



**APPLICATIONS FOR DETERMINATION**

**DEVELOPMENT CONTROL COMMITTEE - 23 February 2011**

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# Committee Report

Committee Date : 23 February 2011

Printed: 14 February 2011

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Case Officer **Gerri Smith**

**EN/09/00611/FUL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>27 April 2009</b>	<b>19 June 2009</b>	<b>18 September 2009</b>		<b>Oundle</b>

Applicant **Persimmon Homes (East Midlands) Ltd**

Agent **John Martin And Associates - Mrs V Coleby**

Location Land End Of Creed Road Oundle Northamptonshire

Proposal **Erection of 145 dwellings with associated open space, landscaping and access**

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The application is brought forward for determination by Development Control Committee because it is a major proposal. The application has a long history and has previously deferred by Committee on three previous occasions. The application is now subject to a Judicial Review in the High Court. This is further explained below.

## 1.0 Summary of Recommendation

1.1. That subject to the receipt of no objections from the local highway authority, Committee GRANT planning permission subject to conditions and the completion of a Section 106 Agreement.

## 2. Background

2.1 Members will recall that 09/00611/FUL was reported with an officer recommendation of approval to Development Control Committee on 28th April 2010. Members resolved to defer making a decision to allow further consideration in relation to highway matters including the checking of the Transport Assessment to ensure that the development would not have an adverse impact on infrastructure within the town.

2.2 Following the receipt and consideration of further information which clarified the acceptability of the highway impacts, the application was reported back to Development Control Committee on 18 August 2010. Members again deferred the application to enable the wording of the S106 agreement to be finalised.

2.3 The application was reported again to Committee on 29 September 2010. The officer report confirmed that the developer contributions were satisfactory in accordance with the Developer Contributions SPD. Members again deferred making a decision on the application for a third time pending clarification of the Government's position on housing targets, localism and spatial planning; and to enable further progress to be made on the Oundle 2020 Town Plan.

2.4 The applicant requested an extension of time for application 09/00611FUL on 1st June 2010 outside of the six month period to allow a further time period to appeal the application. The applicant was informed that the Council could not agree to extend the time limit for the determination of the application as the request was made out of time.

2.5 The effect of the deferral and the refusal of the time extension request is that the applicant is not able to appeal the non-determination of the application as the 6 months appeal period has lapsed and the applicant cannot appeal against refusal as no decision has been made on the application.

2.6 In these circumstances the applicant has made a claim for judicial review on the basis that the Council has acted unlawfully by relying upon immaterial considerations and failing to have regard to material considerations in dealing with the application. Additionally, the claim states that the Council have acted unlawfully in refusing to allow an extension of time on the application.

2.7 The issues pertinent to the Judicial Review of the application were reported to Development Control Committee on 9 February 2011. This matter was discussed in a "Private and Confidential" session as it involved advising members of a legal opinion. Members agreed that the application should be brought back for consideration by the Committee.

2.8 A further application 10/01893/FUL, for the same development on the same site is also included in this agenda for consideration. This application was submitted to allow the applicant another opportunity to appeal. An appeal was lodged against the Council's non-determination of the application on 24 January 2011. Members must now consider that application to determine whether they would have refused it or granted it, so that the Council's views can be made known to the Planning Inspectorate who will now decide the application through the appeal process.

2.9 This report has sought to amalgamate all the previous committee reports for this application for clarity. The previous reports are attached as appendices for completeness.

### 3.0 The Proposal

3.1 This is a full application to build 145 dwellings. The site is accessed via the existing Creed Road development, off Glaphorn Road.

3.2 The scheme includes a mix of dwellings with a central area of public open space forming a continuation from the existing development to the east and including a LEAP and landscape planting. The density is 35 dwellings per hectare. The development would include 40% affordable housing.

3.3 The following plans, reports and information accompany the application:

- Planning Statement
- Design and Access Statement
- Housing Statement
- Layout Plan
- House Type Drawings
- Boundary Treatments Plan
- Flood Risk Assessment
- Transport Assessment
- Summary Transport Statement
- Indicative Travel Plan Strategy
- Landscaping Design Statement
- Landscaping Plans
- Extended Phase 1 Habitat Survey
- Phase 1 Desk Based Ground Report
- Archaeological Desk Based Assessment
- Indicative Specification for Archaeological Evaluation
- Archaeological Evaluation
- Statement of Community Involvement
- Sustainability Appraisal and Energy Statement
- Waste Management Strategy

- Utilities Assessment and Supplementary Information
- Proposed Heads of Terms for S106 Agreement

3.4 Amended plans together with additional information were received 25 January 2010 and 03 February 2010 and re-consultations were undertaken in respect of these details.

