in Rushden. We consider this to be a more than sufficient provision of this type of accommodation. We have historically had a disproportionate number of flatted developments approved within the town and we feel this must now be redressed and a sensible balance of development restored. We understand due to the size of the Memorial Clinic it does need to be sub-divided to make any development sustainable, but consider the proposed number of units to be unacceptable. A division into 4 larger apartments offering reasonable amenity space would be acceptable, but the proposed 14 units is not acceptable and is in conflict with our Neighbourhood Plan.

Policy H4 - Market housing type mix of the adopted Rushden Neighbourhood Plan states flatted development will only be permitted where this;

Meets an identified need – RTC comment - no documentation has been submitted with this application to support a further requirement for flatted accommodation of this type within Rushden.

Where an existing non-residential building is being converted for residential use - We (RTC) would argue that this house was originally built as a residential property and should therefore be treated as such with regard to this application.

Whilst the Memorial Clinic is not listed it has been identified as a 'building of significant heritage importance’. The proposals for the additional flat roofed extensions to the building would be completely out of character and would be detrimental to the aesthetics of this historic building.
The house has some important historical features which should be preserved, including the original dining room with a ceiling fresco and the wood panelled library with stained glass window. If the site was sympathetically redeveloped into larger apartments these features could be incorporated. The present proposed scheme indicates these features would not be retained.

The number of proposed dwellings would exacerbate the congestion problems already experienced on the Hayway. The site is situated between two schools and exits onto a road heavily congested with 'on street' residential parking.

Some of proposed units are very cramped offering inferior living space. Whilst we understand the proposed units meet the Nationally Described Space Standards adopted in the Joint Core Strategy some of them do appear very small and narrow, particularly for a converted property. We feel the developer should consider the saleability of such properties, particularly, as previously mentioned, we do already have an over provision of flatted accommodation within the town and there are quite a number of unoccupied flats at the present time. Whilst people wishing to downsize generally prefer fewer rooms they generally like these to be spacious. Some of the flats have very little storage and do not offer adequate amenity space.

In conclusion, as the house recently used as the Memorial Clinic was purchased by the people of Rushden, we consider it is very important to ensure this property is developed as sensitively as possible. We would ask the developers once again to reconsider the amount of units they are proposing within the house. We would be pleased to see a quality development of larger apartments which would enable the historic features to be retained and feel that this idea has not been fully explored, have any feasibly studies been undertaken to see if this would be a sustainable option? We feel the proposed scheme has been designed to gain maximum profit with no consideration for the fabric of the building or surrounding properties. We strongly recommend that East Northants Council refuses this application.

6.3 Northamptonshire County Council - Local Highway Authority: Comments can be summarised as:

The existing access to be closed up requires the dropped kerb to be reinstated to a full kerb height. This will require licensing with NCC and undertaken by approved contractors.

It would appear that the applicant is proposing kerbing delineating the vehicle cross over, this would not be required.

[Officer comment – NNC is referring to the site plan submitted with the previous scheme. The current application does not propose this detail]

Please confirm arrangements for refuse collection as the access will be private, local authority refuse vehicles will not enter onto private land to collect refuse.

[Officer comment – although ENC Waste Management Officers have not commented on this application, comments on the previous application indicated that ENC vehicles would enter the site so long as the access was constructed to an adoptable standard. The applicant has confirmed both in the submission and in writing subsequently that the access will be constructed to adoptable standard.]
6.4 Northamptonshire County Council – Key Services: No objection (summarised)

Education – Due to the proposed restriction on the age of residents, it is expected that there will be no pupils of Early Years, Primary or Secondary age fully resident in the dwellings delivered. As a result, no S106 obligations will be required if the scheme is approved in its current form. This position will be reviewed in the event of any changes.

Libraries – At this time, it is expected that there will be sufficient capacity within the local provision in order to meet the requirements of this development, therefore no S106 Libraries contribution will be required for the proposed scheme. The Council reserves the right to amend this position should any changes be made to the proposed mix or number of dwellings at a later stage of the planning process.

Fire Hydrants and Sprinklers – Recommend standard condition.

Broadband – Advise developer to contact BT Openreach at the earliest opportunity.

6.5 Northamptonshire County Council - Archaeology: No objection

The application site lies on the north eastern side of Hayway. The Memorial Clinic was constructed between 1884 and 1899 as a private residence and retains a significant number of original features. The Historic Building Assessment indicates that these original features are intended to be retained. The significance of the building lies in its origins in the late 19th century industrial expansion of Rushden and its changing uses over time, as well as its historic fabric.

The NPPF, paragraph 199 says that the local planning authority should require the developer to record and advance understanding of the significance of heritage assets to be lost due to development. In this case the HBA recommends a programme of building recording to Level 3 as defined in Historic England: Understanding Historic Buildings (2016) and this should be secured by condition.

Evidence for the development and use of the building will be altered, concealed or lost during conversion. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. In order to secure this, please attach a condition for an archaeological programme of works as per NPPF paragraph 199 to any permission granted in respect of this application.

Condition:
No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority
Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with NPPF Paragraph 199.

6.6 ENC - Housing Strategy Officer: No objection

I can confirm that we support the proposal to convert and extend the clinic to provide 14 x one and 2 bedroom flats for the over 55s. The apartments will provide much needed accommodation for downsizers and will free up family accommodation in the town.
I am pleased to see that a lift and communal areas internally and externally have been provided in accordance with the pre-application advice given on this application. This will enable the development to become a sustainable community.

However, I do not think any of the units are wheelchair accessible. The Design and Access Statement refers to ‘mobility’ units but it is unclear what this means. The emerging Local Plan Part 2 is seeking to include a minimum requirement of 5% of new dwellings to be wheelchair accessible. It would be good to have at least the ground floor units as wheelchair accessible (although given the lift this could be extended to the upper floors) and in particular to have bathrooms which either are wet rooms or are capable of conversion to future proof them to the needs of the residents as they age. If the apartments were to be sold to a registered provider for affordable housing, we would insist on wet rooms being provided.

In terms of space standards, whilst Units 6 and 11 comply, they are very small and I think 1 bedroom 1 person apartments will not be very desirable in the market. Unit 12 is classed as a 2 bedroom 4 person unit but I think it should be a 2 bedroom 3 person unit.

6.7 ENC - Senior Conservation Officer:

The application property comprises a large Victorian villa that is constructed of brick in the Neo-Queen Anne style. The building was commissioned by the Claridge family, who are known to have been prominent in the town’s boot, shoe and leather industry. It was occupied as a residence until the middle of the C20, when it became the town’s home hospital/memorial clinic; it remained in use by the health service until relatively recently. I classify the structure as a non-designated heritage asset on account of its architectural interest and its historic association with the town’s boot and shoe industry, and latterly its role as the town’s memorial clinic.

I note this application is the resubmission of a previously refused scheme for planning permission. The current scheme is for the conversion and extension of the existing building to create 14 no. flats (previously it was 12 no. flats). I note that two bungalows that were previously proposed to the rear of the site have been omitted from this scheme, which I consider to be a positive modification.

I welcome the reuse of the building and I note that the building’s overall form and a number of its architectural features would be retained as part of the development proposed. Notwithstanding this, I recognise that there are some shortcomings with the submitted proposal from a heritage perspective. In this regard I consider that the flat-roofed single-storey wing proposed along the building’s west-facing elevation would be detrimental to the building’s design and character as it would serve to unbalance the proportions of its principal facade. I also note that the development proposed involves the internal subdivision of the building. I consider that this would have an impact on the building’s significance as a non-designated heritage asset, particularly through the subdivision of the principal rooms at ground-floor level.

The proposal would result in harm to the significance of the non-designated heritage asset, however I consider that it would be of a minor level. Paragraph 197 of the NPPF is engaged, which states that “the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”
6.8 **ENC Environmental Protection:**

We have an interest in the ability of any older, vulnerable/disabled occupier being able to safely access the building, all floors, and the provision of suitable bathing facilities. From the submitted information the lift is to remain and ramps are, or will be, in place for wheelchair access. Should you be minded to grant this planning permission then the lift and ramp will need to be installed and maintained in perpetuity to ensure access for disabled occupiers.

With respect to access for bathing the layout plans show bathrooms with a bath, wash hand basin and toilet. This is not a suitable proposal for the older population the flats are being designed for. Therefore, I would object to the proposed layout of the bathrooms. They should as a minimum have a level access shower rather than a bath/or both. As with any premises used by the older generation it is highly likely they may become infirm or disabled with age and unable to use a bath. This may result in an occupier making an application for a Disabled Facilities Grant in the future to carry out a conversion of the bathroom at the Council's expense and we would seek to avoid this.

There are no obvious environmental risks to the proposed development from noise, contamination, etc. However, to ensure the amenity of existing sensitive development during construction I ask that the following conditions are placed on the permission if granted:

- Time restrictions on demolition and construction work
- Contractor parking arrangements
- No burning of any material during construction, demolition or site preparation works.

6.9 **ENC Senior Tree and Landscape Officer:** No objection

Following a review of the submitted documents I have no objections to the proposed design. The alterations made between this and the previous application provide greater and better sited areas of usable greenspace/amenity space within the site and proposed planting is likely to increase the visual amenity.

6.10 **Northamptonshire Police:** No objection

Northamptonshire Police have no formal objection to the planning application in its present form other than to suggest that the following observations/recommendations are included, which if implemented will reduce the likelihood of crime occurring.

- All new doors installed must be certified to BS PAS24:2016 which includes communal entrance and internal apartment doors. New ground floor and other easily accessible windows must be certified to BS PAS24:2016. In addition, any windows or side lights adjacent to doors (within 400mm) and easily accessible emergency egress windows with non-lockable hardware must include one pane of laminated glass meeting the requirements of BS EN 356:2000 class P1A (minimum).
- All ground floor and easily accessible windows should have opening restrictors fitted.
- The communal entrances to the building need to have an access control facility which follows the guidance of 'Secured by Design'. The front door incorporating electronic release from within the individual units and as specified within the SBD criteria.
• To prevent the need for access via a tradesman button the foyer should include communal mail delivery facility prior to the secure entrance door.
• An external lighting scheme should be submitted and agreed in writing prior to commencement, lux and uniformity levels should be specified. The vehicular access road should be lit to NCC Highway standards, pedestrian routes and car park areas need low lux level illumination with a uniformity of ideally 0.4 but minimum of 0.25 for both safety and security.
• All private rear amenity space to be secure with lockable gates.
• The cycle and refuge store need to have the facility to securely lock the doors.
• Hoop top railings, or similar, 1.2 m high adjacent to western edge of access footpath should be installed to help prevent easy access to parked vehicles with little or no casual surveillance opportunities.

6.11 Natural England:

The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified.

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.

Notwithstanding this, Natural England’s advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site’s conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

7 Evaluation

7.1 The following considerations are relevant to the determination of this application.

7.2 Principle of Development

7.3 The application site is located within the built up area of Rushden and it is surrounded by residential development on all sides. The site has been previously used by the National Health Service (NHS), but it has been vacant for a considerable time.

7.4 The National Planning Policy Framework (2019) supports sustainable residential development in the urban areas if it accords with the development plan. In this case, the development plan consists of the North Northamptonshire Joint Core Strategy (JCS) and The Rushden Neighbourhood Plan (RNP). Policies 8, 11, 30 (JCS) and H2 and H4 (RNP) are all relevant to the proposal.

7.5 Policy 30 of the JCS states that the mix of house types within the development should reflect the need to accommodate smaller households with an emphasis on the provision of small and medium sized dwellings (1-3 bedrooms). On the other hand, Policy H4 of RNP states:
"Notwithstanding the requirement in Policy 30 to provide more smaller households in Rushden, flatted development will only be supported where it can be robustly demonstrated that [it]:

- meets an identified local need; or
- where the physical or financial constraints of a site are such that it is not possible to provide smaller one and two bedroom houses or maisonettes; or
- where an existing non-residential building is being converted for residential use.

Proposals that help meet the identified need for older people’s accommodation will be supported."

7.6 The East Northamptonshire Housing Mix Requirements Assessment (ENHMRA) (2016) and Rushden Housing Mix Requirement (RHMR) documents provide relatively recent analysis showing a need for additional one-bedroomed dwellings in Rushden over the period to 2031. However, the need is not specifically established to be for flats. The RHMR is explicit that consideration should be given to the development of smaller houses and bungalows rather than flats, in the interests of sustainability and meeting identified local needs. The RNP also sets out that future housing should provide houses, maisonettes or bungalows rather than flats. Whilst the RNP was made before the new NPPF was published (July 2018, as amended February 2019), officers are of the view that RNP policy H4 does not conflict with the Framework’s aims in terms of addressing the needs of groups with specific housing requirements.

7.7 Notwithstanding this, the key difference between the proposal considered here and the scheme the Council did not determine but resolved to refuse, is the proposed occupancy restriction to those over the age of 55. This was suggested by the Council and subsequently taken up by the applicant. There is an identified need for this tenure in Rushden and this fact has been confirmed by the Council’s Housing Strategy team. Neighborhood Plan Policy H4 explicitly states that “proposals that help meet the identified need for older people’s accommodation will be supported.”

7.8 The proposed scheme seeks to convert a non-residential building into residential use. Rushden Town Council takes the view that the building was originally built as a large residential property and should therefore be treated as such when judged against the criteria in policy H4. This view is noted; however, buildings of this age and size invariably change use over their lifetime and it is the last use of the building that is relevant when considering the proposal in the context of Policy H4, that being non-residential.

7.9 The three criteria in policy H4 are clearly expressed in the alternative through the use of the word ‘or’. The proposal therefore needs to be in compliance with just one of the three criteria to comply with the policy as a whole. As discussed above, the proposed development would comply with at least two criteria.

7.10 Design, Scale and Layout

7.11 The former Memorial Clinic is not a listed building and is not within the Rushden Conservation Area. However, the building is considered to be a non-designated heritage asset and for this reason the proposed development should be assessed against Policy 2 of the JCS and Paragraph 197 of the NPPF. Paragraph 197 advises that:
“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

7.12 Significance is derived from an asset’s physical presence and its setting. In terms of the physical appearance of the Memorial Clinic, its significance is derived from the form of the building and the architectural features present today. From my site assessment, I found surviving internal architectural details to be limited to the ground floor. These include some original doors, fireplaces, decorative wall paneling, ceiling plasterwork and attractive arches. In contrast, to the first and second floors, almost all of the original features have been lost to unsympathetic works associated with the former use such as the installation of a modern staircase, fire doors and kitchen/bathrooms. Fireplaces, plasterwork and paneling, if they existed, have all been lost.

7.13 As detailed in 7.11 above, the NPPF requires a balanced judgement when weighing applications that directly affect non-designated heritage assets. I am mindful of the internal features present on the ground floor and the internal subdivision to create the flats will undoubtedly have an impact to some degree. However, a thorough assessment of the ground floor plan shows that this will be limited to just two rooms, one of which (containing the large bay window) is substantial and would be subject to subdivision in any conversion proposal. Despite the subdivision, the majority of these features are to be retained in the proposed scheme. The greater level of subdivision would take place on the first floor, where the building is devoid of any original architectural or decorative features as a result of past conversion works.

7.14 Turning now to the external appearance of the building, there is no doubt that the proposed rear extension, at two storeys in height and to the full width of the building, would be a significant addition. However, the rear of the building has experienced considerable unsympathetic additions and alterations in the past, including incremental extensions and replacement windows, so the scale of harm created by the new extension has to be seen in this context. The design is of a scale and form that would complement the original building. Its form mirrors the existing double gable to the roof and removes the later additions to give a balanced appearance to the rear elevation. The lowered ridge would ensure a sense of subservience despite its scale and it would project no further than the existing extensions it would replace.

7.15 A common element between the proposed scheme and that which will be determined at appeal is a ground floor flat roof side extension. I note the assessment made under the previous scheme and the Senior Conservation Officer’s comments above; however, in making a balanced judgement in the context of the other amendments and the omission of the new build bungalows to the rear, I am of the view that it would not appear entirely at odds with the existing building. Although of a lesser scale, the large bay window to the southeast corner of the building and the smaller bay on the eastern elevation already display notable and historic flat roof features. Seen in this context, and noting that the westerly vehicular entrance will be stopped up, the proposed single storey extension would, on balance, not be so harmful as to have a significant impact on the significance of the undesignated heritage asset or, in turn the character of the wider street scene.

7.16 In summary, the revised scheme to remove the previously proposed detached bungalows improves the setting of the building. On balance the proposed extensions, although substantial, would also serve to improve the setting and appearance of the undesignated heritage asset by forming a single structure sitting centrally in the plot. The development
would remove unsympathetic alterations including extensions, changes to windows and the external staircase, whilst screening the majority of the existing lift shaft. The scale of harm is muted by the absence of features already lost, particularly to the upper floors and those considered important on the ground floor are to be retained. I am therefore of the view that any harm to the setting and character of the undesignated heritage asset would be acceptable and towards the bottom of any scale relating to less than substantial as set out in the NPPF.

7.17 Impact on Residential Amenity

7.18 The previous scheme gave rise to concerns regarding potential overlooking from the converted building to properties on Oakfield. These properties enjoy a high level of privacy at present and it is inevitable that residential development on the application site would result in a degree of overlooking into adjacent properties as is commonplace in urban areas. It is the degree of overlooking and whether or not this is acceptable that needs to be assessed.

7.19 Had the Council refused the previous scheme, the second reason for refusal cited the impact on residential amenity, specifically from overlooking from first and second floor windows to then units 7 and 12, where living room windows would have overlooked the garden area of 2 Oakfield, albeit some 30m away. This conflict has been resolved through the revised application, where the windows to these flats (now units 10 and 14) serve bedrooms and bathrooms. I therefore conclude that the revised scheme would have an acceptable impact on the occupiers of 2 Oakfield.

7.20 The two proposed units in the single storey extension on the western side of the building would have living room and bedroom windows on the west facing elevation, some 9 and 10m respectively from the fence of No.2 Oakfield. Although this distance is not ideal, given that the proposed units would be on the ground floor, I am of the view that appropriate boundary screening could significantly reduce the potential for overlooking into the front of No.1 and the garden area of No.2 Oakfield. In all other directions I find the separation distances between the building and its habitable rooms and existing properties to be acceptable.

7.21 In terms of the ground floor extension, this has the potential to appear overbearing to 1 and 2 Oakfields given the difference in levels and proximity described above. However, site sections demonstrate that this part of the scheme would have an acceptable impact when taking into account existing and proposed boundary screening.

7.22 The deletion of the bungalows proposed in the first scheme overcomes the concerns officers had previously regarding the living conditions of future occupiers. All proposed units meet the National Space Standards. I note the concerns of the Council’s Housing Strategy Manager in this regard but it would be unreasonable to refuse the application on these grounds when nationally prescribed space standards have been met. I also note the point that the emerging Local Plan Part 2 seeks to include a minimum requirement of 5% of new dwellings to be wheelchair accessible, however; this carries very little weight at present. The applicant is content to make changes to some ground floor units and suggested condition 19 covers this.

7.23 The Council’s Environmental Protection team have concerns regarding the under provision of level access showers; however, it would be unreasonable to insist that all flats have shower units. As proposed, only 6 of the 14 units are shown to have baths and whilst I appreciate the view on mobility of the likely occupiers, the proposed age restriction would allow those who are highly mobile to reside in this development and it is therefore
important to cater for a range of mobility. Approving the proposed layout would not preclude appropriate alterations being made in the future.

7.24 Highway Safety

7.25 The objections from neighbours regarding parking and traffic levels are noted. The application proposes 34 car parking spaces, including 2 disabled spaces. This meets the Local Highway Authority’s parking standards and no objections have been raised in this regard by NCC. There are also no objections to the proposed access arrangements, whereby the westerly access will be closed off to vehicles and made into a pedestrian only access.

7.26 The Council’s Waste Management team has not commented on this revised application; however, the changes recommended by them during the consideration of the previous scheme have been made. The proposed bin store has been increased in size and the applicant has confirmed in writing that the access will be constructed to adoptable standards. This means that the site will be accessible to council refuse collection vehicles and, contrary to the comments made by NCC Highways, vehicles will be able to enter and leave the site in a forward gear. The proposed site plan includes swept path analysis detail in this regard.

7.27 Trees and Landscaping

7.28 The Council’s Senior Tree and Landscaping Officer has no objections to the application. The proposal involves the loss of nine trees to the front of the site to accommodate the car parking but also proposes the planting of 14 new specimens. Boundary trees will be retained. Any additional planting secured by condition will be assessed in consultation with the Senior Tree and Landscaping Officer.

7.29 Ecology

7.30 The site is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area. In such cases, the Council has a requirement linked to the adopted Biodiversity Supplementary Planning Document which requires a contribution of £269.44 per dwelling to mitigate against any impact. This payment has been received and the application therefore complies with policy 4 of the JCS.

7.31 A Habitat Regulations Appropriate Assessment is appended to this report. The Appropriate Assessment concludes that the proposal would adversely impact on the integrity of the SPA but that appropriate mitigation measures in the form of the per dwelling financial contribution have been put forward.

7.32 The impact on bats as a European protected species formed a reason to refuse the previous application. The application is accompanied by a Protected Species Survey, which confirms the low level presence of bats and also outlines a schedule of precautionary measures to be taken during construction. The ecologist is of the view that even if a further survey was undertaken and it confirmed the presence of roosting bats in any of the roof spaces, a licence from Natural England would only be required if the roost site were to be lost or significantly altered through the conversion of the roof space or removal of internal ceilings to provide vaulted roof. The proposals do not involve the loss of the central roof space which runs the length of the existing building. This coupled with the low level presence leads me to conclude that the impact on bats would be acceptable subject to imposing a condition requiring adherence to the recommendations in the
Ecological Survey.

8 Other Matters

8.1 Planning Obligations - Northamptonshire County Council has not requested contributions toward education or libraries, although they have requested that a fire hydrant be provided. This could be secured by recommended condition 17, which has been revised from the wording suggested by NCC to make it accurate and enforceable. No other contributions have been requested, aside from the Special Protection Area mitigation payment. This payment was made under the previous application and can be carried forward for the purposes of the revised scheme.

8.2 Environmental Impact Assessment (EIA) - The application is not EIA development and does not require an Environmental Statement.

8.3 Covenants – A neighbour has raised the issue of a covenant covering the front of the site, between the building and the highway, which allegedly precludes the use of the land for anything other than garden space. There is therefore conflict here with the proposal to provide parking in this area. Whilst I am mindful of this, it is important to note that restrictive covenants are not a material planning consideration when assessing the merits of an application. Equally, planning permission does not quash any restrictions on title. Landowners and applicants must both obtain planning permission, and comply with restrictive covenants or apply to have them rescinded in order for development to be carried out.

8.4 Equality - The application proposes a mix of unit sizes for which there is an identified need. The proposal is not considered to raise any particular equality and diversity issues.

8.5 Drainage - The application site is not in an area which is at risk from flooding. Anglian Water has previously requested a condition requiring the details of surface water drainage to be secured by condition.

9 Recommendation

9.1 That planning permission is GRANTED subject to the following conditions:

10 Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
   
   Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following approved plans:

   1139 110 P3
   1139 111 P3
   1139 112 P3
   1139 113 P3
   1139 310 P3
   1139 100 P2
received on 07.05.2019

Reason: To clarify the terms of this permission.

3. The Age Restricted Dwellings hereby permitted shall not be occupied other than by persons who have attained the age of 55 years or the spouse or partner of such persons including a widow or widower and any dependent children.

Reason: To clarify the terms of this permission and because this tenure meets an identified need.

4. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

5. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

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

6. Prior to the commencement of development above slab level, details of all external finishes to the extensions shall be agreed with the Local Planning Authority. The external finishes that are agreed shall be executed as part of the approved scheme and retained in perpetuity thereafter.

Reason: To achieve a satisfactory elevational appearance for the development.

7. Prior to the first occupation of any of the dwellings hereby approved, details of the boundary treatments shall be agreed with the Local Planning Authority. The boundary treatments that are agreed shall be executed as part of the approved scheme and retained in perpetuity thereafter.

Reason: To achieve a satisfactory elevational appearance for the development and in the interests of crime prevention.

8. Prior to the first occupation of any of the dwellings hereby approved, a detailed lighting scheme shall be agreed with the Local Planning Authority. The lighting scheme that is agreed shall be executed as part of the approved scheme and retained in perpetuity thereafter.

Reason: In the interests of crime prevention.

9. Prior to commencement of development, details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development and adjoining sites have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and retained in accordance with the approved details.
Reason: To ensure that the precise height of the development can be considered in relation to nearby dwellings.

10. a. Prior to first use or occupation, the proposed vehicular access including visibility splays plus the parking and turning facilities shall be provided and suitably hard surfaced in accordance with the approved plans. They shall thereafter be set aside and retained for those purposes.

b. Prior to first use or occupation, a positive means of drainage shall be provided to ensure that surface water from the vehicular access does not discharge onto the highway or adjacent land. Such details shall thereafter be maintained.

Reason: In the interests of highway safety.

11. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.

Reason: To limit the detrimental effect of demolition and construction works on adjoining residential occupiers by reason of nuisance.

12. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity.

13. There shall be no contractor or delivery parking on the public highway at any time.

Reason: To ensure the protection of the local amenity throughout construction works.

14. Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud refuse etc. deposited on the road as a result of the development must be removed immediately by the operator/contractor.

Reason: In the interests of residential amenity, highway safety and visual amenity.

15. a. No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Local Planning Authority and the protective fencing is erected as required by the AMS. The AMS shall include full details of the following:

   I. Timing and phasing of Arboricultural works in relation to the approved development.

   II. Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.

   III. Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing adjacent to the site.
IV. Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.

V. Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order, 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015), no services shall be dug or laid into the ground other than in accordance with the approved details.

VI. Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.

VII. Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement. These measures shall remain in place for the life of demolition and building works.

b. No development shall take place until a comprehensive landscaping scheme for the site has been submitted to and approved by the local planning authority. This landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development. Any trees or plants which within a period of five years of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a reasonable standard of development and visual amenity for the area and in the interests of crime prevention.

16. Prior to the commencement of development a method statement to address the issue of possible bat presence within the site shall be agreed with the Local Planning Authority. The method statement should cover all roof stripping and/or demolition works and should include – in accordance with BS42020 – the following:

a) Purpose and objectives for the proposed works;
b) Detailed design(s) and/or working methods necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
c) Extent and location of proposed works shown on appropriate scale maps and plans;
d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
e) Persons responsible for implementing the works;
f) Initial aftercare and long-term maintenance (where relevant);
g) Disposal of any wastes arising from the works.

The agreed statement shall be implemented along with the recommendations contained within the Philip Irving Ecological Survey dated January 2018 concurrently with the development.

Reason: In the interests of ecology.

17. Prior to the commencement of development above slab level, a scheme and timetable detailing the provision of fire hydrants, sprinklers systems and their associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinklers systems and associated infrastructure shall thereafter be installed in
accordance with the approved scheme and retained and maintained in perpetuity.

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

18. Notwithstanding the submitted details and prior to the commencement of development, a scheme for the installation of electric car charging points shall be submitted to and approved in writing by the local planning authority. The charging points and the associated infrastructure shall thereafter be installed in accordance with the approved scheme and retained and maintained in perpetuity.

Reason: To ensure compliance with Policy T1 of the Rushden Neighbourhood Plan.

19. Notwithstanding the submitted details and prior to the commencement of development, a scheme for the provision of wheelchair accessible units shall be submitted to and approved in writing by the local planning authority. The scheme shall include, but not be limited to, alterations to units 4 and 5 as shown on drawing 1139 100 P3. The units shall thereafter be provided in accordance with the approved scheme and retained in perpetuity.

Reason: To ensure the adequate provision of wheelchair accessible accommodation in light of the age related occupancy restriction.

11 Informatives:

1. In reaching this decision, the council has implemented the requirement in the NPPF to deliver sustainable development in a positive and proactive way in accordance with paragraph 38.

2. The stopping up of the existing access and restoration of kerbs will require licensing with NCC and undertaken by approved contractors.

3. The applicant is reminded of the recommendations made by Northamptonshire Police, the details of which are contained in paragraph 6.10 of the officer’s report.
Appendix 1 – Habitat Regulations Appropriate Assessment

Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations, however, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

<table>
<thead>
<tr>
<th>Application reference:</th>
<th>19/00594/FUL</th>
</tr>
</thead>
</table>
| Application address:   | Rushden Memorial Clinic  
                         | Hayway          
                         | Rushden         
                         | Northamptonshire  
                         | NN10 6AG         |
| Application description: | Conversion and extension of the existing Memorial Clinic to create 14no. one and two bedroom flats, with shared amenity space and associated parking. |
| Status of Application: | Pending consideration |
| Proximity to SPA:       | Within 3km     |
| Lead Planning Officer: | Dean Wishart   |

Stage 1 - details of the plan or project

<table>
<thead>
<tr>
<th>European site potentially impacted by planning application, plan or project:</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the planning application, project or plan directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?</td>
<td>NO</td>
</tr>
<tr>
<td>Are there any other projects or plans that together with the planning application being assessed could affect the site ( Applicant to provide details to allow an 'in combination' effect to be assessed)?</td>
<td>YES, The HRA for the North Northamptonshire Joint Core Strategy assessed the in-combination effect of residential development within a 3km catchment of the SPA and concluded that such development would have an adverse effect on its integrity unless avoidance and mitigation measures are in place.</td>
</tr>
</tbody>
</table>
Stage 2 - HRA screening assessment

Test 1: the significance test — The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA.

Conclusion on the need for a full Habitats Regulations Assessment (Appropriate Assessment) (has evidence shown there is a need for a full HRA?) Yes

The application is for development resulting in a net gain in residential units within 3km (linear distance) of the SPA. The HRA for the North Northamptonshire Joint Core Strategy identified that the ‘in-combination’ impact of proposals involving a net increase of one or more dwellings will have an adverse effect on the integrity of the SPA unless avoidance and mitigation measures are in place; therefore a contribution from each new dwelling is required to meet the Regulations.

The ruling by the Court of Justice of the European Union on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17) requires development relying on mitigation to no longer be considered at the screening stage but taken forward and considered at the appropriate assessment stage. Therefore as the application requires mitigation it will need to be considered at the appropriate assessment stage.

If yes continue to Stage 3; if no, continue to Stage 4).

Stage 3 - HRA – Appropriate Assessment

Test 2: the integrity test – If there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long term management, maintenance and funding of any solution.

A mitigation strategy is set out in the SPA SPD which allows for a financial contribution towards Strategic Access Management and Monitoring (Samm) and / or other suitable infrastructure. This would reduce the adverse impact of people visiting the SPA through specific measures and monitoring. The required contribution has been received in respect of this planning application, As such, planning permission can be granted.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

Conclusion:

Development in the area surrounding the Upper Nene Valley Gravel Pits SPA could lead to increased public access for recreation, e.g. from dog walking, which in turn can lead to disturbance of the notified bird populations and impacts to the ability of birds to use the site for feeding and roosting.

The proposal has demonstrated that its impacts will be mitigated and as such, it is considered that the proposal would not adversely impact on the integrity of the SPA.
### Natural England Officer:

**Summary of Natural England’s (NE) comments:**

The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified.

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document. A mitigation strategy has been developed as a Supplementary Planning Document and identifies the required mitigation as a financial contribution of £269.44 per new dwelling within the 3km zone. This will contribute towards a package of Strategic Access Management and Monitoring to include fencing, screening and wardens to manage visitors within the SPA.

Notwithstanding this, Natural England’s advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site’s conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017.
The application is brought before the Planning Management Committee because it is a ‘major’ residential development as defined in legislation and falls outside of the Scheme of Delegation in Part 3.2 of the Council’s Constitution (2019).

1 Summary of Recommendation

1.1 That planning permission be REFUSED.

2 The Proposal

2.1 This application seeks outline planning permission for up to 115 dwellings with associated access, open space, landscaping and drainage. Access is to be considered as part of this application, whilst other matters (scale, layout, appearance and landscaping) are reserved.

2.2 The application is accompanied by a ‘Development Framework Plan’ which illustrates the parts of the site proposed for residential development and the areas for open space. The plan shows a 15m wide landscaping buffer along the western site boundary, a footpath link north-south through the site, a drainage pond in the south west corner and possible play equipment in a northern area of open space.

2.3 The application includes a location plan and a plan showing the proposed single point of vehicular access, which would be onto Stamford Road (A43). The application confirms (Planning Statement) that these two plans are being submitted for approval (in contrast to other plans which are indicative). The proposed access arrangements have been amended during the course of the application in response to comments from the Local Highway Authority. The amended proposal is for a priority T junction onto Stamford Road. It is proposed to close off the nearby existing layby on the northern side of Stamford Road and reinstate this as verge. The ‘Proposed Access Arrangements’ drawing indicates that replacement parking (in lieu of the closed layby) will be provided within the development. 2m wide footways are proposed across the site frontage and opposite the vehicular access to tie in with existing footways. Tactile paved crossing points are proposed at the new vehicular access and on West Mill to the east of the site.

2.4 The submitted ‘Design and Access Statement’ includes an indicative masterplan. This shows one possible layout for the development, however if planning permission was to be granted, this would not be binding on the developer. The Design and Access Statement suggests there could be three character area types within the development: these being the ‘main street’, ‘secondary streets’ and ‘green lanes’. It goes on to suggest design principles
for these areas.

2.5 Although the precise mix of housing would be for consideration at reserved matters stage, the application states (Design and Access Statement – page 6) that a mix of 1 to 5 bedroom dwellings would be provided, with 40% of homes being ‘affordable’. The density of the development (excluding the open space) would be circa 35 dwellings per hectare.

3 The Site and Surroundings

3.1 The application site is an arable field located beyond the western development edge of Easton on the Hill. The site and immediate area is located on a plateau above the Welland Valley. The site is 4.56ha in size and slopes generally north to south. The highest point of the site is at 95.54m AOD and forms a hump in the northern part of the site. The site falls to 91.73m AOD on the southern boundary. The site is bounded on all sides by hedgerow. An overhead line runs along the southern edge of the site and then leads north along the western boundary.

3.2 To the north of the site is Ketton Drift, a bridleway leading east-west from Westfields, past the recreation ground towards Geeston and Collyweston. Beyond Ketton Drift to the north is agricultural land. Levels fall, initially gently in this direction and then more steeply towards the River Welland.

3.3 To the east is the settlement edge of Easton on the Hill, consisting in this part of the village of predominantly 1950s/60s housing, largely 2 storey in height, with bungalows off West Mill in the south. The village continues at a similar ground level to the application site.

3.4 To the south, the site is bound by Stamford Road (A43). There is a layby used for parking on the northern side and a bus stop on the southern side of the road. A row of older terraced and semi-detached dwellings lie on the opposite side of Stamford Road to the site. These dwellings are generally set down slightly from the road level.

3.5 To the west is another arable field with an area used for agricultural storage in the south west. Beyond this is the Collyweston Quarries Site of Special Scientific Interest (SSSI). The village of Collyweston is located further to the south west, along the A43.

4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 7 - Community Services and Facilities
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings
Policy 10 - Provision of Infrastructure
Policy 11 - The Network of Urban and Rural Areas
Policy 19 - The Delivery of Green Infrastructure
Policy 28 - Housing Requirements
Policy 29 - Distribution of New Homes
Policy 30 - Housing Mix and Tenure

4.3 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)
Policy 2 - Windfall Development in Settlements
Policy 4 - Green Infrastructure
Policy 5 - Transport Network
Policy 6 - Residential Parking Standards
Policy 10 - Protection of Local Sites of Conservation Interest and Designation of Local Nature Reserves
Policy 12 - Considerate Construction
Policy 15 - Open Space, Sport and Recreational Facilities

4.4 Supplementary Planning Documents / Guidance
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)
East Northamptonshire Council - Biodiversity Supplementary Planning Document for Northamptonshire (2016)
East Northamptonshire Council - Open Space Supplementary Planning Document (2011)
East Northamptonshire Council - Recreational Open Space Supplementary Planning Guidance (1999)

4.5 Other Relevant Documents
Emerging East Northamptonshire Local Plan Part 2
Northamptonshire Environmental Character Assessment (ECA)

5 Planning History

5.1 95/00706/OHL - Replacement overhead electricity line (11Kv) (PERMITTED 03.11.1995)

6 Consultations and Representations (responses summarised)

6.1 Table 1 below provides a brief summary of responses received. Comments are then summarised in more detail at paragraphs 6.2 – 6.30 of this report.

Table 1: Summary of Consultation Responses

<table>
<thead>
<tr>
<th>Respondent / Consultee</th>
<th>Summary of Response</th>
<th>Committee Report Paragraph Reference for Detailed Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Comments</td>
<td>21 object, 3 support</td>
<td>6.2</td>
</tr>
<tr>
<td>Easton on the Hill Parish Council</td>
<td>Object</td>
<td>6.3</td>
</tr>
<tr>
<td>Organisation</td>
<td>Comments</td>
<td>Reference</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Collyweston Parish Council</td>
<td>Object</td>
<td>6.4</td>
</tr>
<tr>
<td>Ketton Parish Council</td>
<td>Object</td>
<td>6.5</td>
</tr>
<tr>
<td>Peterborough City Council</td>
<td>No comments</td>
<td>6.6</td>
</tr>
<tr>
<td>Rutland County Council</td>
<td>No objection</td>
<td>6.7</td>
</tr>
<tr>
<td>South Kesteven District Council</td>
<td>No objection</td>
<td>6.8</td>
</tr>
<tr>
<td>Environment Agency</td>
<td>No objection</td>
<td>6.9</td>
</tr>
<tr>
<td>Natural England</td>
<td>No comments</td>
<td>6.10</td>
</tr>
<tr>
<td>Highways England</td>
<td>No objection</td>
<td>6.11</td>
</tr>
<tr>
<td>Sport England</td>
<td>Does not fall within our remit to comment – provides general guidance</td>
<td>6.12</td>
</tr>
<tr>
<td>Anglian Water</td>
<td>Surface water drainage proposals are not acceptable, however a condition is recommended to address this</td>
<td>6.13</td>
</tr>
<tr>
<td>Cadent (Gas)</td>
<td>No objection – recommend informative note to applicant</td>
<td>6.14</td>
</tr>
<tr>
<td>Western Power Distribution</td>
<td>Comment – apparatus at / adjacent the site</td>
<td>6.15</td>
</tr>
<tr>
<td>Campaign for Dark Skies</td>
<td>Comments – would wish to be consulted on lighting scheme</td>
<td>6.16</td>
</tr>
<tr>
<td>Northamptonshire Police</td>
<td>No objection – detailed suggestions relating to layout</td>
<td>6.17</td>
</tr>
<tr>
<td>The Wildlife Trust</td>
<td>Object</td>
<td>6.18</td>
</tr>
<tr>
<td><strong>Northamptonshire County Council:</strong></td>
<td></td>
<td>6.19</td>
</tr>
<tr>
<td>Key Services</td>
<td>No objection – S106 contributions for education and libraries required to make the development acceptable in planning terms</td>
<td>6.19</td>
</tr>
<tr>
<td>Minerals and Waste</td>
<td>No objection</td>
<td>6.20</td>
</tr>
<tr>
<td>Lead Local Flood Authority</td>
<td>Insufficient information to determine acceptability of drainage proposals</td>
<td>6.21</td>
</tr>
<tr>
<td>Archaeology</td>
<td>No objection subject to condition</td>
<td>6.22</td>
</tr>
<tr>
<td>Highway Authority</td>
<td>Raise various concerns relating to highway safety, junction design, parking, footway / cycle links</td>
<td>6.23</td>
</tr>
<tr>
<td>Ecology</td>
<td>Concerned about impact on SSSI</td>
<td>6.24</td>
</tr>
<tr>
<td><strong>East Northamptonshire Council:</strong></td>
<td></td>
<td>6.25</td>
</tr>
<tr>
<td>Environmental Protection – Air Quality</td>
<td>No objection</td>
<td></td>
</tr>
<tr>
<td>Environmental Protection – Noise and Contamination</td>
<td>No objection subject to a number of conditions</td>
<td>6.26</td>
</tr>
<tr>
<td>Waste Team</td>
<td>No objection – comment on requirements for reserved matters</td>
<td>6.27</td>
</tr>
<tr>
<td>Senior Tree and Landscape Officer</td>
<td>No objection – comments on requirements for reserved matters</td>
<td>6.28</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Senior Conservation Officer</td>
<td>No comments</td>
<td>6.29</td>
</tr>
<tr>
<td>Housing Strategy Team</td>
<td>Comments – concerns with indicative mix and layout</td>
<td>6.30</td>
</tr>
</tbody>
</table>

6.2 Neighbours

Objections have been received from 21 households and can be summarised as:

Principle of Development
- Conflict with planning policies;
- Only infill development permitted – 'restricted infill village' / development is outside the village boundary;
- Concern that planning policies can be considered out of date;
- Housing not needed - housing is already affordable in Easton on the Hill / housing has come on the market in recent years;
- Draft Local Plan Part 2 makes clear that rural housing requirement has been met;
- Not in accordance with village plan;
- Contrary to 1996 East Northamptonshire District Local Plan;
- Should direct development to brown field land;
- Joint Core Strategy does not apply to Easton on the Hill.

Highways
- Concern about traffic impact and congestion;
- Already have issues with traffic diversions for accidents on A1;
- Construction traffic may park on The Close / on verges;
- Village roads not suitable for increased traffic / HGVs;
- Parking issues – cars already parked on verges;
- Lack of public transport;
- Only access to the village is by the A43;
- Already difficult to pull out onto the road;
- Safety concerns;
- Speeding and overtaking commonplace near proposed access;
- Loss of layby for parking – residents of the cottages opposite the site won't be able to park;
- Speed limit should be reduced to 30mph / need to consider enforcement of speed limit;
- Concern we may lose access to the rear of The Crescent for parking;
- Upgraded street lighting is required;
- Poor visibility from access.