3.5 The application is not EIA development and does not require an Environmental Statement.

#### 4.0 The Site and Surroundings

4.1 The site is located to the northwest of Oundle town centre, with existing residential development to the north and east, open countryside to the west and Oundle School playing fields to the south. The site is within walking distance of the town centre; the centre of the site to the Market Square is approximately 1.4 kilometres (as the crow flies) or 1.7 kilometres (approximately 1 mile) (via Creed Road and Glapthorn Road).

4.2 The site area is 4.12 hectares and is currently used as agricultural land. No known public rights of way currently existing through the site. The site is relatively level throughout and in relation to surrounding land.

#### 5.0 Policy Considerations

##### 5.1 National Planning Policy

PPS1 – Delivering Sustainable Development (incorporating new statement on climate change)

PPS3 – Housing

PPS9 – Biodiversity and Geological Conservation

PPG13 – Transport

PPS5 – Planning and Historic Environment

PPG17 – Planning for Open Space, Sport and Recreation

PPS23 – Planning and Pollution

PPG24 – Planning and Noise

PPS25 – Development and Flood Risk

##### 5.2 East Midlands Regional Plan

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application. However, Cala Homes have indicated that they propose to challenge this decision at the Court of Appeal.

Policy 1 – Regional Core Objectives

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development

Policy 13b – Housing Provision (Northamptonshire)

Policy 14 – Regional Priorities for Affordable Housing

Policy 17 – Regional Priorities for Managing the Release of Land for Housing

Policy 26 – Protecting and Enhancing the Region's Natural and Cultural Heritage

Policy 28 – Regional Priorities for Environmental and Green Infrastructure

Policy 29 – Priorities for Enhancing the Region's Biodiversity

Policy 32 – A Regional Approach to Water Resources and Water Quality

Policy 35 – A Regional Approach to Managing Flood Risk

Policy 36 – Regional Priorities for Air Quality

Policy 39 – Regional Priorities for Energy Reduction and Efficiency

Policy 40 – Regional Priorities for Low Carbon Energy Generation

Policy 41 – Regional Priorities for Culture, Sport and Recreation  
Policy 43 – Regional Transport Objectives  
Policy 45 – Regional Approach to Traffic Growth Reduction  
Policy 46 – A Regional Approach to Behavioural Change  
Policy 48 – Regional Car Parking Standards  
Policy 49 – A Regional Approach to Improving Public Transport Accessibility  
Policy 53- Regional Trunk Road Priorities  
Policy 54 – Regional Major Highway Priorities  
Policy MKSM SRS Northamptonshire 1  
Policy MKSM SRS Northamptonshire 2

### 5.3 MKSM Sub-Regional Strategy Strategic Policy 3- Sustainable Communities

5.4 North Northamptonshire Core Spatial Strategy  
Policy 1 – Strengthening the network of settlements  
Policy 6 – Infrastructure Delivery and Developer Contributions  
Policy 7 – Delivering Housing  
Policy 9 – Distribution and Location of Development  
Policy 10 – Distribution of Housing  
Policy 13 – General Sustainable Development Principles  
Policy 14 – Energy Efficiency and Sustainable Construction  
Policy 15 – Sustainable Housing Provision

### 5.5 Northamptonshire County Structure Plan No relevant saved policies.

5.6 East Northamptonshire District Local Plan  
GEN3 - Infrastructure, Services and Amenities  
H4 - Housing Types and Sizes  
RL3 – Open space for New Development  
RL4 – Play areas for New Development

5.7 Other Relevant Policies / Documents  
Rural North, Oundle and Thrapston Plan (Inspector's modifications 8 July 2009)  
The Rural North Oundle and Thrapston Plan went through an examination process in 2008 and 2009. Following this examination on 8 July 2009 the Inspector found the document sound. However, as yet the Council has not adopted the Plan as a Development Plan Document as such the Council is still treating the document as emerging policy.  
ENC SPD – Developer Contributions  
NCC SPG – Crime and Disorder  
NCC SPG – Parking  
North Northamptonshire Sustainable Design SPD  
North Northamptonshire Annual Monitoring Report, December 2009  
Safer Places – the Planning System and Crime Prevention 2004

### 6.0 Planning History

- 6.1 EN/10/01893/FUL – Residential development for 145 dwellings- decision pending.
- 6.2 EN/94/00182/OUT - Residential development. Outline planning permission approved 25.02.1997.
- 6.3 EN/96/00855/REM - Residential development (144 houses) and estate road. Reserved Matters approved 11.07.1997.
- 6.4 EN/99/00386/REM - Residential development (24 houses - change of house types). Approved 23.09.1999.