Drainage / Flooding
- Sewage system under strain;
- Water collects on the site.

Impact on services / lack of infrastructure
- Insufficient amenities to serve the increase in population;
- School is closed / concern about lack of school places;
- Facilities listed are in Stamford not Easton;
- Employment development is required;
- Critical of Sustainability Assessment;
• Lack of medical services to cope;
• Emergency service response times are amongst the worst in the county / country;
• Zero chance of school re-opening in the next 5 years as implied by applicant;
• Should support Parish Council plans to improve existing footpaths.

Amenity
• Impact on existing residents;
• Likely to be substandard houses;
• Impact on daylight;
• Privacy.

Scale / Design / layout
• Increase population by 20% - 50%;
• 15% (other percentages also quoted) increase in built development;
• Concern about scale in relation to the village;
• Soulless development will detract from character and heritage of village;
• Inappropriately high density compared with adjacent housing;
• ‘tacked on’ to the village;
• Mass development / lack of design;
• Proposal is to ‘hide’ development behind a tree belt, this shouldn’t be necessary for a quality development;
• Small scale developments are more suitable to respond to growth needs of the village;
• Will be out of keeping with character and materials of existing dwellings;
• Lack of connection with village – residents will drive in and out of the estate with no connection to the village – ‘commuter estate’;
• Not enough planting proposed.

Pollution
• Headlights shining on cottages opposite the access / light pollution affecting dark sky;
• Odour;
• Noise generation / will coincide with the arrival of the red arrows;
• Dust;
• Impact on air quality.

Countryside / Open Space
• Loss of valued open space / countryside;
• Landscape and visual impact / loss of views;
• Loss of tranquillity;
• Proposed to ‘make open spaces by filling one with housing’;
• Big, out of place development will blight the landscape.

Ecology
• Harm to Collyweston Quarries SSSI – located in impact risk zone;
• Harm to wildlife / protected species / habitats / rare birds;
• Additional recreational pressure will cause harm and pollution to natural environment;
• SSSI mitigation insufficient.

Other Issues Raised
• Not wanted by the village;
• Harm to village life;
• Developer is not local;
• Will only attract wealthy investors – stone buildings at a premium;
• 'Improvements' are vague;
• Little in the way of benefits;
• People didn’t know about Parish Council meeting / should call a public meeting;
• Questions posed regarding the submission documents;
• Public consultation by developer was a ‘tick box’ exercise / not carried out correctly – expect this had a low response;
• Object to use of meaningless terms – quality, sustainable etc.;
• Lack of social housing / affordable housing must be secured;
• Lack of provision for the elderly.

Representations of support have been received from 3 households (one stating they were ('broadly in support' albeit at a lower density) and can be summarised as:

• Need for additional housing;
• Significant proportion of dwellings should be aimed at first time buyers / families;
• Positive benefit of upgrade to recreation ground / pavilion;
• Church attendance would be helped by increased population;
• Access point is suitable;
• Support the proposed pedestrian crossing;
• Suggest 30mph speed limit;
• Ketton Drift unaffected as access is from Stamford Road;
• Footpath link through the site will be pleasant.

6.3 Easton on the Hill Parish Council

Comments received 11.06.19:

Easton on the Hill Parish Council, representing the majority view of its residents, objects to the outline planning application to build up to 115 houses on land off Stamford Road. The objections stem from the large scale of the development in proportion to the size of the village, and the resulting problems this will bring to the infrastructure; such as water pressure and sewage, a dangerous current speed limit along the Stamford Road and the village's lack of amenities. Also the development is contrary to the current local plan policy that only considers restricted infill.

Comments received 28.06.19:

Notwithstanding the objection to the planning application, details of costed projects have been provided in support of requests for s106 contributions. Projects include:

• New sports pavilion;
• Improvements to playing fields – installation of multi-use games area, perimeter path and facilities for tennis, bowling and 5 a side football;
• Replace electricity supply to playing fields / cricket club;
• Creation of access from A43 to playing field / sports area;
• Development of church building to provide community facility.
6.4 Collyweston Parish Council

Comments received 17.06.19:

The Parish Council has considered this application and "Objects" as follows:-

1. This is open countryside agricultural land and outside this Category A village boundary, so not designated in the Rural North, Oundle and Thrapston Plan as a proposed development site.

2. The impact of 115 dwellings could have a detrimental effect to the Nature Reserve situated on the boundary of Collyweston.

3. No housing needs survey has been produced to justify that the village requires this amount of dwellings, on what should be classed as an exception site.

4. The overall mix of housing types i.e. 1-5 bedrooms is above the scale and nature for a windfall development and again it is on agricultural land.

5. The A43 continues to increase in heavy traffic, and with no regular bus service, so vehicle travel would be increased significantly especially with the larger houses catering up to 3 or more cars per household.

6. With the village school now closed, and other local schools full, residents would have to travel by car further for their children to be educated. This will put a greater burden on the principle council that is required to ensure children are educated.

6.5 Ketton Parish Council

Comments received 05.06.19:

Ketton Parish Council's Planning Committee note that much of the area of the proposed development is at the highest level in the local vicinity to Ketton (95-99m above sea level). The next highest levels in the local vicinity are Rutland Water, Morcott and Harringworth. The proposed development may be visible from Ketton, across the Welland Valley. (The new houses in Stamford, adjacent to the A1, are visible from Ketton). The Committee is concerned that the proposed development will affect the rural aspect of Ketton and its conservation areas.

6.6 Peterborough City Council

Comments received 10.06.19:

Peterborough Local Planning Authority has no comments to make on the application.

6.7 Rutland County Council

Comments received 10.06.19:

I am writing to confirm that Rutland County Council has no objections to the proposed development.
6.8 South Kesteven District Council

Comments received 26.06.19:

The proposal has been considered by this Authority and on the 26th June 2019 it was resolved that this Council has no objections to raise.

6.9 Environment Agency

Comments received 04.06.19:

We have no objections to the proposed development, as submitted.

6.10 Natural England

Comments received 28.05.19:

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPA's to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

6.11 Highways England

Comments received 10.06.19:

No Objection. Highways Act Section 175B is not relevant to this application. This represents Highways England’s formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

6.12 Sport England

Comments received 22.05.19:

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.
General guidance and advice can however be found on our website: www.sportengland.org/planningapplications

If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/

If the proposal involves the provision of additional housing (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government’s NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England’s Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

6.13 Anglian Water

Comments received 18.06.19:

Section 1 - Assets Affected
Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Section 2 - Wastewater Treatment
The foul drainage from this development is in the catchment of Easton On The Hill Water Recycling Centre that will have available capacity for these flows.

Section 3 - Used Water Network
The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts
Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal
The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The surface water strategy / flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water as the proposed discharge rate of 1.5 l/s to the AWS surface water sewer is above the greenfield runoff rate of 0.58 l/s, which has been calculated for this site of 4.84 hectares. We would also require site specific infiltration logs to provide evidence why the site is unable to fully utilise infiltration techniques. We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Section 5 - Suggested Planning Conditions
Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Condition: No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.
Reason: To prevent environmental and amenity problems arising from flooding.

6.14 Cadent (Gas):

Comments received 26.05.19:

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

Are My Works Affected?
Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified. Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application. If the application is refused for any other reason than the presence of apparatus,
we will not take any further action.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

**Your Responsibilities and Obligations**

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does NOT include:

- Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection;
- Gas service pipes and related apparatus;
- Recently installed apparatus;
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is YOUR responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the National Grid or Cadent website.

*Further comments received 03.06.19:*

Looking at the above planning application, we would not object but we would be most grateful if you could raise an informative with the applicant, there is an intermediate pressure gas pipeline running in Stamford Road, if the new development access is planned to be from Stamford Road crossing the IP gas pipeline Cadent will need to be contacted and liaised with as some plant protection measures may be require.

6.15  **Western Power Distribution**

*Comments received 22.05.19:*

The developer would have to take into consideration that Western Power Distribution have an 11kv transformer pole and overhead line located at the proposed entrance to the new site and LV underground cable running along the verge.

*[plan provided]*
6.16 Campaign for Dark Skies (CFDS)

Comments received 07.06.19:

CFDS notes from the Design and Access Statement that the "Routes will be active, well lit and well signed" as stated on P56 of the above document. CFDS fully supports the use of lighting for safety and helping to reduce the fear of crime, however, we do have concerns that, in general, developers over light streets to the detriment of the street scene and night time environment. In rural locations particularly, there is a danger that a new housing development will be vastly over lit in comparison to the established street scenes nearby. As a result, by night the developments look completely out of scale to the rest of the community and destroy any rural character by night that was present before.

Thankfully, improved understanding, design and technology will now allow for well lit street environments that provide a welcoming street scene with improved perceived safety without energy waste and glare from light pollution. CFDS would expect the developer to consider this when designing the street lighting scheme.

Should this development be given Full permission, who will be maintaining the street lighting? If it is NCC Balfour Beatty, they have good design codes to adhere to prior to adoption.

Recommendation: - Should Full Planning permission be granted, a detailed lighting scheme showing luminaire design and layout be submitted in support of the statement made on P56 of the Design and Access Statement and to help ensure the development meets NPPF guidance. CFDS would welcome the opportunity to comment on any future lighting scheme(s) submitted.

6.17 Northamptonshire Police

Comments received 04.06.19:

Northamptonshire Police has no objection to this proposed development. However, at this stage it is important to make certain recommendations / observations and ensure that we are involved at the outset of the design process. This proposed addition to Easton On The Hill is not huge compared to some schemes, which are planned for the northern sector of the county but is just as important as those larger schemes to the success of the area and the community that live and work there.

It is our strong belief that safety and security are essential to a successful development within the East Northamptonshire Council area, and in the creation of sustainable communities. The correlation between people's behaviour and their external environment is well documented. While design cannot be expected to eradicate crime, well-planned spaces experience lower levels of vandalism, violence and anti-social behaviour. Equally, sustainable neighbourhoods thrive in areas where communities have a sense of ownership over their surrounding spaces.

Although we do not consider that this application warrants any particular developer contribution towards policing, adherence by the developers to national and local polices and their recommendations with regards designing out crime is important. All local planning policies fully support and encourage ‘Secured by Design’ (SBD) principles are utilised to help ensure safe and secure areas, and now with the majority of all new major sites complying to the SBD requirements this site could be considered vulnerable to crime if not also compliant.
The architects and developers should consult with the Police Crime Prevention Design Advisor at the earliest opportunity. I appreciate that this application is for outline approval with some reserved matters, any further submission should clearly demonstrate the following criteria, I comment as follows:

- Layout, private lighting and full boundary treatment detailed drawings should be supplied and approved by the LPA after prior consultation with the Police Crime Prevention Design Adviser and with adherence to the principles of secured by design.
- Roads should be designed to reduce vehicular speeds.
- Pedestrian routes should, wherever possible, run alongside vehicle and cycle routes and not be segregated restricting surveillance.
- Residents parking should be in curtilage. Tandem parking should be avoided particularly where on street parking would cause safety or neighbour disputes as inconvenient parking facilities can lead to irresponsible parking and make access routes for emergency vehicles impossible.
- Communal rear access alley ways should be avoided, these make properties more vulnerable to crime. Terraced housing blocks make it difficult to maintain convenient refuge storage with long rear access alleyways required. Ginnell type house design could be an alternative.
- Cul-de-sacs that are short in length and not linked by footpaths can be very safe environments and residents can benefit from lower crime. They must not be linked by footpaths to other parts of the development.
- Refuge bin storage must be safe, secure and allow easy transportation to the collection points.
- Boundaries of public open space should have clearly defined features to prevent unwanted access.
- Affordable Housing should be arranged in small clusters, 10-12 dwellings max, pepper-potted around any development to ensure integration and community cohesion.
- Excessive permeability should be avoided. The balance needs to be struck between useful routes around and through the development, thus creating a pleasant environment where people feel safe and secure, and the provision of numerous paths duplicating each other and providing "escape routes" for those up to no good.
- All dwellings without garages should be supplied with cycle storage facilities.
- Guidance should be taken from the Northamptonshire Fire and Rescue pre planning guide. Particularly in terms of access and bin storage. Undercroft may lead to difficulty in obtaining access distances.

6.18 The Wildlife Trust

Comments received 27.06.19:

The application site is very close to Collyweston Quarries, which is a Wildlife Trust Nature Reserve and is nationally recognised as an important site for wildlife. We are very concerned about the additional visitor pressure that this proposal would bring to the site, which would be detrimental to it, and therefore, we object to this application. We would also advise that further bat survey work is necessary before this case can be determined. Both these areas of concern are considered below:

Collyweston Quarries Wildlife Trust Nature Reserve
Collyweston Quarries has been designated as a Site of Special Scientific Interest (SSSI) for its limestone grassland, a habitat that is very uncommon in this region. It has an important plant assemblage including Dyer’s Greenweed (Genista tinctoria), a very rare plant for which
Collyweston Quarries is the best site in the county, and Pyramidal Orchid (Anacamptis pyramidalis), which is only found occasionally in Northamptonshire. It also has a rich invertebrate fauna. Wildflower rich calcareous grasslands have declined dramatically and are considered as a ‘habitat of principal importance’ within the Natural Environment and Rural Communities (NERC) Act, 2006. A wider area has also been identified as Collyweston Quarries Local Wildlife Site (LWS). LWS are sites which have been recognised for their importance to wildlife on a County level. They have been assessed against a set of selection criteria by a panel of local experts. Although LWS do not receive statutory protection, they are protected within the planning system.

The correct management is a crucial part of maintaining calcareous grasslands like Collyweston Quarries SSSI. Careful grazing using sheep and cattle at the right densities and at the right time of the year is required to ensure that the site remains in good condition. Collyweston Quarries is already a popular site with local people. Whilst we welcome people to our nature reserves to enjoy wildlife, the impact of visitor numbers has to be carefully managed to ensure that the wildlife that people come to see is not negatively affected. This is already the case at Collyweston Quarries. Managing the site with grazing animals is a challenge with the current level of visitor pressure. People walking dogs off of leads are a particular problem and unfortunately livestock have been killed by dogs at this site in the recent past. Dog fouling is also a particular problem on calcareous grasslands because they are naturally very low in nutrients. Dog mess introduces nutrients to the soil which results in coarser plants outcompeting many of the rare ones. Increasing the number of visitors to a site also increases the number and width of paths across it. This also damages the grassland.

The proposed development is within 200m of Collyweston Quarries SSSI with a direct bridleway link to it. The Ecological Appraisal (FPCR, March 2019) recognises the impact that the proposed development could have on Collyweston Quarries (paragraph 4.4). Although it suggests a few mitigation measures to try and protect the SSSI from an increase in visitor numbers we do not agree that they would be effective. The reasons for this are outlined below:

- The rights of way links to the north described in paragraphs 4.4 and 4.5 as alternative walking routes would involve walking through the village first whereas the quick walk along the bridleway would provide direct access to the countryside at Collyweston Quarries.
- The proposed open space within the site is relatively small and the buffer along the western edge is narrow. We consider it unlikely that residents would visit the open space alone rather than walking out to surrounding sites. We would also like to point out that this application is in outline and so the layout could change, removing open space, should permission be granted.
- Information packs for new homeowners would only be provided for the first residents whereas the impact on the SSSI would last for the lifetime of the development.

Along with the authors of the Design and Access Statement, who included a photo of the information board at the Nature Reserve within the facilities section (page 32), we advise that new residents would visit Collyweston Quarries swelling the number of visitors and therefore, making conservation management of the site more difficult. This would result in a deterioration of the SSSI.

The National Planning Policy Framework (NPPF) includes, within paragraph 175, clear measures to protect SSSI. It states that:
"When determining planning applications, local planning authorities should apply the following principles:
b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;"

Policy 4 of the North Northamptonshire Joint Core Strategy 2011-2031 also seeks to protect important biodiversity sites, as does Policy 4 of the Rural North, Oundle and Thrapston Plan, 2011.

In conclusion, we consider that this proposal would be detrimental to Collyweston Quarry SSSI, Wildlife Trust Nature Reserve and LWS. It is, therefore, not in line with the NPPF and local policies and should be refused.

Bats
Some bat survey work for this application was conducted in 2017 with the surveys updated during 2019. During the 2017 surveys, recordings were made of Barbastelle bats (Barbastella barbastelle) using the site. The Ecological Appraisal recommended further survey work (paragraph 4.21) to investigate the extent to which this species is using the application site. As the Barbastelle bat is a species of ‘principal importance’ (NERC Act, 2006) and is considered to be very rare we agree that these additional surveys are necessary. They must be completed prior to the determination of this case. In paragraph 174 of the NPPF a footnote is included which references Circular 06/2005 ‘in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system’. Paragraph 99 of this Circular states that:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and / or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a licence under the procedure set out in section C below."

The extent to which Barbastelle bats are using the site has not been established, therefore further surveys are necessary.

I hope that our comments on this proposal are taken into account. The impact of additional visitors to Collyweston Quarries SSSI is of great concern given the proximity of this proposed development to the Nature Reserve.
Northamptonshire County Council Comments

6.19 Northamptonshire County Council – Key Services

Comments received 07.06.19 clarifying situation regarding Easton Garford Primary School:

There are no current plans to reopen Easton Garford Primary School at this time, and it is not anticipated this position will be amended in the near future. There has been no engagement with NCC in its capacity as the local education authority to date on this matter from the applicant (other than through the formal consultation process to which we will be submitting a response), and therefore the comments made in the community engagement document submitted with the application are the views of the applicant only.

Comments received 10.06.19:

Education
It is expected that a development of this size, based on an average three-bed unit being delivered across the site, is likely to generate approximately 37 early years pupils, 37 primary school pupils and 28 secondary and sixth-form age pupils, based on the county council’s pupil generation multipliers.

Early Years
The County Council’s ‘sufficiency of capacity’ evidence base for early years provision is currently being updated and it is therefore not possible to determine what the current capacity is and the likely s106 planning obligation this development would yield. However, the County Council will provide an updated position to this response once this update has been completed. Should an early years contribution be deemed necessary to meet the needs of this development, the current Department for Education (DfE) cost multipliers for early years education set out below will give you an indication of the likely contribution required:

<table>
<thead>
<tr>
<th>Size of Dwelling</th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost per Unit</td>
<td>£0</td>
<td>£3,724</td>
<td>£3,972</td>
<td>£4,220</td>
</tr>
</tbody>
</table>

Primary Education
In terms of primary education provision, the proposed site would be served by Kings Cliffe Endowed Primary School. As at April 2019 the school was operating at 96% capacity with current forecasts demonstrating continued high demand for places based on three year trend and birth rate data alone. It is therefore expected that there will be insufficient capacity in the area to accommodate the likely number of primary age pupils that this development will generate.

A s106 planning obligation towards provision of additional primary education capacity is therefore required in order to adequately mitigate the impact of the proposed development and to ensure that children residing in the properties can be accommodated in a local school. The current DfE cost multipliers for Primary Education are included below:

<table>
<thead>
<tr>
<th>Size of Dwelling</th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost per Unit</td>
<td>£0</td>
<td>£1,614</td>
<td>£3,972</td>
<td>£4,592</td>
</tr>
</tbody>
</table>

A s106 contribution towards primary education of £456,780 will be required, based on an average dwelling mix; this figure will be reassessed and a suitable project identified once the mix of dwellings proposed to be delivered on the site is confirmed through the planning process.
Secondary Education
With regards to secondary education provision, the proposed site would be served by a number of secondary schools within the vicinity, including Corby Business Academy, Corby Technical School. As at April 2019 secondary capacity within the area is extremely limited, with both schools operating at above 98% capacity and current forecasts indicating continued high demand for places based on three year trend and birth rate data alone. In addition, the cumulative impact of planned for development is expected to place further pressure on places across the area. It is therefore expected that there will not be sufficient capacity to accommodate the likely number of secondary age pupils that this development will generate, without additional provision being made available. A s106 planning obligation towards provision of additional secondary education capacity is therefore required in order to adequately mitigate the impact of the proposed development and to ensure that children residing in the properties can be accommodated in a local school. The current DfE cost multipliers for secondary education are included below:

<table>
<thead>
<tr>
<th>Size of Dwelling</th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost per Unit</td>
<td>£0</td>
<td>£1,170</td>
<td>£4,600</td>
<td>£5,941</td>
</tr>
</tbody>
</table>

A s106 contribution towards Secondary Education of £529,000 will be required, based on an average dwelling mix; this figure will be reassessed once the mix of dwellings proposed to be delivered on the site is confirmed through the planning process.

Fire Hydrants and Sprinklers
New developments generate a requirement for additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed. An assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service in order to establish whether there is sufficient existing provision in place, or if additional infrastructure is required.

The proposed development could require 2x new fire hydrants to be installed. The infrastructure and installation cost for each hydrant required is £892, totalling £1,784 the cost of which is to be met by the developer.

Below is a suggested standard condition for securing fire hydrants and sprinkler systems:

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

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

Informative: With reference to Condition above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.’

Libraries
The proposed development in the area is expected to impact the current level of library provision as the new families moving in to the developments utilise the facilities.

The County Council has adopted the National Library Tariff formula produced by the Museums Libraries and Archives Council (MLA). This includes:
A minimum standard of 30 sq. metres of new library space per 1,000 population;

A construction and initial equipment cost on a per sq. metre basis (adjusted to reflect Northamptonshire building costs), based on BCIS building costs for public libraries.

In order to adequately serve the growing population, improvements to the Library Service are planned which will enable a more flexible space to be available to the public, with improved facilities and an increased range of services. A schedule of works will be determined subject to available budget.

In order to establish a proportionate cost towards the new works, the County utilises cost multipliers as per our adopted guidance.

<table>
<thead>
<tr>
<th>Size of Dwelling</th>
<th>1 bed</th>
<th>2 bed</th>
<th>3 bed</th>
<th>4+ bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost per unit</td>
<td>£109</td>
<td>£176</td>
<td>£239</td>
<td>£270</td>
</tr>
</tbody>
</table>

An estimated libraries contribution of £27,485 is therefore required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the area. This figure is based on a generic housing mix, and will be reviewed once the scale and dwelling mix for the site is confirmed through the planning process. A specific project will be identified ahead of a Section 106 Agreement being signed.

**Broadband**

The Northamptonshire vision is for the county to be at the leading edge of the global digital economy. Early registration of development sites is key to making sure the people moving into your developments get a fibre based broadband service when they move in.

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

Comments received 12.06.19 providing clarification following request from the applicant:

As the Local Education Authority for Northamptonshire, we have a statutory duty to ensure that there are a sufficient number of places available in the county for all pupils of primary school age. Kings Cliffe Primary is the closest provision to the proposed site, being 4.1 miles distant, and is already operating at above the recommended DfE threshold for capacity.

6.20 **Northamptonshire County Council – Minerals and Waste Team**

Comments received 03.06.19:

The County Council, as the Minerals Planning Authority, has the following comments. The proposed site is located within a limestone Minerals Safeguarding Area (MSA). Therefore prior to any development taking place, the applicant should demonstrate how it meets Policy 28 of the Northamptonshire Minerals and Waste Local Plan (MWLP).

Policy 28 relates specifically to the MSAs and ensuring that they are protected from sterilisation by incompatible non-mineral development. The applicant should demonstrate that significant sterilisation of proven mineral resources will not occur as a result of the development. If this cannot be demonstrated, prior extraction will be sought where practicable.
Revised comments [following review of Resource Assessment] received 10.06.19:

Thanks for your email. I hadn’t seen the resource assessment but having read it I can confirm that the council is satisfied that Policy 28 of the MWLP has been met.

6.21 Northamptonshire County Council – Lead Local Flood Authority

Comments received 31.05.19:

Having reviewed the submitted surface water drainage information located within:

1. Flood Risk Overview and Outline Surface Water Drainage Strategy document ref. no. 881282-R1(01) FRO, dated April 2019;

2. Site Location Plan, drawing ref. no. 8031-L-01, dated 28.03.2019;

prepared by Johnson Mowat Planning Ltd. We would advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. The submitted surface water drainage information fails on the following grounds:

1) We note that the applicant has made a reference in section 2.3 of FRA to the infiltration of surface water run-off from the site at the rate of 2.52 x 10-3 m/s for Northern area and 5.77 x 10-6 m/s for the Southern area. We would request that the applicant supplies details of BRE 365 compliant infiltration testing to confirm that such a method of surface water disposal is viable. If the infiltration test results will be lower you will need to provide details demonstrating that soakaway’s can be emptied from full to half volume within 24 hours, to allow for the subsequent storm inflow. Please note, should infiltration methods not prove viable, we would require demonstration of the proposed discharge from the site.

2) Section 2.3 of the FRA, refers to final discharge of surface water drainage from the development into Anglian Surface Water Sewer at a discharge rate of 1.4 l/s. However, a confirmation of the allowable rate and point of discharge should be provided from Anglian Water. Please note that the rate and point of discharge set by the relevant Authority may have implications on the overall drainage scheme for the site and may need to be revised based on their requirements.

3) Appendix I of the FRA refers to ‘Source Control’ modelling for the required volume of attenuation. The required volume should be based on the critical rainfall period discharging to agreed runoff rate to demonstrate that it can be accommodated on the site without increasing flood risk to the site, surrounding areas and third parties. However, within Appendix I, the max discharge rate is 3.1 l/s which is in opposition to the proposed discharge rate of 1.4 l/s.

4) The maintenance and / or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development. Details are required of the organisation or body responsible for vetting and maintenance of individual aspects of the drainage system. The maintenance and / or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted. A maintenance schedule should
be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

**Location of Infiltration devices:** Infiltration elements of a drainage system should not be located within 5m of a building or road in areas of unstable land. Within Proposed Drainage drawing 10-01 Appendix E of the FRA, it is not clear whether the location of soakaways meet the said criteria. This is also a requirement of Section 3.25 of Building Regulations – Part H 2015.

**FSR/FEH:** Section 4.3.2. of the SUDS Manual (CIRIA C697) refers to Development Runoff. Within this Section, it is acknowledged that additional datasets have been added to Flood Estimation Handbook (FEH) and rainfall depths obtained using FEH show significant differences from those obtained from Flood Studies Report (FSR) in some parts of the country. Within Northamptonshire, rainfall depths are often greater using more up to date FSR datasets than those using FSR, therefore for various storm events, greater run-off is produced and additional attenuation is likely to be required.

FEH rainfall data is more up to date than FSR (England and Wales) therefore calculations should use this FEH data to determine the volume of surface water attenuation required on site. We recognise there are uncertainties associated with the use of any datasets. FSR rainfall data should be used where the critical storm duration is less than 60 minutes, as FEH data is less robust for short duration storms. FEH rainfall data can be used to determine the volume of storage required if the critical storm duration is greater than 30 minutes.

If FEH rainfall data is not used as described above, then sensitivity testing to assess the implications of FEH rainfall must be provided. This should demonstrate that the development proposals remain safe and do not increase flood risk to third parties.

**Overcoming our concerns:**
Our concerns can be overcome by submitting surface water drainage information which covers the deficiencies highlighted above. We ask to be re-consulted on this requested surface water drainage information. We will provide you with bespoke comments within 21 days of receiving a formal re-consultation. We cannot support the application until adequate surface water drainage information has been submitted. Upon submission of revised surface water drainage information, we may deem that the impacts of surface water drainage have been adequately addressed, pending the imposition of any relevant planning conditions or we may consider that the nature of the proposal, drainage solution or information submitted remains insufficient to overcome our concerns.

Please note that our comments only cover the surface water drainage implications of the proposed development. If you are minded to approve the application contrary to any outstanding concerns, I would be grateful if you could notify us, to give us the opportunity to make further representations.

If the applicant appeals a refusal of their planning application or non-determination, we would be prepared to fully support the Local Planning Authority and provide evidence at any public inquiry or informal hearing in relation to surface water drainage matters.

*[Officer Note – The applicant has submitted additional information in response to the above comments. The Lead Local Flood Authority has been re-consulted and a response is awaited.]*
6.22 Northamptonshire County Council – Archaeology

Comments received 11.06.19:

The applicant has provided an archaeological assessment and geophysical survey; the assessment indicates that there is evidence for activity of prehistoric date in the vicinity in the form of cropmarks but no clear indication that the activity continues into the site. There is some potential for activity which has not been picked up by the geophysical survey.

The NPPF, in paragraphs 189 and 190, stresses the importance of pre application discussions in order to assess the significance of potential heritage assets. Normally, the assessment would take the form of a field evaluation prior to determination; however, in this case, a condition for a programme of work is recommended and should comprise trial trenching in the first instance, followed by mitigation as appropriate.

The proposed development will have a detrimental impact on any archaeological remains present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. In order to secure this, please attach a condition for an archaeological programme of works as per NPPF paragraph 199 to any permission granted in respect of this application. Our standard condition is worded as follows:

**Condition:** No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

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

6.23 Northamptonshire County Council - Local Highway Authority

Comments received 11.06.19:

Thank you for sending us the application plans on the above proposal as the Local Highway Authority (LHA) and I would like to confirm the following observations:

- The LHA would have concerns regarding the current location of the existing layby on the North side of the A43 which residents whose properties front the A43 appear to currently park in and would impair the access junction visibility for the proposed development.

- The LHA would suggest (to make this proposal viable) that the layby to the west of the proposed access be closed and reverted back to highway verge, the highway would require reinstatement in full, with kerbing installed to full height and any drainage being moved to a more suitable location. In doing so the reduced visibility splay that would be caused by vehicles parking in this location would be negated.

- The existing footway links located outside the proposed development access are substandard and would require the widths increasing to 3.0m to provide a shared footway / cycleway with the increased use of foot and cycle traffic. The LHA would require the increase in width to extend out East to the Potters Lane as a minimum requirement to link pedestrians to the centre of the village.
• A dedicated right turn ghosted island into the proposed development would be required along with a refuge island provision for the tactile crossing. As the A43 forms part of the strategic road network and is a principal road, Northamptonshire Highways will not accept any proposals which introduce delays and therefore this requirement is justified.

• The applicant is required to provide a parking provision within the layout and site extents for the dwellings opposite the proposed development, in doing so it would compensate for the spaces lost from the removal of the layby.

• The LHA has concerns regarding the proposed shared footway / cycleway running South to North tying in to the bridleway reference: BRW No. MW5 as this appears to be shared with agricultural machinery and would be a safety concern.

[Officer Note – A revised plan and additional information has been submitted in response to the above comments. The Local Highway Authority has been re-consulted and revised comments are awaited.]

6.24 Northamptonshire County Council – Ecology Advisor

Comments received 12.06.19:

Overall the site has limited biodiversity interest, however there are a few items which will need to be either conditioned or dealt with at reserved matters:

• The layout will need to consider a couple of issues. First, the public open space and any footpaths should help direct visitor traffic away from Collyweston Quarries SSSI and instead to less sensitive areas and routes in the open countryside. Second, the site is regularly used by badgers for commuting and foraging. The highest activity appears to be on the southern, western and northern boundaries so the public open space should be designed and located to buffer these areas as much as possible to allow their continued use. The development framework plan (dwg 8031-L-03_B) shows what I would consider a generally good arrangement; this will need to be developed further as plans firm up.

• Any lighting scheme should be designed to account for the presence of Barbastelle in the area, and be consistent with Guidance Note 08/18 Bats and artificial lighting in the UK by the Bat Conservation Trust and Institution of Lighting Professionals.

• As recommended in the ecology report bat boxes should be provided on new buildings adjacent to the retained hedgerows and new public open space.

• A method statement for badgers should be conditioned, and should include the measures outlined in sections 4.16 - 4.17 of the ecological report (Land off A43, Easton-on-the-Hill Ecological Appraisal by FPCR and dated March 2019).

Comments received 27.06.19 following a request for guidance in light of the objection from the Wildlife Trust:

Essentially the WT [Wildlife Trust] is right: 115 houses 200m from the site would add a great deal of visitor pressure, and this can’t simply be mitigated with more money. From what I understand the site is at capacity already. If the application site were at the other end of the village it might not be such a big deal but 200m is essentially next door. I did recommend the site design needed to direct people away from the SSSI: what I didn’t say (and in hindsight
Perhaps I should have) was that I don’t think it’s possible in this case. It’s just too many houses on too small a site, and too close to the reserve to be able to tempt people away from it.

I agree with the Trust about what the NPPF says about development impacting SSSIs. Normally when looking at impacts from development we look at NE’s Impact Risk Zones for the site. The IRZ for Collyweston Quarries don’t identify residential development as a threat. However, the last survey by NE was in 2012 so in my view rather old data likely informed the IRZ when they were developed. The Wildlife Trust manages the site as a nature reserve so they will know much more about its condition and potential threats than anyone else.

So on balance I would have to agree with the Wildlife Trust that the proposal would likely have an adverse effect on the SSSI. ENC will have to decide whether the benefits ‘clearly’ outweigh the harm as required by the NPPF. My personal view is that they don’t.

Regarding bats, I understand what the Trust is saying, and had there not been any bat survey done at all I probably would have said there wasn’t enough information to determine. Both BS42020 and the current bat survey guidance stress proportionality. I do think the barbastelle survey needs to be done and it would be ideal to have it done pre-determination. In this case I’m not convinced it’s absolutely necessary given the likely scale of impact. We know barbastelle occasionally use the site, and we know that they are particularly sensitive to light. This is outlined so layout and lighting would come forward at reserved matters, at which time I would expect the results of a completed barbastelle survey to inform the design. The risk of this not being done pre-determination is that meeting the bats’ needs might mean the site can’t actually accommodate 115 dwellings.

Of the two issues I think the SSSI is the more pressing, and I do think the Wildlife Trust has a case. If the council is minded to refuse the application I would support them in that.

East Northamptonshire Council Comments

6.25 East Northamptonshire Council - Environmental Protection Officer - Air Quality

Comments received 05.06.19:

Within this report [Applicant’s Air Quality Assessment] paragraph 5.2 states that I confirmed that the proposed methodology in the consultation document in relation to air quality, Report Number: 102075, dated 21st March 2019 was suitable. I agree that this is the case. However, the submitted air quality assessment, dated 26th April, does not in fact mention, refer to, or reference the East Midlands Air Quality Network Guidance as agreed in the consultation report dated 21st March. Please ask the applicant to consider all requirements of this document.

Revised comments received 24.06.19 following receipt of revised Air Quality Assessment:

I have now looked at the revised air quality assessment (report date 14th June 2019; report number 102075V2).

As requested by myself, his report references the ‘East Midlands Air Quality Network’ (EMAQN) guidance document. The site is classified as medium and the EMAQN guidance recommends that Type 1 and Type 2 standard mitigation be provided. The air quality assessment states that the client has agreed to these mitigation measures. Based on the information submitted I have no objection to this application.
6.26 East Northamptonshire Council - Environmental Protection Officer - Noise and Contamination

Comments received 24.06.19:

This application is for 115 dwellings on a Greenfield site on the outskirts of Easton on the Hill. It is bounded on the south by the busy A43 road. I was contacted by the applicant’s acoustic consultant prior to this planning application being made. It was made clear to them that we would require a noise assessment based on survey data from the site. That is using the measurement method or similar from the Calculation of Road Traffic Noise (CRTN) and they should not rely on the prediction method from traffic flow data.

It was apparent from discussions with the acoustic consultant that the applicant was ‘pushing’ for an early application. A proposed methodology for the noise assessment was agreed with the acoustic consultant but this has not been carried forward. An acoustic model and report using the CRTN traffic flow method has been submitted in support of this application. Whilst this is not ideal, the acoustic consultant has stated that a noise survey will be carried out to calibrate the noise model. Furthermore, the noise assessment is based on future predicted traffic flows to add an element of conservatism.

The noise model is based on the site as it stands, an open field. Outputs from the noise model have been considered with reference to guidance in ProPG: Planning and Noise as agreed with the acoustic consultant. As expected, parts of the site are significantly impacted by traffic noise. No specific site layout has been submitted, however, an acoustic design statement has been provided in section 7.6 of the report based on the framework plan. This indicates, based on the road layout, that dwellings may be positioned close to the A43.

From the noise assessment, based on an open field, the daytime 50dB contour is approximately 160m into the site and dwellings closer to the road will require mitigation. For night time noise the distance from the road where mitigation is required is for dwellings within 130m of the A43. Noise within these contours may be considered noticeable and intrusive / disruptive resulting in adverse impact, and as such noise should be reduced to a minimum, mitigated or avoided.

It has been concluded the site is suitable for residential development but the southern part of the site, near to the A43, will need consideration on the impacts of noise. As this is an outline application there are opportunities to mitigate against noise using good acoustic design and site layout. This is very important in the southern part of the site where façades may be subjected to thermal gain, impacts of sunshine, and the need for additional ventilation because of this.

Therefore, I am not objecting to the planning application, further assessment and a detailed mitigation scheme can be agreed using suitably worded conditions. However, the applicant must take on board the problems with the noise environment and utilise all methods open to them to ensure good internal and external noise levels can be achieved. Such as stand offs, building orientation, internal layout so sensitive rooms are located away from the A43, glazing design, etc. In particular the use of a barrier block of housing to act as a noise barrier. This would reflect the local vernacular as there is a terrace of cottages on the opposite side of the road. The following condition may suit.

Noise assessment for reserved matters application
Any future reserved matters application for buildings on the site shall include a noise assessment, a detailed acoustic design statement and noise mitigation measures, which shall be agreed with the Local Planning Authority and implemented in accordance with the agreed programme. No dwelling shall be occupied until the agreed noise mitigation
measures that apply to the individual dwelling have been installed. 
Reason: To assess and minimise the detrimental impact of traffic noise.

Informative comments
The noise assessment shall have due regard to guidance found in ProPG: Planning & Noise, Professional Practice Guidance on Planning & Noise. Mitigation measures should NOT advocate that residents keep windows closed to achieve good internal noise levels.

Contamination
With respect to contamination the land is a Greenfield site and to the best of my knowledge has not been the subject of any quarrying or industrial activity. As such I have no objections and require no further information in this respect.

Conditions Relating to Amenity
To ensure the residential amenity of existing properties during construction we ask that the following conditions are placed on the planning permission if granted.

Noise
No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority. 
Reason: To ensure the protection of the local amenity throughout construction works

Mud on the road
Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud refuse etc. deposited on the road as a result of the development must be removed immediately by the operator / contractor. 
Reason: In the interests of residential amenity, highway safety and visual amenity.

Dust
At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowser, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site / weather conditions improve such as to permit a resumption. 
Reason: To ensure the protection of the local amenity throughout construction works

No burning
There shall be no burning of any material during construction, demolition or site preparation works.
Reason: To minimise the threat of pollution and disturbance to local amenity.

6.27  East Northamptonshire Council - Waste Team

Comments received 13.06.19:

The applicant should submit a swept path analysis showing how our waste vehicles can access and turn on site. Details of our refuse vehicles are available in the adopted Domestic Waste Storage and Collection Supplementary Planning Document, noting erratum dated 18.12.2014. Please could the swept path analysis drawing also show the extent of the access way constructed to an adoptable standard capable of supporting the operational
weight of our vehicles.

If it is not intended for our vehicles to enter any parts of the site then the dwellings will be required to present their waste bins at the nearest point of the adopted highway for collection. The applicant should provide a flat bin presentation area immediately adjacent to the adopted highway.

The above comments were queried with the officer and revised comments have been received 24.06.19 confirming:

I wouldn’t expect swept path analysis at the outline stage but will require it when the full detailed application comes in along with confirmation of the extent of the adoptable highway.

6.28 East Northamptonshire Council – Senior Tree and Landscape Officer

Comments received 24.06.19:

Having reviewed the submitted documents and assessing the site, I see no reason to raise a formal objection to the application. The layout of the site is to be addressed with a reserved matters application and must include sufficient planting within the street scene to limit the visual impact of the proposals on the existing neighbouring properties. The planting within the site should aim to produce a softened skyline for when trees reach maturity. Low level planting and landscaping should be designed to complement the character of the area and aim to provide a range of ecosystem services. Green links should be re-enforced to ensure that the development increases opportunity for wildlife movement between the site and adjacent woodland.

6.29 East Northamptonshire Council – Senior Conservation Officer

Comments received 24.06.19:

I have no comments to make on this application.

6.30 East Northamptonshire Council – Housing Strategy Team

Comments received 25.06.19:

I am aware that my colleagues in Planning Policy have commented that this proposal would be inappropriate according to Policy under the Joint Core Strategy and the Emerging Local Plan for East Northants. I agree with this, especially around the scale of this development exceeding locally identified need. I would further add in reference to Policy 13 of the JCS, that this submitted proposal is not ‘purely affordable housing’ with an element of market to make it viable. Instead this is a market led scheme proposing an element (40%) of affordable housing. On this basis alone it is not policy compliant. There is also no reference to Policy 30 in the Local Policies section (page 15) of the Design and Access Statement submitted with the application. On page 6 it states that the scheme would deliver a mix of housing – up to 115 new dwellings, offering 1-5 bedroom properties and comprising a range of house types, including 40% affordable housing. On page 65 – ‘Meeting Local Housing requirements’, it states the ‘tenure mix would reflect the local community and would provide for a balanced and robust mix of tenures.’ However it does not specify how it will achieve this and does not contain a scheme plan or propose a detailed mix of affordable housing property types or tenures.
Notwithstanding the likelihood of refusal, I have nonetheless set out what would be expected in order to meet the affordable housing requirements on a scheme such as this.

- A sustainable tenure mix of 75% affordable housing for rent and a maximum of 25% affordable routes to homeownership. (We would particularly encourage Rent to Buy properties to be provided as these maximise the opportunities for households on the Council’s waiting list who have expressed an interest in part ownership. However other tenures such as shared ownership will also be acceptable.)
- A mixture of property types to include 1 bed houses or maisonettes, 2, 3 and 4 bed houses. Flats with communal areas are not preferred as these can give rise to higher services charges and can produce management issues. Self contained maisonettes are therefore encouraged.
- The provision of 2 bedroom bungalows. The East Northants Housing Strategy 2018-23 sets out the evidence base for meeting the housing needs for an aging population. The Council’s Emerging Local Plan also notes the importance of providing for the housing needs of older persons.
- A minimum of 5% of all housing should be built to Category 3 and be wheelchair compliant. This would equate to at least 3 wheelchair accessible units amongst the affordable housing, to be best provided as bungalows and as affordable housing for rent.
- All properties should meet at least Category 2 of the National Accessibility Standards (under Policy 30, of the Joint Core Strategy) and meet the National Space Standards.
- Private roads or designated parking areas are also not encouraged for the affordable housing as this can cause management issues and incurs service charges which can affect the affordability of units for tenants. The Design and Access Statement (page 57) lists a range of parking solutions to be used in the scheme. We would expect there to be adequate curtilage parking for the affordable housing units. Tandem parking is not favoured.
- All affordable rents should be capped at the local housing allowance level (Peterborough and Surrounds) to ensure that these remain affordable for low income families and those in receipt of Universal Credit.
- A Section 106 agreement would need to be drawn up. In terms of affordable housing this should clearly set out the tenure mix and type of housing to be provided and also adhere to the Council’s allocation policy in terms of how the rented properties are to be allocated. It should also set out the criteria of how affordable routes to home ownership properties will be sold to ensure that priority goes to local people on low incomes with a housing need.
- Although East Northants Council does not operate a preferred list, we do have to agree the Registered Provider and we can provide contact details of Registered Providers who are either interested in or have experience of delivering affordable housing in this area.

(Additional comments on proposed ‘indicative mix’, received 24.6.19)

- There’s an over supply of ‘apartments’ (28 out of the 46 affordable). This isn’t a balanced or sustainable mix in my view.
- We would wish to see more houses instead of the proposed two bed flats, as these would be more suitable to meet the needs of small families.
- One bed apartments would be better provided as maisonettes or one bedroom houses in a maximum cluster of four. Not clear whether their apartments are proposed as self contained (with their own entrances). As per my earlier comments, if not then this leads to service charges which impact on affordability.
- There are four blocks indicated on the map. Three towards the front of the
development and one towards the rear. We would wish to see the affordable housing blended more into the scheme and not in large clusters. Policy 30 of the Joint Core Strategy states that sites should avoid an over concentration of a single type of housing.

- We’d expect to see some two bed bungalows (I did mention this in my response). This is in accordance with the evidence to meet the housing needs of an aging population. I also stated that we would expect 3 wheelchair units (5%) to be provided as wheelchair accessible and suggested that these be provided as bungalows.
- Tenure mix isn’t specified. As said previously we would be looking for around 75/25 split of rented and low cost home ownership. We would also expect the rented to be a mix of all sizes, in order to meet broad needs (i.e. not all the 1 and 2 bed apartments).
- Location of the affordable housing is also important. It is not clear from the Masterplan where all the affordable housing units are located. There is no key to the property types.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

Principle of Development

7.2 The development plan for the area consists of:

Part 1:
- The North Northamptonshire Joint Core Strategy (JCS) (2016);

Part 2:
- The saved policies of the Rural North, Oundle and Thrapston Plan (RNOTP) (2011);
- The saved policies of the East Northamptonshire District Local Plan (DLP) (1996).

There is no neighbourhood plan for the area.

7.3 East Northamptonshire Council is preparing a new district wide Local Plan Part 2, which is intended to supersede the saved policies of the RNOPT and DLP.

7.4 The principle of the proposed development is considered below in relation to each of the aforementioned documents:

Part 1 Local Plan – North Northamptonshire Joint Core Strategy (JCS) (adopted July 2016)

7.5 JCS Policy 28 (Housing Requirements) requires that the Local Planning Authorities [those in North Northamptonshire] maintain a 5 year supply of deliverable housing sites. The policy identifies that 8,400 dwellings are required to be delivered in East Northamptonshire during the plan period 2011-2031.

7.6 The spatial strategy for the area is set out at JCS Policy 11 (The Network of Urban and Rural Areas). The strategy is to focus major new development in the Growth Towns, followed by the Market Towns (at a scale appropriate to the character and infrastructure of those towns). JCS Policy 11 states: 'Provision will be made for new housing as set out in
Policy 28. Any proposals for significant additional growth should be tested and supported through Part 2 Local Plans or Neighbourhood Plans (11(1)c). JCS Policy 11(1)d goes on to state:

‘The Sustainable Urban Extensions shown on the Key Diagram provide strategic locations for housing and employment development within and beyond the plan period. If it is necessary to identify additional sites to maintain a 5 year deliverable supply of housing land in a district in accordance with Policy 28, these should be identified at the Growth Town followed, if necessary and relevant, by the Market Towns within that district.’

7.7 Part 2 of JCS Policy 11 (Rural Areas), sets out the situation in relation to Villages and the rural area. Easton on the Hill is a ‘Village’ as defined in the JCS and the application site is considered to be open countryside, all within the ‘Rural Area’. JCS Policy 11(2)a sets out that: ‘Development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement.’ JCS Policy 11(2)c continues stating that:

‘Local and Neighbourhood Plans will identify sites within or adjoining the villages to meet the rural housing requirements identified in Table 5. Other than small scale infilling or ‘rural exceptions’ schemes, development above these requirements will be resisted unless agreed through the Part 2 Local Plan or Neighbourhood Plans to meet a particular local need or opportunity.’

7.8 Criteria b, d and e of JCS Policy 11(2) refer to specific development types and are not relevant to this proposal.

7.9 JCS Table 5 distributes the housing requirement (8,400 dwellings) between the growth and market towns and the rural area. A requirement of 820 dwellings is apportioned to the rural area, to be distributed between over 50 villages within the district over the plan period.

7.10 Consistent with JCS Policies 11 and 28, JCS Policy 29 (Distribution of New Homes) states:

‘New housing will be accommodated in line with the Spatial Strategy with a strong focus at the Growth Towns as the most sustainable locations for development, followed by the Market Towns. Provision will be made for new housing as set out in Table 5....Other than small scale infilling (Policy 11) or rural exceptions schemes (Policy 13), levels of housing development in excess of the identified requirements for the named Villages and Rural Areas will only be permitted where tested and supported through Part 2 Local Plans or Neighbourhood Plans....’

7.11 JCS Policy 13 (Rural Exceptions) details exceptional circumstances where residential development may be permissible in the countryside, however it does not extend to the circumstances of this proposal.

Part 2 Local Plan – Rural North, Oundle and Thrapston Plan (RNOTP) (adopted July 2011)

7.12 The RNOTP contains allocations for development, including housing, however the application site is not allocated for development in the RNOTP.

7.13 Policy 1 of the RNOTP previously set out a spatial strategy for the north of the district, however it has been superseded by the JCS. RNOTP Policy 2 has been saved and this permits windfall development within the settlement boundary of towns and villages subject to certain criteria. RNOTP Policy 2 does not lend any support to this proposal, as the site is open countryside, beyond the defined settlement boundary and the scale of development is 51
far greater than development envisaged by RNOTP Policy 2.

**Part 2 Local Plan – East Northamptonshire District Local Plan (DLP) (adopted November 1996)**

7.14 There are no saved policies relevant to this proposal.

**Emerging East Northamptonshire Local Plan Part 2**

7.15 Work is underway on a new district wide Local Plan Part 2. A draft version was published for consultation on 2\textsuperscript{nd} November 2018. The draft plan does not make allocations for housing in the rural area, therefore does not provide support for the proposed development in principle.

7.16 Whilst only very limited weight can be afforded to the policies of the plan at this time, the evidence base relating to the plan is of particular relevance to the planning application as shall be explained here:

7.17 A report was presented to the Planning Policy Committee on 10\textsuperscript{th} June 2019, which calculated the number of dwellings which have already been provided or committed against the JCS dwelling requirement for the rural area (total requirement 820 dwellings). The report identified that the residual requirement taking account of completions and commitments is 120 dwellings for the remainder of the plan period to 2031. Furthermore, when emerging neighbourhood plan allocations and other emerging rural sites of over 4 dwellings in scale are taken into account, the residual requirement is minus 48 (i.e. it has already been exceeded by 48 dwellings). As such, the report concluded there is no requirement for rural housing allocations to be included in the Council’s emerging Local Plan Part 2.

7.18 This is significant as JCS Policy 11(2)c (as quoted above) states that Local and Neighbourhood Plans will identify sites within or adjoining the villages to meet the rural housing requirements identified in Table 5. The applicant asserts in their Planning Statement that: ‘At the time of writing, there is no Neighbourhood Plan being progressed and the emerging Local Plan Part 2 is still at the early stages of production. Consequently, currently there is no method for achieving compliance with the second part of JCS Policy 11.2 c [emphasis added].’ Whilst it is correct that there is no neighbourhood plan for the area and that the Local Plan Part 2 is some way from adoption, it has nevertheless been clearly demonstrated that there is no need to allocate sites in the rural area to meet the rural housing requirement – indeed the requirement has already been exceeded.

7.19 The same report to the 10\textsuperscript{th} June 2019 Planning Policy Committee noted that:

‘The revised NPPF (July 2018; updated February 2019) requires the Local Plan to set a housing requirement for designated neighbourhood areas (paragraph 65) or, at the very least, provide an indicative figure is [sic] requested by the neighbourhood planning body (paragraph 66). Given that the JCS requirement has already been met, the only practical approach could be the apportionment using the gross 820 dwellings rural housing requirement for each Parish area or village.’

7.20 In apportioning the requirement, the report identifies for Easton on the Hill, a ‘step increase’ figure of 41-50 (i.e. up to 50) dwellings (Local Plan Part 2, Table 19). The Local Plan Part 2 explains that this is not a minimum target, but is instead an indicative growth figure for the 2011-2031 plan period (paragraph 8.17). By any standard, the proposed number of dwellings (up to 115) far exceeds (more than doubles) a quantum of development that reasonably could be defined as meeting a locally arising need to be identified by the community through a neighbourhood plan. That is also notwithstanding the fact that the rural housing requirement has already been met and exceeded by 48 dwellings.

Planning Management Committee 10\textsuperscript{th} July 2019
Principle of Development in Relation to the Development Plan – Conclusion

7.21 The site is not allocated for development in the development plan (that is the combination of adopted plans) and is considered to be open countryside. The spatial strategy for the area sets out that: 'Development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement (JCS Policy 11(2)a).' The housing requirement for the rural area has already been met for the plan period and the quantum of development being proposed as part of this planning application far exceeds an amount which could be reasonably defined as meeting a locally arising need. The principle of the development therefore conflicts unequivocally with the adopted development plan.

National Planning Policy Framework (NPPF) – A Material Consideration

7.22 The applicant accepts (Planning Statement) that the proposal conflicts with the development plan policies relating to the supply of housing. However, they allege that the Council cannot demonstrate a 5 year supply of deliverable housing sites. Where a Local Planning Authority cannot demonstrate a 5 year supply of deliverable housing sites, the National Planning Policy Framework requires as part of the 'presumption in favour of sustainable development' that Local Planning Authorities should: grant planning permission unless:

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

II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole [paragraph 11d].'

7.23 The Council currently has a 5.46 year housing land supply. This was reported to and agreed by the Planning Policy Committee on 22 October 2018. NPPF paragraph 11d (above) is therefore not invoked and the local planning policies related to the supply of housing can be considered up to date.

7.24 Notwithstanding the above, there are concerns regarding the scale, design and accessibility of the development and its impact on the adjacent SSSI which point to it not being 'sustainable development' in any event and these are discussed later in this report.

7.25 It is also worth emphasising the strategic direction of the policies within the adopted JCS, which state that in the event that housing over and above that envisaged in the JCS (Policy 28) is required in order to maintain a five year supply of deliverable housing sites, it should be directed in the first instance to the Growth Town (Rushden) followed by, if necessary and relevant, the Market Towns (Raunds, Irthlingborough, Higham Ferrers, Oundle, Thrapston). Therefore the application site, due to its rural location, would not be considered.

Scale, Design and Layout

7.26 Whilst the application is in outline with only access to be determined at this stage, it is still nevertheless important to give consideration to design, layout and the quantum of development, to ensure that if outline consent is granted, it would be possible for a satisfactory scheme to come forward. Where demonstrably this would not be the case, it is considered that it would be reasonable to refuse planning permission.
7.27 In relation to design, the NPPF states that: ‘The creation of high quality buildings and places is fundamental to what the planning and development process should achieve (paragraph 124)’. Paragraph 127 sets out in more detail, criteria related to design which planning policies and decisions should ensure developments meet - including of particular relevance - that they should:

- function well and add to the overall quality of the area...(criterion a);
- are sympathetic to local character and history, including the surrounding built environment and landscape setting...(criterion c); and
- create places that are safe, inclusive and accessible and which promote health and wellbeing...(criterion f).

7.28 NPPF paragraph 130 goes on to state that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’.

7.29 At the local level, JCS Policy 8 (Place Shaping Principles) is most relevant when considering design and layout. Criteria a, c and d are most relevant to design and these require (amongst other things) that development should:

- Connect to the maximum number of local streets, avoiding dead ends...(criterion ai);
- Integrate well with existing cycle, pedestrian, public transport and vehicular movement networks and links to these routes...(criterion aii);
- Respond to the site’s immediate and wider context and local character...(criterion di); and
- Respond to local topography and the overall form, character and landscape setting of the settlement (criterion dii).

7.30 The application is accompanied by an indicative ‘Development Framework Plan’ and an ‘Indicative Masterplan’. Neither of these is being submitted for approval (as confirmed in the Planning Statement), although the applicant states that the Development Framework Plan is to indicate the ‘parameters’ of the development (Design and Access Statement). It is noted that these plans conflict with one another – e.g. in terms of street layout. Nevertheless, they are useful in demonstrating (albeit indicatively) how the development might come forward.

7.31 The application indicates that the dwellings would be largely 2 storey in height, with some 2.5 storey buildings. Whilst it would be important to have a varied roofscape, 2.5 storey dwellings are not a feature of the area and depending on their height and location, they could appear prominent.

7.32 The plans show the proposed sole vehicular access to Stamford Road and a pedestrian / cycle link north-south from Ketton Drift to Stamford Road through the site. As access is not a reserved matter, the points of access to the site are for consideration (but not the detailed routes within the development). In design terms, the proposed footpath / cycle path connection is considered a benefit of the scheme and is welcomed. This would improve access to the recreation ground and the rights of way network for existing properties, as well as facilitating access for the proposed dwellings (although note concerns later in this report about access to the SSSI). In other respects, there are concerns about how the development would integrate with the existing settlement and make connections to it. The development would have only a single point of vehicular access, essentially creating a series of cul-de-sacs which is not favoured by JCS Policy 8 (ai) as quoted above, or JCS Policy 15 (d) (Well Connected Towns, Villages and Neighbourhoods). Whilst there are no obvious options to create other vehicular links, this issue serves to highlight the unsuitability of a scheme where the scale and location fundamentally conflict with the adopted spatial strategy for the district.
7.33 There is an existing open space / play area to the rear of The Crescent and The Close, which could potentially provide an opportunity for better permeability and integration, via a pedestrian connection from the proposed site to The Close and beyond (in addition to the proposed pedestrian access on to Ketton Drift). It is uncertain why this has not been considered, or if it has, why it has been discounted. This is a failing of the scheme which is contrary to NPPF paragraph 127 criteria a and f, NPPF paragraph 130 and JCS Policy 8 aii.

7.34 There are concerns regarding the scale of development and the impact of this on the character of the settlement. The planning application states that there are 476 dwellings in the parish (Assessment of Current and Future Sustainability – report by Rural Solutions, March 2019). Thus the proposed development would represent an increase of almost 25% in one location. The modern development would appear ‘tacked on’ to the settlement edge, which would be compounded by the lack of connection with the existing settlement as discussed previously. Whilst it is clear that the 1950s / 60s development adjacent formed a similar extension of the village at that time, planning policy has evolved substantially since then, therefore this is not considered to set a precedent for future extensions. In any event, the existing development is undoubtedly better integrated into the settlement. These issues raise concerns regarding compliance with JCS Policy 8 (df and dli), NPPF paragraph 127 criterion c and NPPF paragraph 130 which deal with the integration of development in relation to built form and character.

7.35 In terms of more detailed design issues, the suggested locations of open space, the 15m ecological buffer along the western edge and the attenuation pond in the south west corner of the site as indicated on the Development Framework Plan appear sensible and would assist in softening the edge of the development against the countryside.

7.36 The illustrative masterplan though raises various concerns: Aside from the lack of connectivity, the indicative mix would not be acceptable and neither would the reliance on tandem parking. These matters are discussed further at 7.60 and 7.59 respectively. Mix and parking are matters for approval at a later stage, but the Local Planning Authority should satisfy itself that a satisfactory layout could come forward for the quantum of development being sought. Significant re-design would be required to address the highlighted concerns and due to the nature of the issues, this will affect the space available to a degree where Officers strongly doubt that a satisfactory layout could accommodate 115 dwellings. Whilst the application seeks ‘up to’ 115 dwellings, it is not unreasonable to expect the application to demonstrate that the upper limit being sought could be satisfactorily accommodated in accordance with adopted policies. In this regard, the proposals are simply too ‘indicative’ to allow a meaningful determination at outline stage.

Landscape and Visual Impact

7.37 JCS Policy 3 (Landscape Character) is the main policy dealing with landscape in the development plan. It seeks to conserve and where possible, enhance the character and qualities of the local landscape through appropriate design and management (criterion a); make provision for retention (and where possible enhancement) of features of landscape importance (criterion b); safeguard and where possible enhance important views / vistas and sky lines (criterion c); protect landscape setting and prevent coalescence (criterion d); and secure appropriate landscape mitigation / off-site enhancements (criterion e). Criterion f of the policy (relating to ‘tranquility’) is not considered relevant in this case. There are other JCS policies which encroach into landscape / visual matters, however those are consistent with the aims of JCS Policy 3.

7.38 In relation to landscape and visual impact, NPPF paragraphs 127 and 130 are relevant (referred to in paragraphs 7.27 and 7.28 related to design - above), as are paragraphs 170 (a) and (b) which respectively seek to protect ‘valued landscapes’ and recognise the
'intrinsic character and beauty of the countryside'.

7.39 The applicant has submitted a Landscape and Visual Appraisal (LVA) (FPCR, April 2019) as part of the planning application. The Council commissioned a specialist consultant (Iain Reid Landscape Planning Ltd) to independently review the LVA and comment on the planning application in relation to landscape and visual impact. The following is a summary of the conclusions of the Council’s consultant:

- The site is located within the Limestone Plateau Landscape Character Type, and specifically the Collyweston Limestone Plateau Character Area (LCA10b) as detailed in the Northamptonshire Environmental Character Assessment (ECA) and the Northamptonshire Current Landscape Character Assessment (CLCA);

- The scope of the LVA, its methodology and coverage is considered to be broadly satisfactory, considered against best practice guidance set out in the Guidelines for Landscape and Visual Impact Assessment (Third Edition) although there are specific issues in relation to the basis of the values attributed in respect of the sensitivity of some receptors and the magnitude of change in respect of visual effects, and the ‘transparency’ of the judgments reached in relation to overall visual effects. That said, it is considered, even applying different judgements, that the development of the application site for up to 115 dwellings would not give rise to significant adverse landscape and visual effects in overall terms, although it is acknowledged that as a consequence of development there would be some landscape and visual change to the application site itself and the very immediate locality.

- It is considered that the LVA has fairly and reasonably assessed the landscape effects that would arise as a consequence of the proposed development (those being Major / moderate adverse effect at the construction stage; Moderate adverse effect at completion and Minor / moderate adverse effect after 15 years (allowing for the mitigation effects of new planting);

- In considering visual effect, the range and location of visual receptors is considered acceptable, save the omission of the view from the Recreation Ground. In relation to that view, the consultant considers: the overall visual effect is Minor adverse at the construction and completion stages, reducing to Minor adverse / negligible after 15 years;

- The LVA underestimates, to a degree, the visual effects in relation to some close receptors. Table 2 (see below) shows a comparison of visual effects as judged in the applicant’s LVA compared with the judgements by the Council’s consultant. At the construction and completion stages of development, the visual effects would be significant for a limited number of receptors adjoining or located very close to the site, although new planting would mitigate the visual effects to some degree after 15 years. The visual effects on more distant receptors would not be significant;

- Although the development of the application site would reduce the physical separation between development between the main sections of each settlement [referring to Easton on the Hill and Collyweston], there would be no physical or visual coalescence; in any event, the intervening land between the settlements (along the A43) is in places marked by sporadic development (some in depth back from the road) and existing substantive vegetation features, including the Collyweston Quarries SSSI;

- It is not considered that either the site or the immediate area surrounding the site would be classed as a ‘valued landscape.’ [with reference to NPPF paragraph 170 (a)];

- It is concluded that although the planning application would give rise to some adverse landscape and visual effects, taking into account the nature and extent of the mitigation measures proposed, there would not be any insurmountable conflict with any aspect of Development Plan policy with respect to landscape and visual effect.
• The proposed development would not conflict with the National Planning Policy Framework in relation to the protection of the intrinsic character and beauty or value of the countryside.

• There is no reason in relation to landscape and visual considerations why planning permission, subject to appropriate conditions, should not be granted.

7.40 The Council’s independent consultant has concluded that there is no justifiable reason to refuse planning permission on the grounds of landscape and visual impact. Nevertheless he does identify that there would be some adverse landscape and visual effects and these would need to be weighed against the benefits of the scheme.

Table 2 – Comparison of Visual Effects - Conclusions of LVA Compared with those of the Council’s Consultant

<table>
<thead>
<tr>
<th>Receptor Number</th>
<th>Location</th>
<th>LVA Appendix C</th>
<th>Review by Council’s Consultant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Properties south side of Stamford Road</td>
<td>Moderate / major adverse</td>
<td>Moderate / major adverse</td>
</tr>
<tr>
<td>2</td>
<td>Properties within Easton on the Hill adjoining site</td>
<td>Moderate adverse</td>
<td>Moderate / major adverse</td>
</tr>
<tr>
<td>3</td>
<td>Properties within Easton on the Hill set back from site</td>
<td>Minor adverse</td>
<td>Minor adverse</td>
</tr>
<tr>
<td>4</td>
<td>Properties at Deepside</td>
<td>Minor adverse</td>
<td>Minor adverse</td>
</tr>
<tr>
<td>5</td>
<td>Keton Drift bridleway (PRoW MW6)</td>
<td>Minor / moderate adverse</td>
<td>Moderate adverse</td>
</tr>
<tr>
<td>6</td>
<td>PRoW MP3 (part within Collyweston Quarries SSSI)</td>
<td>Minor adverse / negligible</td>
<td>Minor adverse / negligible</td>
</tr>
<tr>
<td>7</td>
<td>PRoW MW11 west of the Recreation Ground</td>
<td>Negligible</td>
<td>Negligible</td>
</tr>
<tr>
<td>8</td>
<td>PRoW MW14 within Easton on the Hill</td>
<td>Negligible</td>
<td>Negligible</td>
</tr>
<tr>
<td>9</td>
<td>PRoW MW15 north of West Street Easton on the Hill</td>
<td>Negligible</td>
<td>Negligible</td>
</tr>
<tr>
<td>10</td>
<td>Stamford Road A43 adjacent to application site</td>
<td>Minor adverse</td>
<td>Moderate adverse</td>
</tr>
<tr>
<td>11</td>
<td>Kingscliffe Road Collyweston</td>
<td>Negligible</td>
<td>Negligible</td>
</tr>
<tr>
<td>12</td>
<td>Cliffe Road Easton on the Hill</td>
<td>Negligible</td>
<td>Negligible</td>
</tr>
<tr>
<td>13</td>
<td>A 6121 Stamford Road north east of Ketton</td>
<td>Negligible</td>
<td>Negligible</td>
</tr>
<tr>
<td>14</td>
<td>Steadfold Lane north east of Ketton</td>
<td>Negligible</td>
<td>Negligible</td>
</tr>
<tr>
<td></td>
<td>Recreation Ground</td>
<td>Not assessed</td>
<td>Negligible</td>
</tr>
</tbody>
</table>

Cultural Heritage

7.41 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.

7.42 In addition to the statutory duties detailed above, JCS Policy 2 (Historic Environment) and the NPPF at chapter 16 seek to protect and enhance the historic environment.
7.43 The planning application is accompanied by an ‘Archaeology and Built Heritage Assessment’ (Pegasus Group, April 2019), which also includes the results of a 2017 Geophysical survey. The Archaeological and Built Heritage Assessment sets out to:

‘assess the significance of the heritage resource within the site, to assess the contribution that the site makes to the heritage significance of the surrounding designated heritage assets, and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused if relevant (paragraph 3.1).’

7.44 In relation to archaeological heritage, the report concludes that the potential of the site is low. The Northamptonshire County Council Archaeology Team (as advisor to East Northamptonshire Council) has considered the planning application, including the submitted report and confirmed that: ‘there is evidence for activity of prehistoric date in the vicinity in the form of cropmarks but no clear indication that the activity continues into the site. There is some potential for activity which has not been picked up by the geophysical survey.’ The team further advise that the archaeological potential can in this case, be adequately addressed by the imposition of a planning condition (in the event that planning permission is granted). The condition should secure a programme of trial trenching and mitigation as appropriate and subject to this, it is not considered that there would be an unacceptable impact on archaeological remains.

7.45 In relation to built heritage, the Easton on the Hill Conservation Area, containing 45 listed buildings lies approximately 330m to the north east of the application site (at the closest point). The closest listed buildings to the site lie within the Conservation Area. Given the distance to the Conservation Area and those listed buildings contained within it (and the existence of intervening built development), it is not considered that the proposal would adversely affect the setting or significance of those assets. In terms of the buildings within the Conservation Area, the submitted Archaeological and Built Heritage Assessment report gives specific consideration to the impact of the proposal on the Grade I listed Church of All Saints (situated 675m north east of the site). It concludes:

‘There are no clear ground-level views from adjacent to the church towards the site, and views north-east from within the site are not considered to be key views. The site is not considered to contribute to the heritage significance of the church. The proposed development within the site would result in no harm to the significance of the Grade I Listed Church of All Saints, through changes in setting (para 6.25).’

7.46 Specific consideration is also given in the aforementioned report to the Grade II* listed building: Glebe House (and attached steps and railings) circa 475m north east of the site, and the row of cottages opposite the site on Stamford Road (not listed).

7.47 With respect to Glebe House, the report concludes:

‘There are no clear ground-level views from adjacent to the asset towards the site, and views north-east from within the site are not considered to be key views. The site is not considered to contribute to the heritage significance of the Grade II* Listed building, and the proposed development within the site would result in no harm to the significance of Glebe House, through changes to setting (para 6.16).’

7.48 The applicant’s conclusions in relation to the Church of All Saints and Glebe house are considered reasonable.

7.49 The row of cottages directly opposite the site, are identified by the applicant in their report as ‘non-designated heritage assets’ due to the fact that they are early 19th-century dwellings of
some architectural merit. They are considered likely to have been constructed as quarry workers’ cottages. There are views to the site from the cottages and vice versa. The applicant’s report concludes in relation to the impact of the development on the cottages:

‘The proposed development within the site will result in the construction of modern residential development to the north of the non-designated heritage asset, and the character of the land will be altered from agricultural to residential. Views from the terraces towards the site already include existing modern built form along the site’s eastern boundary, although direct views north from the terrace will be altered. There is no historical or functional relationship between the land within the site and the asset. The site is not considered to contribute to the heritage significance of the row of cottages along Stamford Road and no harm to the significance of the non-designated heritage asset is anticipated (para 6.34).’

7.50 Whilst this is understood, given the proximity of the proposed development and the inter-visibility, it is considered that there would be some harm to the setting of the cottages, especially having taken into account the findings of the LVA and the independent review commissioned by the Council - both of which consider the visual impact on receptor 1 (the cottages) will be moderate / major. Nevertheless, the cottages are considered to be of relatively low heritage significance and the level of harm would also be low, therefore this does not constitute a reason to refuse planning permission in its own right. Indeed, the Council’s Conservation Officer has confirmed he has no comments to make on the proposal.

7.51 The NPPF paragraph 197 requires that harm to non-designated heritage assets be taken into account in determining planning applications. Therefore if Members agree that there would be some harm, they will need to take that into account in reaching their conclusion about the planning application. In this regard, NPPF paragraph 197 requires: ‘In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm of loss and the significance of the heritage asset.’

Highway Safety and Parking

7.52 The application seeks detailed consent for access. Only one point of vehicular access is proposed, which would be a priority T junction onto Stamford Road (A43). A pedestrian / cycle way is proposed to run north south from Ketton Drift to Stamford Road.

7.53 Stamford Road is a single carriageway road which is 7.3m wide at the site frontage with 40mph restriction. On the north side of the road, there is a layby used for parking and a 1m wide footway joining Easton on the Hill to Collyweston. There is a layby with bus stop opposite the site on the southern side of the road and a 1.5m wide footway to the front of the row of cottages (although this does not continue to either side).

7.54 The information submitted by the applicant (Transport Assessment, Optima April 2019) indicates the development comprising of up to 115 residential dwellings could generate in the order of 522 two-way trips over a typical day. This is estimated to result in 60 two way trips in the morning peak and 56 two way trips in the evening peak. The impact of the traffic from the development has been considered in relation to a number of junctions and the Transport Assessment concludes: ‘the proposed development will not result in a material or severe impact at the local or strategic road network [sic] (para 6.2.8).’

7.55 The NPPF is clear that significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes (paragraph 103). Accessibility will be considered at paragraphs 7.80 – 7.87 of this report. ‘Development should only be prevented or refused on highway
grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (NPPF paragraph 109).' The NPPF further advises at paragraph 110 that amongst other things, development should:

- Give priority first to pedestrians and cycle movements...and second – so far as possible – facilitating access to high quality public transport;
- Be designed to enable charging of plug-in and other ultra low emission vehicles in safe, accessible and convenient locations (air quality is discussed later in this report).

7.56 At the local level, the JCS requires developments to provide direct routes to local facilities within or outside the site; and prioritise the needs of pedestrians, cyclists and public transport. It seeks to resist developments that would prejudice highway safety and ensure satisfactory access, parking, servicing and manoeuvring, in accordance with adopted standards (Policy 8 – Place Shaping Principles).

7.57 Both Highways England and The Local Highway Authority (Northamptonshire County Council) have been consulted on the planning application. Highways England has confirmed no objection. However the Local Highway Authority has raised a number of concerns which can be summarised as:

- The existing layby on the northern side of Stamford Road would impair the access visibility. [Plans have subsequently been revised to omit the layby];
- The footway on the northern side of the road requires upgrading to a 3m wide footway / cycle way which should extend east to Porters Lane. [The applicant has subsequently offered a financial contribution towards this and further advice from the Highway Authority is awaited];
- A dedicated right turn ghosted island into the proposed development would be required, along with a refuge island provision for the tactile crossing. [The applicant has provided further justification for not providing a ghosted island, including that the junction into the site would operate with significant spare capacity with no predicted queuing, and that a dedicated right turn lane would increase vehicle speeds in front of the existing row of cottages];
- Parking provision should be made in the development for the cottages opposite the site. [The revised access plan states that parking will be provided within the development in lieu of the layby which would be closed];
- Concern about the proposed footway / cycle way linking into the Bridleway (Ketton Drift) as this is shared with agricultural machinery which poses a safety risk. [The applicant has rebutted this point, highlighting the Bridleway is already well-used, has good visibility and is wide enough to accommodate passing of pedestrians and farm vehicles. In addition they point out that a chicane or gate could be agreed at the junction of the proposed path and the existing Bridleway, to prevent pedestrians and cyclists from emerging onto the Bridleway without giving way].

7.58 In light of the amendments and additional information submitted by the applicant (as summarised in italic font above), the Local Highway Authority has been re-consulted. Their response is expected shortly and will be reported on the Update Report. The Local Highway Authority has been asked by Officers to confirm whether the submitted Travel Plan is acceptable and what is required in terms of highway related planning obligations. These matters will also be concluded on the Update Report.

7.59 Parking is a detailed matter to be considered at reserved matters stage, however there are concerns that the indicative masterplan shows an unacceptable reliance on tandem parking and there appears to be a lack of visitor parking. In addressing this issue at the reserved matters stage, there are likely to be implications for land take and consequently this may
limit the number of dwellings which could be accommodated satisfactorily, to well below the proposed 115 dwellings.

**Housing Mix**

7.60 Market and overall housing mix is a matter for consideration at the reserved matters stage, whilst affordable housing mix and tenure is often specified / agreed as part of a s106 legal agreement. Nevertheless, it is relevant to note at this stage that the mix on which the indicative masterplan has been based would not be acceptable. The Council's Housing Strategy Team are concerned about the following:

- There is an over supply of apartments (28 out of the 46 affordable). This is not a balanced or sustainable mix;
- We would wish to see more houses instead of the proposed two bed flats, as these would be more suitable to meet the needs of small families;
- One bed apartments would be better provided as maisonettes or one bedroom houses in a maximum cluster of four;
- Service charges could impact on affordability;
- Affordable housing should be better integrated;
- We would expect to see some two bed bungalows in accordance with the evidence to meet the housing needs of an aging population;
- 5% of units to be provided as wheelchair accessible.

7.61 Whist concerns about the indicative mix are not considered to warrant a refusal of planning permission in their own right - as they are matters which can be addressed at a later stage - they do reinforce concerns about whether the proposed number of units can be accommodated. This is because the blocks of flats proposed would not be acceptable as noted above (and they would also not reflect the established character of the area, therefore could appear incongruous). Alternatives (e.g. maisonettes / dwellings) are likely to take up significantly more land, thus casting doubt about whether the site could actually accommodate 115 dwellings. This is also important with regard to development viability. It is not known, because so much of the application detail is indicative, what the tipping point of viability would be, and what the applicant would choose to negotiate on.

**Noise**

7.62 Planning policy seeks to ensure noise does not give rise to significant adverse impacts on health and quality of life (NPPF paragraph 180 and JCS Policy 8 (ei)). The proposed residential development would be compatible in terms of noise generation with the adjacent residential development and therefore the application does not raise any significant concerns regarding the impact of noise on existing residents. The exception to this would be the construction phase; however this (and other construction issues raised by local residents, such as dust and parking) can be adequately controlled by planning conditions relating to construction management.

7.63 The main issue to consider then, is the impact of road noise from the busy A43 (Stamford Road) on the development and whether or not this can be adequately mitigated, such that the future occupiers of the development will have a satisfactory quality of life. With respect to this, the applicant has provided a Noise Assessment (Miller Goodall, April 2019). This has been assessed by East Northamptonshire Council's Environmental Protection Officer.

7.64 The Noise Assessment identifies that dwellings located within circa 160m from the southern site boundary, would require noise mitigation measures. Mitigation would involve positioning less sensitive rooms on the southern façade combined with acoustic glazing and trickle
ventilation to allow for ventilation without opening windows. Gardens within 80m of Stamford Road would also require shielding (e.g. by the dwelling) in order to provide a suitable level of amenity. These mitigation requirements impose a significant restraint on the design of the final layout and mitigation which requires residents to keep windows closed in order to achieve satisfactory internal noise levels is unlikely to be considered acceptable – as noted by the Environmental Protection Officer in her suggested informative.

7.65 Nevertheless, whilst noise is an important constraint, the Noise Assessment does not take into account attenuation due to building massing – i.e. the effect of dwellings shielding those further into the site. The use of a ‘barrier block’ of housing could therefore reduce the level of mitigation required for dwellings further into the site. With respect to this, the Environmental Protection Officer has commented on the potential for a ‘barrier block’ of housing which could reflect the local vernacular given the terrace of cottages on the opposite side of the road. It is also worth noting, that the Noise Assessment does not rely on / propose a bund or acoustic fence (both of which would be very unlikely to be acceptable in a visual sense).

7.66 Overall, the Environmental Protection Officer has sufficient comfort from the report, to confirm she does not object to the planning application, subject to the imposition of a condition to ensure that any future reserved matters application for buildings on the site, includes a noise assessment, a detailed acoustic design statement and noise mitigation measures and that occupation of individual dwellings does not occur until the agreed noise mitigation measures are installed. It is therefore considered that the application is acceptable with regard to the issue of noise in principle, but the detailed physical design solution (not available at this time) would require careful consideration.

Floodrisk and Drainage

7.67 With regard to flood risk and drainage issues: the NPPF and JCS Policy 5 (Water Environment, Resources and Flood Risk Management) seek to: prevent increased risk of flooding; protect and improve the quality of the water environment; and to ensure development is designed from the outset to incorporate Sustainable Urban Drainage systems (SUDs) wherever practicable.

7.68 The application is accompanied by a Flood Risk Assessment (FRA) which has been amended during the course of the planning application in response to comments from the Lead Local Flood Authority. The amended FRA (RSK, June 2019) identifies in summary:

- The site lies in Flood Zone 1 (low risk of fluvial and tidal flooding);
- Risk of groundwater flooding is very low;
- The site is at very low risk from overland surface water flooding, with small localised areas of surface flooding in the south of the site;
- The south east corner of the site may be at some risk of surface water sewer flooding due to ground levels in relation to the sewer, however due to the nature of the sewer at this point the risk is considered low;
- Soakaways for individual dwellings can be used in the northern part of the site;
- A roadside swale is proposed in the northern part of the site;
- An attenuation basin is proposed for the southern part of the site. It would drain both by infiltration and discharge to surface water sewer;
- Final detailed proposals would be submitted as part of the reserved matters;
- Specific flood mitigation measures are not required, however best practice should be considered / incorporated;
- The proposal will not result in an increase in flooding downstream.
7.69 In relation to foul water, it is proposed to connect to the existing foul sewage network. The applicant has submitted a report by Utility Law Solutions (April 2009) providing details of the foul drainage proposals.

7.70 The Environment Agency, Anglian Water, and the Lead Local Flood Authority (Northamptonshire County Council) have all been consulted on the application to advise on flood risk and drainage matters. The Environment Agency has no objection; Anglian Water has advised it is not satisfied with proposed rates of discharge to the surface water sewer, but that this could be addressed satisfactorily by way of planning condition; and the Lead Local Flood Authority (LLFA) cannot properly assess the application, due to a lack of information. In response to the LLFA, the applicant submitted the revised FRA and this has been sent to the LLFA for comment. Providing the LLFA is satisfied with the revised FRA (this will be confirmed on the Update Report), it is considered that the proposal does not raise any significant concerns with respect to flood risk and drainage (that cannot be dealt with by planning conditions) and would comply with the relevant planning policies in this respect.

Ecology

7.71 In relation to ecological matters, the NPPF seeks to minimise impacts on, and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures (paragraph 170). Paragraph 175 sets out a number of principles for determining planning applications. Of particular relevance to this proposal are sub paragraphs a and b, which state:

a) 'If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed, clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;'

7.72 JCS Policy 4 (Biodiversity and Geodiversity) sets out a number of criteria which aim to protect existing biodiversity and geodiversity assets and enhance ecological networks. JCS Policy 19 (The Delivery of Green Infrastructure) and RNOTP Policy 4 (Green Infrastructure) seek to secure net gains in green infrastructure and to promote and diversify it. RNOTP Policy 10 (Protection of Local Sites of Conservation Interest and Designation of Local Nature Reserves) is also relevant, as Collyweston Quarries (circa 200m from the application site) is a Local Wildlife Site (LWS) and Local Nature Reserve (LNR) in addition to being statutorily designated as a Site of Special Scientific Interest (SSSI).

7.73 An Ecological Appraisal (FPCR, March 2019) has been submitted as part of the planning application. This identifies that the site itself is not of great ecological value, although the hedgerows (which are to be retained except at the point of access) are a priority for nature conservation. Other points of note in relation to ecology are summarised below:

- The closest Special Protection Area (SPA) to the site is Rutland Water (also a SSSI and Ramsar site) approximately 7km away. This is considered sufficiently far away, so as not to adversely affect the protected site (see appendix 2 for Habitat Regulations screening document).
• Collyweston Slate Mines SSSI, Collyweston Quarries SSSI (also a LWS and LNR), Racecourse Farm Fields SSSI are all present within 2km of the site. Collyweston Quarries SSSI and Racecourse Farm Fields SSSI are designated for their botanical interest and invertebrate assemblages. Collyweston Slate Mines SSSI is designated for its geological interest. It is not considered that Collyweston Slate Mines SSSI or Racecourse Farm Fields SSSI would be adversely affected, however see below in relation to Collyweston Quarries;

• In terms of protected species, badger, notable bird species, common lizard and hedgehog are likely to use the site / are known in the vicinity, however subject to mitigation are unlikely to be significantly adversely affected;

• Bats were identified on site and the applicant’s Ecological Appraisal recommended further survey work which has not been submitted with the planning application (see below for further discussion regarding this matter);

• The applicant is proposing ecological enhancements / mitigation including:
  - Enhancement of hedgerows and planting of standard trees;
  - Protection of hedgerows during development;
  - Precautionary measures for badger and suitable planting and management to facilitate foraging;
  - Sensitive lighting;
  - Provision of bat and bird boxes;
  - Restrictions on timing of vegetation removal (or checks by ecologists to identify any breeding birds);
  - Native planting;
  - Creation of access gaps (under fences) for hedgehog;
  - Creation of suitable habitat for lizards (e.g. log piles).

7.74 Natural England, The Wildlife Trust and the Council’s Ecological Advisor (Northamptonshire County Council Ecologist) have all been consulted on the planning application and their responses highlight two key issues in terms of ecological impact: 1. The impact of the proposal on the SSSI, LNR and LWS Collyweston Quarries; and 2. The impact of the proposal on Bats. These matters are considered below

SSSI Collyweston Quarries

7.75 Collyweston Quarries SSSI, LNR and LWS is located approximately 200m from the site. The applicant identifies in their own Ecological Appraisal that increased recreational pressure could harm the site: ‘A possible impact on the SSSI as a result of the development may therefore be increased footfall at the SSSI, as new residents utilise it for recreational needs such as dog walking, enjoying nature and exercising (para 4.4).’ It suggests that a range of measures could reduce the scope of impact:

  - The open space provision on site should be semi-natural, with circular routes and links to the wider rights of way network;
  - Information packs for new residents;
  - Information boards;
  - Provision of dog waste bins.

7.76 The Wildlife Trust (WT) manages the Collyweston Quarries site and so its views were sought on the planning application. The WT objects to the development advising that:

  ‘The correct management is a crucial part of maintaining calcareous grasslands like Collyweston Quarries SSSI. Careful grazing using sheep and cattle at the right densities and at the right time of the year is required to ensure that the site remains in
good condition. Collyweston Quarries is already a popular site with local people. Whilst we welcome people to our nature reserves to enjoy wildlife, the impact of visitor numbers has to be carefully managed to ensure that the wildlife that people come to see is not negatively affected. This is already the case at Collyweston Quarries. Managing the site with grazing animals is a challenge with the current level of visitor pressure. People walking dogs off of leads are a particular problem and unfortunately livestock have been killed by dogs at this site in the recent past. Dog fouling is also a particular problem on calcareous grasslands because they are naturally very low in nutrients. Dog mess introduces nutrients to the soil which results in coarser plants outcompeting many of the rare ones. Increasing the number of visitors to a site also increases the number and width of paths across it. This also damages the grassland.'

7.77 The WT consider that the proposed mitigation by the applicant will not be sufficient to prevent an adverse impact on the SSSI and they set out the nature of the harm that would arise. East Northamptonshire Council's Ecological Advisor has confirmed that she agrees with the WT's view. As such, the proposal conflicts with ecology related planning policies and the provisions of the NPPF as quoted above. In relation to NPPF paragraph 175 b), it must be considered whether the benefits of the development in the location proposed clearly outweigh both its impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. This is considered at section 9 of this report.

Bats

7.78 The WT consider that insufficient information has been provided to determine the likely impact of the development on Bats. Guidance on this issue has been sought from East Northamptonshire Council's Ecological Advisor who has commented:

'I understand what the Trust is saying, and had there not been any bat survey done at all I probably would have said there wasn't enough information to determine. Both BS42020 and the current bat survey guidance stress proportionality. I do think the barbastelle survey needs to be done and it would be ideal to have it done pre-determination. In this case I'm not convinced it's absolutely necessary given the likely scale of impact. We know barbastelle occasionally use the site, and we know that they are particularly sensitive to light. This is outline so layout and lighting would come forward at reserved matters, at which time I would expect the results of a completed barbastelle survey to inform the design. The risk of this not being done pre-determination is that meeting the bats' needs might mean the site can't actually accommodate 115 dwellings.'

7.79 In light of the above, it is not considered that the lack of the Bat survey would justify the refusal of planning permission, however the matter does not weigh in favour of the application and adds to the doubt about whether the intended quantity of housing could be accommodated.

Sustainability

7.80 Easton on the Hill has some limited facilities (e.g. village shop, village hall, pre-school, two public houses), however residents of the new development would have to travel to Stamford (3.8km) or Kings Cliffe and Corby for school, shopping, health care appointments and employment etc. (accepting there are some limited employment opportunities in the village).

7.81 The site is accessible to a bus stop directly opposite on Stamford Road and an unmarked bus stop on Westfields (the applicant is proposing bus stop enhancements to these and a tactile paved crossing on Stamford Road to assist pedestrians in reaching the bus stop),
however opportunities for bus travel are limited to a Call Connect services (4S service operates between Stamford and North East Northants and the S9 service operates between Stamford and Peterborough), plus a service between Stamford and Oundle on Fridays (service 180). The Call Connect services are ‘demand responsive’ mini-bus services, which alter their route depending on demand. They must be pre-booked and a leaflet from Call Connect obtained on the internet advises that: ‘All journeys are subject to availability…Some routes and times are very busy and we advise passengers to give as much booking notice as possible.’ The applicant appears to recognise the limitations to bus travel and has offered a: ‘financial contribution towards improvements to existing bus services (4S/4P or 180) to provide peak hour services to/from Stamford and frequency improvements, or provision of a bespoke hopper/shuttle bus. The route/frequency and level of contribution will be discussed with Officers of NCC and local bus operators.’ Even with this though, it is not considered that bus travel would be a viable option for most people for most trips outside the village.

7.82 It is conceivable that the residents of the development may cycle to Stamford and the submitted Transport Assessment identifies that the route from High Street, Easton on the Hill to the A1 has a segregated footway / cycleway, however the remainder of the journey along the A43 may not be attractive to less confident cyclists.

7.83 The applicant has proposed a s106 contribution towards the improvement of the footway on the northern side of Stamford Road, in response to comments from the Local Highway Authority that it should be upgraded to a shared footway / cycleway, however it is not clear at this point whether the applicant is offering a contribution sufficient to carry out the works or whether they are proposing only a proportion of the cost. The Highway Authority has been asked to confirm s106 obligation requirements, however if the applicant is not proposing to fund the full cost of the upgrade, then this would further harm the sustainability credentials of the scheme, as the NPPF and JCS 8 (bi) require that proposals encourage cycling and give priority to it along with walking.

7.84 Once in Stamford, rail travel would be an option.

7.85 In favour of the application, a Travel Plan has been provided which includes, in addition to those measures which have already been discussed above:

- Electric vehicle charging points (see also Air Quality paragraphs 7.88 – 7.89 below) and bicycle storage for all dwellings;
- Tactile crossing to West Mill.

7.86 JCS 9 (Sustainable Buildings) requires that the layout and design of sites, buildings and landscaping maximise the use of passive solar design and where feasible enable access to, or provision of decentralised energy networks, or safeguard future opportunities for it. The policy also requires that water use in residential developments be restricted. These matters could be addressed at the reserved matters stage, however there is nothing to suggest that the development would have anything but ordinary credentials in relation to sustainable construction.

7.87 Concluding on Sustainability, it is evident that the location is not sustainable for this scale of development. This is a significant concern, as sustainable development is at the heart of the NPPF and both the Framework and the JCS spatial strategy fundamentally seek to direct significant developments to the most sustainable locations. The application must be contrary to JCS Policy 1 and NPPF paragraph 103, as well as the policies relating to housing (discussed at paragraphs 7.2 – 7.25) in relation to this issue.
Air Quality

7.88 The planning application is accompanied by an Air Quality Assessment (Miller Goodall), which was amended during the course of the planning application at the request of East Northamptonshire Council’s Environmental Protection Officer - to include reference to East Midlands Air Quality Network (EMAQN) Guidance for Developers and incorporate suitable mitigation measures as required by that document. The applicant’s revised Air Quality Assessment (June 2019), proposes measures to control dust during the construction stage. It assesses the air quality impact of the development (traffic generated) and concludes this would be negligible; but nevertheless recommends mitigation in line with the EMAQN. The mitigation measures include:

- Provision of electric vehicle recharging at a standard of one point per house with dedicated parking;
- All gas-fired boilers to meet a minimum standard of 40mgNOx/kWh or consideration of alternative heat sources;
- A Travel plan;
- Other generic mitigation measures which would be for further consideration at the detailed stage.

7.89 East Northamptonshire Council’s Environmental Protection Officer has advised that she is satisfied with the revised Air Quality Assessment. If planning permission were to be granted conditions would be necessary to secure the agreed mitigation measures. Subject to appropriately worded conditions, the proposal does not raise concern with regard to air quality.

Arboricultural Implications

7.90 The applicant has provided an Arboricultural Assessment (FPCR, April 2019). This identifies that there are hedgerows to the four site edges (north, east, south and west), but no other tree cover within the site. A number of trees lie adjacent to the site, beyond the eastern boundary, and have been identified as category B trees (trees considered for retention – moderate quality). The hedgerows are considered category B to the east and west boundaries and category C (trees considered for retention – low quality) to the north and south boundaries.

7.91 Aside from the points of access, the proposal would not adversely affect the hedgerows and adjacent trees. Furthermore, the proposal would include new planting which would result in a net biodiversity gain. The Council’s Senior Tree and Landscape Officer has considered the application and has no objection.

Socio-Economic Impacts

7.92 It must be acknowledged that there would be a number of positive social and economic benefits of the proposal which should be taken into account. The applicant has provided a report entitled ‘Assessment of Current and Future Sustainability’ (Rural Solutions, March 2019) in relation to such matters. This identifies the following benefits as detailed below in Table 3:

7.93 Whilst these are noted, many of the points are generic, rather than specific to a development in the proposed location.
Table 3 – Economic and Social Benefits as Detailed in the Applicant’s Assessment of Current and Future Sustainability Report (Rural Solutions, March 2019)

<table>
<thead>
<tr>
<th>Economic</th>
<th>Social</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and associated jobs</td>
<td>Delivery of housing, in proximity to</td>
</tr>
<tr>
<td>Local Authority finance considerations – new homes</td>
<td>employment opportunities</td>
</tr>
<tr>
<td>bonus / council tax</td>
<td>Provision of 46 affordable dwellings</td>
</tr>
<tr>
<td>Increased patronage to local businesses</td>
<td>A ‘mix’ of housing aimed at creating a</td>
</tr>
<tr>
<td></td>
<td>‘balanced community’</td>
</tr>
<tr>
<td>Increased availability of housing for local</td>
<td>Increased population base – more people</td>
</tr>
<tr>
<td>employees</td>
<td>to support local services and a larger pool</td>
</tr>
<tr>
<td></td>
<td>of potential volunteers for clubs / groups</td>
</tr>
<tr>
<td></td>
<td>Walking distance from site to a number of</td>
</tr>
<tr>
<td></td>
<td>existing facilities</td>
</tr>
</tbody>
</table>

**Residential Amenity**

7.94 As this is an outline application with only access for consideration at this point, it is not possible to fully assess the impact on residential amenity. Existing dwellings on The Crescent and The Close have their rear gardens closest to the site, with the dwellings themselves, varying in distance from the application site boundary. The closest are approximately 15m away. With consideration at reserved matters stage, it should be possible to design a scheme incorporating satisfactory separation distances to prevent any significant harm to the residential amenity of those occupiers.

7.95 The bungalows on West Mill lie closer to the application site (numbers 1, 2 and 3 West Mill are circa 5 – 6 m from the application site boundary), however the closest dwellings have their side elevations facing towards the site, rather than the more sensitive front or rear elevations. It is generally accepted that a distance of 14m is sufficient to prevent overbearing from ground floor windows directly facing a two storey development and this could be easily accommodated. There would need to be careful placement of windows in the part of the site adjacent to West Mill, but again, this could be satisfactorily addressed to prevent overlooking.

7.96 The row of cottages facing the site on Stamford Road is approximately 20m from the site boundary and this distance would ensure the development could be accommodated without significant harm to those residents.

7.97 For the reasons detailed above, the application is considered to comply with the relevant planning policies relating to protection of residential amenity (JCS Policy 8 (ei) and NPPF paragraph 127 (f)).

7.98 It is also necessary to consider whether the proposed development would provide for a satisfactory level of amenity for the proposed residents. In this regard, whilst some of the separation distances between the new dwellings on the indicative masterplan are quite short, they are not uncommon on a modern development. The gardens shown for the dwellings are also small, but again could be described as typical of modern estate development. At the reserved matters stage, careful attention would need to be given to ensuring each plot has a garden commensurate to its size (noting that the Council does not have a minimum garden size standard in place).
The new dwellings would be required to meet the National Space Standards and Category 2 of the National Accessibility Standards (plus a proportion must been Category 3 of those standards), however there is nothing to indicate at this stage that this could not be achieved.

**S106 Obligations**

7.100 LPAs should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. The NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (paragraph 55).

7.101 Planning obligations should only be sought where they meet all of the following tests:
- They are necessary to make the development acceptable in planning terms;
- They are directly related to the development; and
- They are fairly and reasonably related in scale and kind to the development.

7.102 ENC and NCC planning guidance and policies make provision for various section 106 obligations and there have been a number of direct s106 requests made by consultees. Whilst positive discussions are still taking place with the applicant, the following obligations have been agreed in principle:
- Education – primary and secondary contributions. NCC has advised an early years contribution may also be required, dependent on the outcome of a capacity study which is currently being undertaken;
- Library contribution;
- Open space and play equipment;
- Affordable housing – 40%.

7.103 A request (by NCC) for fire hydrants has been agreed by the applicant and this would be appropriate to secure by condition if planning permission was to be granted.

7.104 The details of the above obligations are summarised at Appendix 1 (Developer Contribution Schedule). This will be updated as necessary on the Update Report in relation to the following matters:

7.105 The Local Highway Authority (Northamptonshire County Council) has confirmed it will provide confirmation imminently of s106 highway contribution requirements. It is anticipated that these will relate to bus stop provision, public transport subsidy, and footway upgrade on Stamford Road (as proposed by the applicant).

7.106 Notwithstanding their objection to the planning application, requests for s106 contributions have been received from the Parish Council relating to a number of planned projects to improve sport / recreation and community facilities. The requests were received 28.06.19 and will be discussed with the developer prior to the Committee and further information will be provided on the Update Report.

7.107 With respect to open space, the applicant is asserting that the application includes open space in accordance with the standards set out in East Northamptonshire Council’s Open Space SPD, 2011, however they appear to have carried out calculations for the ‘urban’ area, rather than the ‘rural’ area (which this site falls within). The proposals therefore fall short of the requirement. Table 4 below, sets out the requirements of the SPD compared with what is being proposed. As can be seen, in addition to falling short in relation to the quantum of open space, the application also does not provide for some of the typologies (parks and gardens, allotments and sport), however the SPD does recognise that not all typologies will
be suitable on all sites. In this case it would seem appropriate to seek off site contributions (e.g. towards the projects identified by the Parish Council) in lieu of any identified shortfalls.

**Table 4: Comparison of Open Space Requirements (as per ENC Open Space SPD, 2011) and Proposed Provision (as per Planning Application)**

<table>
<thead>
<tr>
<th>Open Space Typology</th>
<th>SPD (ha)</th>
<th>Requirement</th>
<th>Amount Proposed by Applicant (ha)</th>
<th>Difference (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amenity greenspace</td>
<td>0.22</td>
<td>0.64</td>
<td>+ 0.42</td>
<td></td>
</tr>
<tr>
<td>Parks and gardens</td>
<td>0.17</td>
<td>0</td>
<td>- 0.17</td>
<td></td>
</tr>
<tr>
<td>Natural and semi natural</td>
<td>2.42</td>
<td>0.42</td>
<td>- 2</td>
<td></td>
</tr>
<tr>
<td>Allotments</td>
<td>0.09</td>
<td>0</td>
<td>- 0.09</td>
<td></td>
</tr>
<tr>
<td>Sports facilities</td>
<td>0.47</td>
<td>0</td>
<td>- 0.47</td>
<td></td>
</tr>
<tr>
<td>Children and young people</td>
<td>0.04</td>
<td>0.05</td>
<td>+ 0.01</td>
<td></td>
</tr>
<tr>
<td>Green corridors</td>
<td>Not specified</td>
<td>0.17</td>
<td>+ 0.17</td>
<td></td>
</tr>
<tr>
<td>SUDs</td>
<td>Not specified</td>
<td>0.05</td>
<td>+ 0.05</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3.41</td>
<td>1.33</td>
<td>- 2.08</td>
<td></td>
</tr>
</tbody>
</table>

7.108 The NHS and Clinical Commissioning Group have been consulted in relation to whether any s106 contributions for healthcare would be justified, but no responses have been received.

7.109 Whether or not the Heads of Terms can be fully agreed prior to the Committee meeting, if the application is refused, it is considered appropriate that a refusal reason be included in relation to provision of infrastructure, as without a satisfactory unilateral undertaking or draft s106 agreement having been provided, the Council cannot be certain that the infrastructure necessary to support the development would be delivered. In the event of an appeal, the LPA would continue with its positive discussions with the applicant and relevant parties and if a satisfactory unilateral undertaking is provided by the applicant, or if a draft s106 legal agreement can be agreed, the LPA would concede this reason for refusal.

8 Other Matters

8.1 **Contamination:** The Council’s Environmental Protection Officer has confirmed there is no known risk of contamination at the site.

8.2 **Equality Act 2010:** It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.3 **Minerals:** Northamptonshire County Council has confirmed it has no objection to the planning application in relation to the policies of the County Council’s Minerals and Waste Local Plan.

8.4 **Waste:** East Northamptonshire Council’s Waste Team has no objection, however has advised that at the reserved matters stage, swept path analysis drawings would be required to demonstrate suitable access for waste vehicles and provision for bin storage.

8.5 **Crime:** The Northamptonshire Police Design Advisor has made detailed recommendations (relating to layout, boundary treatments, lighting etc.) which would need to be taken into account at the appropriate stage. He confirms the Police do not object to the development and are not requesting s106 contributions towards policing.
8.6 **Utilities:** There are overhead lines and a gas pipeline which might affect the development, however these, along with other utility matters would be for the applicant to address (including bearing any associated cost).

8.7 **Lighting:** A lighting condition would be recommended in the event of an approval of planning permission, to minimise light pollution.

Local residents concerns about headlights shining on the cottages opposite the proposed vehicular access are noted, however this would not be an uncommon situation in a residential area and it is not considered that the matter would justify a refusal of planning permission.

8.8 **Loss of Agricultural Land:** Natural England Agricultural Land Classification mapping identifies the site as being grade 3. It does not distinguish between grades 3a and 3b (3a is considered – along with grades 1 and 2 – as the best and most versatile agricultural land). The applicant’s Planning Statement comments that: ‘The site comprises land in agricultural use, but its usefulness for agricultural purposes is limited and its loss would not be significant.’ It is not clear why its usefulness is limited as this is not explained, and at a site visit a crop was evidently being grown on the land. The loss of agricultural land is a matter to take into account when considering the application, however is not considered by Officers as an overriding concern in this case.

8.9 **Weight Afforded to Emerging Local Plan Part 2:** The applicant has stated in their Planning Statement that no weight should be afforded to East Northamptonshire Council’s emerging Local Plan Part 2, due to its current stage of preparation and unresolved objections to it. In relation to this, Officers note that a representation submitted by Gladman Developments Ltd. in response to the Local Plan Part 2 draft plan consultation, promotes the site for allocation in the Local Plan. The representation comments that the site would be suitable for up to 92 dwellings.

With respect to the weight which should be afforded to emerging plans, the NPPF states:

> 'Local planning authorities may give weight to relevant policies in emerging plans according to:
>  a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
>  b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
>  c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) (paragraph 48).'

Noting the representation from Gladman Developments Ltd. about the application site and the stage of preparation of the emerging plan, Officers consider that very little weight can be afforded to the emerging plan (as opposed to no weight). However, as detailed at paragraphs 7.15 – 7.20, evidence relating to the plan is pertinent.

8.10 **Environmental Impact Assessment:** The application has been screened by East Northamptonshire Council as not requiring an Environmental Impact Assessment.

8.11 **The Need for Additional Signage on The Close to Prevent Traffic Entering and Turning:** It has been suggested (in representations from local residents) that signage is required on The Close to prevent construction traffic parking, and other vehicles taking a wrong turn. Construction traffic could be controlled satisfactorily with a construction management
condition and it is not considered that the proposal would justify additional signage. If residents are concerned about signage, they may wish to contact the Local Highway Authority, as this would fall within that authority's remit.

8.12 Lighting and Speed Limit on Stamford Road: Local residents have commented regarding speed restriction on Stamford Road, suggesting this should be reduced, and / or enforced and that additional street lighting is required. These would be matters for the Local Highway Authority.

9 Conclusion / Planning Balance

9.1 The proposal would undoubtedly result in some positive economic and social benefits as noted at paragraph 7.92 - most notably the contribution towards housing supply and affordable housing. There would also be some other benefits: a likely gain in biodiversity on the site itself; the provision of the north-south link through the site; provision of open space; footway improvements and tactile crossings and other planning obligations which - whilst being required to mitigate the impacts of the development - would also benefit existing residents. Nevertheless, development of the scale proposed in the location proposed is fundamentally in conflict with the spatial strategy for the area, which seeks to direct significant development to the most sustainable locations (namely the Growth Towns, followed by the Market Towns). Whilst there are some facilities within the village, the residents of the development would need to travel out of the village for school, healthcare, shopping and employment, and public transport options are limited. The location is not sustainable in transport terms.

9.2 There are concerns that the development would cause harm to the Collyweston Quarries SSSI, LNR and LWS, through increased recreational pressure. The WT who manage the site, consider that this cannot be satisfactorily mitigated and in this context, NPPF paragraph 175 requires the harm to be weighed against the benefits. This is a separate test to the 'planning balance', highlighting the importance of this matter and Officers consider that in this case, the harm is not clearly outweighed and therefore the proposal is contrary to NPPF paragraph 175.

9.3 In addition, there are concerns that the development would not integrate and connect satisfactorily with the existing settlement and due to its scale it would not respect existing local character. The application also does not demonstrate that the proposed quantum of development could be satisfactorily accommodated in accordance with relevant policies.

9.4 Whilst positive discussions with the applicant regarding planning obligations are ongoing, an agreed heads of terms and legal agreement have not been submitted, therefore the Council cannot be certain that the development would be accompanied by the necessary infrastructure to mitigate its impacts / meet the needs of the development.

9.5 For all these reasons, the proposal is contrary to the development plan and the NPPF and would result in harm as identified in this report. There are also some other more minor instances of harm which (whilst limited) should also be taken into account - e.g. the loss of agricultural land; the resulting landscape and visual impact and the impact on the setting of the non-designated heritage asset (the row of cottages on Stamford Road). Putting aside the conflict with NPPF paragraph 175, it is in any event considered that material considerations do not outweigh the harm of non-compliance with the development plan polices and planning permission therefore should be refused.

9.6 The applicant is asserting that East Northamptonshire Council cannot demonstrate a 5 year housing land supply. In such cases, the application should be considered in the context of whether it is 'sustainable development' (NPPF paragraph 11(d)). Whilst this is not accepted,
even if paragraph 11(d) was invoked, the proposal conflicts with NPPF paragraph 175(b) and therefore in accordance with criterion i of 11(d), planning permission should be refused. This is because 11(d)ii confirms that planning permission should not be granted where the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. Footnote 6 confirms the policies referred to include those relating to SSSIs (i.e. paragraph 175(b)). Furthermore, in relation to paragraph 11(d)ii, the adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, therefore planning permission should be refused.

10 Recommendation

10.1 That planning permission be REFUSED for the following reasons:

11 Reasons

1 The proposal, by virtue of its unsustainable rural location and the scale of the development, fundamentally conflicts with the adopted spatial strategy for the district, which seeks to direct major new developments to the most sustainable locations, namely the Growth Towns followed by the Market Towns. Consequently, the proposal is contrary to North Northamptonshire Joint Core Strategy Policies 1, 11, 28 and 29 and NPPF paragraph 103. The Local Planning Authority recognises the benefits of the proposal - in particular the contribution to housing supply, including affordable housing and associated economic benefits - however these do not outweigh the identified harm. Whilst policies relating to the supply of housing can be considered up to date, the proposal is not in any event considered to constitute sustainable development in accordance with the Framework.

2 The development would integrate and connect poorly with the existing settlement, leading to concerns that it would not function effectively and due to its scale, it does not respect the existing local character. Furthermore, the application fails to demonstrate that the quantum of development proposed (‘up to’ 115 dwellings) could be satisfactorily accommodated in accordance with planning policies related to design. As such, the proposal is considered to be contrary to North Northamptonshire Joint Core Strategy Policies 8 (a) and (d); 15 (d) and the NPPF - paragraphs 127 (criteria a, c and f) and 130.

3 The proposal, as a consequence of causing increased recreational pressure, would adversely affect the Collyweston Quarries Site of Special Scientific Interest, Local Nature Reserve and Local Wildlife Site. The benefits of the development in the location proposed would not clearly outweigh both the likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSI sites. The proposal is therefore contrary to North Northamptonshire Joint Core Strategy Policy 4 a) i and v; b) iii; Rural North Oundle and Thrapston Plan Policy 10 and the NPPF paragraphs 170 a) and d); and 175 a) and b).

4 In the absence of an agreed heads of terms and legal agreement, the Local Planning Authority cannot be certain that the proposal would provide the necessary infrastructure to mitigate its impacts / meet the needs of the development, contrary to North Northamptonshire Joint Core Strategy Policy 7 a) and Policy 10; and Rural North, Oundle and Thrapston Plan Policy 15.
12 Informatives

1 This application has been determined in accordance with NPPF paragraph 38 – The LPA has worked proactively with the applicant to address those technical matters which could be resolved.
## Appendix 1: Developer Contribution Schedule

<table>
<thead>
<tr>
<th>Developer contributions set out in SPD/requested by consultees</th>
<th>Proposed by applicant</th>
<th>Agreed Heads of Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 Early Years Education</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NCC has advised an early years contribution may be required – confirmation awaited. If required the following are NCC standard multipliers:</td>
<td>Agreed in principal subject to confirmation and submission of appropriate evidence by NCC</td>
<td>Awaiting further advice from NCC</td>
</tr>
<tr>
<td>1 bed - £0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 bed - £3724</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 bed - £3972</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4+ bed - £4220</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2 Primary Education</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request by NCC</td>
<td>As requested</td>
<td>As per request. A total figure is not available at this stage as the exact mix is not known.</td>
</tr>
<tr>
<td>1 bed - £0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 bed - £1614</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 bed - £3972</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4+ bed - £4592</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>3 Secondary Education</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request by NCC</td>
<td>As requested</td>
<td>As per request. A total figure is not available at this stage as the exact mix is not known.</td>
</tr>
<tr>
<td>1 bed - £0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 bed - £1170</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 bed - £4600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4+ bed - £5941</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>4 Library</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Request by NCC</td>
<td>As requested</td>
<td>As per request. A total figure is not available at this stage as the exact mix is not known.</td>
</tr>
<tr>
<td>1 bed - £109</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 bed - £176</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 bed - £239</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4+ bed - £270</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Affordable Housing

<table>
<thead>
<tr>
<th>JCS Policy 30 sets 40% requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Strategy Team confirm this is to be made up of a sustainable tenure mix of 75% affordable housing for rent and a maximum of 25% affordable routes to homeownership</td>
</tr>
<tr>
<td>40% affordable provision (mix and tenure to be agreed)</td>
</tr>
<tr>
<td>As per request</td>
</tr>
<tr>
<td>There are concerns with the indicative mix, however the tenure and mix would be for discussion at a later stage</td>
</tr>
</tbody>
</table>

### Open Space

<table>
<thead>
<tr>
<th>Open Space SPD sets a requirement for:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Amenity Greenspace: 0.22ha</td>
</tr>
<tr>
<td>- Parks and Gardens: 0.17ha</td>
</tr>
<tr>
<td>- Natural and Semi-Natural: 2.42ha</td>
</tr>
<tr>
<td>- Allotments: 0.09ha</td>
</tr>
<tr>
<td>- Sports Facilities: 0.47ha</td>
</tr>
<tr>
<td>- Children and Young People: 0.04ha</td>
</tr>
<tr>
<td>- Green corridors: not specified</td>
</tr>
<tr>
<td>Total open space requirement = 3.41ha</td>
</tr>
<tr>
<td>- Ongoing maintenance of all public open space/play area</td>
</tr>
<tr>
<td>Applicant proposes:</td>
</tr>
<tr>
<td>- 0.05ha provision for children and young people</td>
</tr>
<tr>
<td>- 0.42ha natural and semi-natural open space</td>
</tr>
<tr>
<td>- 0.64ha amenity greenspace</td>
</tr>
<tr>
<td>- 0.17ha green corridors</td>
</tr>
<tr>
<td>- 0.05ha SUDs</td>
</tr>
<tr>
<td>Total = 1.33</td>
</tr>
<tr>
<td>Open space as proposed by the applicant</td>
</tr>
<tr>
<td>Details of play equipment and whether this is to include all on site or some on site and some off site provision remains to be discussed</td>
</tr>
<tr>
<td>Details of maintenance to be agreed (management company or commuted sum). Parish Council preference is for a management company</td>
</tr>
<tr>
<td>Further discussions to take place regarding off site contributions</td>
</tr>
</tbody>
</table>

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Note – contributions may be indexed linked, therefore actual sums required may vary.
Appendix 2: Habitat Regulations Assessment – Screening

Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations, however, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

<table>
<thead>
<tr>
<th>Application reference:</th>
<th>19/00798/OUT</th>
</tr>
</thead>
</table>
| Application address:   | Land North of Stamford Road  
                        | Easton on the Hill |
| Application description: | Residential development (up to 115 dwellings) – access for consideration |
| Status of Application: | Pending consideration |
| Proximity to SPA:      | 7km to Rutland Water SPA |

**Stage 1 - details of the plan or project**

- European site potentially impacted by planning application, plan or project: **YES**
- Is the planning application, project or plan directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)? **NO**
- Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an 'in combination' effect to be assessed)? **NO**

**Stage 2 - HRA screening assessment**

Test 1: the significance test – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA.

*[The ruling by the Court of Justice of the European Union on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17) requires development relying on mitigation to no longer be considered at the screening stage but taken forward and considered at the appropriate assessment stage.]*
Conclusion on the need for a full Habitats Regulations Assessment (Appropriate Assessment) (has evidence shown there is a need for a full HRA?): NO

The submitted Ecology Appraisal (FPCR, March 2019) states:

*Rutland Water SPA is designated mainly for its diverse assemblage of over-wintering birds. The development site is bound by hedgerows and is too small to provide suitable habitat and size required for these species and there are no records of these species within the site boundary. Rutland Water is also managed to accommodate and encourage visitors. Due to the small size of the development and the distance from the SPA any potential increase in visitor pressure as a result of the proposals will be negligible. Overall, it is considered that there is no functional link between the SPA and the site and that there are no proposed impacts from the development.*

In light of the above and 'no comments' from Natural England, it is not considered that the proposal is likely to have a significant adverse impact on the SPA.

If yes continue to Stage 3; if no, continue to Stage 4).

Stage 3 - HRA – Appropriate Assessment

Test 2: the integrity test – If there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long term management, maintenance and funding of any solution.

N/A

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

N/A

Natural England Officer:

Summary of Natural England’s (NE) comments:

No comments
Committee Update Report  
Planning Management Committee – 10\textsuperscript{th} July 2019  
Index of Applications for Consideration

<table>
<thead>
<tr>
<th>Case Ref. No. and Page No.</th>
<th>Location</th>
<th>Officers Rec.</th>
</tr>
</thead>
<tbody>
<tr>
<td>19/00594/FUL Page 2</td>
<td>Rushden Memorial Clinic, Hayway, Rushden</td>
<td>Grant</td>
</tr>
</tbody>
</table>

**Updates:**

Representation from Northamptonshire County Council Ecologist:

I’m writing in response to your consultation on the above application for works to Rushden Memorial Clinic. The bat survey showed that bats are using the central area of the main roof. The drawings submitted do not show enough detail (e.g. changes to the second storey ceiling height) to be able to determine how the works will affect the roost so it is not clear whether a licence will be required. A copy of the licence would need to be conditioned, so until the full impacts are known the council does not have sufficient information to determine this application.

**Officer response:**

The architect has confirmed that the central area of the main roof will not be altered in any way and the ceiling heights would remain the same. On this basis, it is my view that to condition a bat licence would be unreasonable. This would not preclude the developer requiring a licence in the event that further bat activity is discovered or it transpires that further works to the central attic space are required during conversion/construction.

**Corrections/Points of Clarification**

- Para 7.3 – The clinic has been vacant for 5 years

- Condition 2 – To be amended to substitute drawing number 1139 110 P3 with 1139 110 P5 as this demonstrates that units 3 and 4 will be wheelchair accessible. This change also affects Condition 19 (see below).

- Condition 4 – Minor rewording (shown as underlined) as follows:

  No drainage works shall commence until a surface water management strategy has been submitted to and
approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

- Condition 11 – Reworded as follows:
  No demolition or construction work (including deliveries to the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturday, and at no times on Sundays or Bank Holidays except in exceptional circumstances of cases of urgency and with the approval of the local planning authority.

- Condition 14 – Reworded to ensure details of mud prevention measures are submitted to the council and agreed in writing. This is a pre-commencement condition which the applicant has agreed to. The new wording is as follows:
  Details of measures to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site shall be submitted to and approved in writing by the Local Planning Authority before construction commences. Development shall only take place in accordance with the approved details.

- Condition 19 – Following the submission of drawing 1139 100 P5 which demonstrates that the Units 3 and 4 will be wheelchair accessible, the wording of this condition can be changed to the following:
  The wheelchair accessible units as shown on approved plan 1139 100 P5 shall be provided in accordance with the approved scheme and thereafter retained in perpetuity.

- Queries relating to chimneys and the removal of external fire escape – these matters were discussed with Building Control, who comment as follows:
  The original external stairs was in place because there was an inner room on the top floor. The new layout looks to propose protected entrances to flats and lobbies so a single stair should be acceptable. The stairs will require an opening smoke vent at the top of the stairs (a roof light not currently shown).
  The chimneys are on private land so not considered as a dangerous structure, and presumably will get sorted during the build project.

- New Condition 20 – to require details of the smoke vent as referred to by Building Control. The condition to be worded as follows:
  Prior to construction above slab level, full details of any additional smoke vents/roof lights associated with fire prevention measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details, which shall be retained
Letter from Councillor Dorothy Maxwell – Rushden Spencer Ward

Wor ded as follows and with all emphasis as per the letter submitted but with names redacted:

On behalf of the residents of Rushden and Higham Ferrers, I am objecting to this application for a third time. This application has already been turned down twice and it’s back again! These are the reasons for turning it down again.

1. This has already been turned down for mass over-development. The latest application has increased the number of flats (boxes) to 14 from 10 flats (boxes) in the building. What’s changed? Who thinks the over-55s like living in boxes? The sizes of these flats are very small and the kitchen, lounge/table leaves little space to move around and if there is a family NO SPACE at all unless you are matchstick people! These flats will be sold to anyone and rented out, in all likelihood, to a transient population. How can you prevent this happening? You cannot, because no law is in place and there is a service charge for the residents Rushden is already over-developed with flats, with another 150 built this year in the town centre bringing the total to 350 in 5 years. Why do we need more flats?

The residents are not against 4/5/6 apartments which would maintain the integrity of the building and not have flat roofs or an extension.

2. The history of this house is important: it forms part of local heritage, going back to 1890. It was purchased by the residents for service personnel to have treatment after the 2nd World War. This is part of Rushden’s and the NHS’s history. The residents believe that it should not have extensions or flat roofs as add-ons, as these would change the character of the Memorial Clinic. These changes would be completely out of character and would be detrimental to the aesthetics of this historic building. The residents are not against using the building for 5/6 apartments or for commercial use, but do not want a change in the exterior of the building as this would air-brush out history. We are aware that this may not be considered, but the Council must stand up and protect the town’s heritage.

3. Parking would be a major issue and there would be only one entrance. There is a covenant in place on the front of the house which the <NAME REDACTED> family are not allowing to change <NAME REDACTED>, a resident, spoke to them personally about this, 2 weeks ago).

4. The residents are entitled to privacy in their own homes and this would be infringed upon by the extension; it would be like living in a fish bowl with no privacy. Unless you have been upstairs in the building you would
not realise this; I have and it is not acceptable.

5. Increased air pollution would be a major problem for both schools in the Hayway. I notice that an air pollution report has not been submitted with this application from the developers. This would affect the children walking to school; this is now a major factor and a child has just died in London sadly due to air pollution whilst walking to school. The residents counted 7,000 cars in 12 hour period.

I have read your report but we still feel that this application has to be turned down because 14 flats (boxes) is not an acceptable form of development for this monument of Rushden’s past. The memories of those who gave up their lives for us have to be respected. Rushden Town Council comments clearly states in Policy H4 its needs turning down.

I trust that you will include this letter in the update report because the residents’ views need listening to.

Officer Response
Most of the planning issues raised in this letter are covered in the Committee Report. To clarify on those remaining points:

- The flats are described as boxes in the letter, but they all meet the National Space Standards as required by Policy 30 of the JCS.
- There have only been two planning applications for flats on this site, not three.
- Covenants are not a material planning consideration.
- Air Quality – this has not been raised as a concern by the Environmental Protection team.
- In Point 1 reference is made to families. This is a proposal for over 55s accommodation so any families living in the properties would need to meet the criteria set out in condition 3.
Bus and Rail would not be seeking a marked bus stop on Westfields, as marked bus stops on Stamford Road would be within 400 metres of the Development and would be en-route for a bus service travelling between Collyweston and Stamford.

Bus and Rail would propose that £115k be sought as a Bus Service Contribution for this development, based on £1,000 per dwelling, i.e. the standard contribution in the county.

This funding would be used to either enhance an existing bus service between Easton on the Hill and the local town of Stamford, or fund a new shoppers’ service, should one not be in existence when the first occupation occurs.

Comments received 05.07.19: The footway can be secured by condition and therefore the only potential S106 requirements would be public transport. I understand John Ellerby is liaising with Lincs CC with regards to the existing service running outside the site access. Hopefully John can update us ASAP with regards to any contribution required.

Comments received 03.07.19: I have now had a chance to review the amended highways plan and response from Optima. I note that the applicant is willing to remove the layby and provide alternative parking within the site however they still refute the requirement for a dedicated ghosted right turn lane into the site. This still raises an objection from the LHA. Optima are quoting Manual for Streets design guidance which is not appropriate for an access onto a carriageway exceeding a 30mph speed limit and in any case our requirements are based on the Stamford Road forming part of the principal road network.

Comments received 01.07.19: I now have some feedback in terms of the Transport Assessment as per the below:

- Please confirm origin of vehicle accident data. The applicant is required to obtain this information from Northamptonshire Highways Road Safety Team.
- The vehicle trip rates have been generated based on the site being defined as a Neighbourhood Centre however I would query this as it would suggest an offering of some degree of sustainable trips and a local centre which this site does not offer. To clarify the LHA does not agree with the trip rates identified.
- An estate layout 20mph design speed would not be acceptable – please ask the applicant revise this note to a design speed of 30mph in accordance with our requirements.
- Northamptonshire’s Place and Movement Guide is no longer used therefore please remove reference to this document in the TA document.
- The swept path analysis undertaken shall be utilising the attached refuse vehicle data (with an overall length of 11.210m) therefore please revise.

Officer Comment: In light of the responses from the Local Highway Authority, it is not considered that the application has demonstrated that the proposed access arrangements are acceptable, or that the proposal would not have an
 unacceptable impact on the highway / highway safety. As such, an additional reason for refusal is recommended (below).

In relation to the s106 requests from the Local Highway Authority (as detailed in the responses above), the applicant has confirmed they agree to those.

With regard to the footway upgrade (to provide 3m wide footway / cycleway) on Stamford Road which the Local Highway Authority has previously advised is necessary, it is considered that a planning condition could secure this in the event of the grant of planning permission.

Lead Local Flood Authority - Northamptonshire County Council Comments:

Comments received 01.07.19: Confirm that subject to the imposition of its recommended planning conditions, the impacts of surface water drainage will have been adequately addressed.

Officer Comment: Following receipt of the comments from the Lead Local Flood Authority (as summarised above), it is considered that the application is acceptable in relation to flood risk and drainage matters, subject to the imposition of conditions recommended by the Lead Local Flood Authority. Those conditions are considered to capture the requirements of the surface water condition recommended by Anglian Water, so it would not be necessary to impose that as well.

Representations / Public Comments
A representation which raises objections to the proposed development has been forwarded to the Council by Tom Pursglove MP on behalf of a local resident (who has previously sent an objection to the Council about the application). In addition, two other representations have been received from local residents. One is a further objection from a resident who has already objected. The second states that it is an objection, but if two key points are addressed, the resident would be minded to accept the proposal. Points raised in the representations can be summarised as:

- I see no evidence that the proposed design of the dwellings will be zero or low carbon. In our present climate emergency this is totally unacceptable.
- The biodiversity report is heavily redacted in several places. This is not acceptable. [Officer Note – The redaction has been carried out by the Local Planning Authority in the interests of the protection of Badgers, as is common practice. The full un-redacted copy has been considered by the Council’s Ecological Advisor.]
- Traffic on Stamford Road is heavier than suggested in the Transport Assessment.
<table>
<thead>
<tr>
<th><strong>Object to the proposal to remove existing layby, reinstate verge and provide replacement parking in the development. Why should the residents on the south side of Stamford Road be required to cross the busy road to reach their cars. Envisage issues in terms of allocation of spaces etc. [Officer Note: It is not proposed to remove the layby on the southern side of the road. The layby proposed to be removed is on the northern side of Stamford Road.]</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Difficulty in accessing information about the application / village meetings, particularly for elderly residents.</strong></td>
</tr>
<tr>
<td><strong>Land has been arable for many years / loss of green countryside.</strong></td>
</tr>
<tr>
<td><strong>Impact on wildlife.</strong></td>
</tr>
<tr>
<td><strong>Safety and congestion concerns with proposed access.</strong></td>
</tr>
<tr>
<td><strong>Sewage at capacity.</strong></td>
</tr>
</tbody>
</table>

**Officer Comment:** Aside from those points which are addressed in italic font above, other material planning matters raised are considered to be addressed in the Committee report.

**S106 – Heads of Terms Update**
An updated schedule of developer contributions is appended. Additions (in relation to the version at Appendix 1 of the Committee report) are shown in blue, with deleted text struck through. Whilst the detail of a number of items remains to be agreed. It is considered that sufficient information is known in order for the Council to determine the application. As stated at paragraph 7.109 of the Committee report, refusal reason 4 relating to provision of infrastructure is recommended.

**Reasons for Refusal**
An additional reason for refusal is recommended relating to highway matters:

5. The application has failed to demonstrate that the development would have satisfactory access arrangements and that it would not result in an unacceptable impact on the Highway / Highway safety, contrary to North Northamptonshire Joint Core Strategy Policy 8b.