6.5 EN/00/00294/FUL - Change of house type (Plot 15). Approved 03.07.2000.

7.0 Consultations and Representations

7.1 ENC Planning Policy: No policy objections.

7.2 ENC Housing Strategy: The proposed affordable housing provision is in line with current policy. The affordable dwelling types are predominantly (65%) smaller dwellings, which fits with the requirements for Oundle. The layout, tenure split and housing mix is acceptable.

7.3 ENC Design and Landscape Officers: Initial concerns / concerns summarised as follows:

- Location and nature of some planting.
- Location, size and shape of the LEAP which dominates the eastern portion of the open space and creates a visual barrier between the two areas.
- Concept of mown path within the open space is well founded – further details required regarding composition of grass as well as that around the tree at the western end of the open space.
- Varying stock sizes should be used for tree planting.
- Clarification required regarding which trees are to be retained together with protection measures.
- Further details required of hard surfacing around trees.
- Retention and reduction in height and width of existing hedgerows.
- Reduce reliance on standard house-types.
- Enhance legibility of the site.
- Reduce the rear parking courts.
- Revise position of LEAP / orientation of surrounding development to ensure it is well overlooked.

Following the receipt of amendments, the Design Officer is satisfied that issues regarding the built form and its relationship to the streets have been resolved. Similarly, concerns about the boundary treatment around the open space area have now been resolved as the proposed hedge and railing treatment has been replaced by low bollards.

7.4 ENC Environmental Protection Officers: No objection subject to conditions in respect of contamination, noise / dust and air quality.

7.5 ENC Waste Manager: Various comments regarding waste storage and collection. These matters are discussed in the relevant section below.

7.6 NCC Archaeology: No objection subject to a condition relating to the investigation and recording of any remains that would be affected should permission be granted.

7.7 NCC (Developer Contributions Project Manager): request contributions towards education, fire and rescue resources and fire hydrants and library services.

7.8 NCC Fire and Rescue: request contribution per household towards local fire and rescue infrastructure costs. Development would require up to three fire hydrants which should be designed into the development – condition suggested.

7.9 NCC Highways: At the time that the application was last reported to Committee Highway Officers had no objection subject to conditions and a s106 agreement to secure public transport infrastructure enhancements. In the meantime however, Highway Officers consider that the TA is based on out of date information and now needs to be revised by new traffic counts to be presented in an addendum to the TA.

7.10 Anglian Water Services: No objection to the revised Flood Risk Assessment. There is capacity within the existing sewerage infrastructure for the development at Creed Road.

7.11 Environment Agency: No objection subject to conditions relating to flood risk, environmental infrastructure (foul water drainage) and groundwater and contaminated land.

7.12 Highways Agency: No objections to the proposal.

7.13 English Heritage: The application should be determined in line with national and local policy guidance and on the basis of your specialist conservation advice.

7.14 Eon (Central Networks): No objection.

7.15 North Northants Badger Group: No objection.

7.16 NNJPU Sustainable Design Advisor: No objection subject to condition.

7.17 Northamptonshire Wildlife Trust: No objection; various comments which are discussed in more detail below.

7.18 Natural England: No objection subject to conditions.

7.19 Northamptonshire Primary Care Trust: A capital contribution of £76,560 is required towards healthcare. This will be secured via a S106 agreement.

7.20 Northamptonshire Crime Prevention Officer: No objection - comments summarised as follows:

- With regards to rear parking courts, recommend that some fencing is amended to increase surveillance into these areas. For example, use of 'hit and miss' or 1500mm close boarded fencing with 300mm trellis topping. All rear access to be lockable.
- Lighting details should be provided including for the vehicle parking areas, private drives and public open space.
- Landscaping details to incorporate dense defensive planting where necessary i.e. against blank walls and fences.
- Two roads with hammer heads to north of site need to have knee rail height post and metal fencing to prevent unauthorised vehicular movement on public open space.
- Communal door sets should be access controlled.
- Bin and cycle stores should be securely lockable.
- Ideally full Secured by Design accreditation should be sought as a minimum requirement. Request that condition be imposed if approved to require secure doors and windows.

7.21 Oundle Town Council: Objections received in response to initial consultation in respect of the following:

- Density is too high.
- Highways issues: limited access to the site via existing development; impact on Cotterstock Road junction; provision should be made for immediate or future access from Benefield Road; existing parking problems at Creed Road would be exacerbated; the access passes a children's play area; effects of construction traffic on existing estate roads.
- Flooding: existing development has caused flooding in surrounding areas; appears to be no plans to ameliorate negative effects of further housing.
- Insufficient open space provision.
- S106 contributions proposed are inadequate.

Further objections have been received from Oundle Town Council in response to the re-consultations following the receipt of further information in January 2010:

- Local policy context: since the initial consultation response, the RNOTP as amended by the Government Inspector has been rejected by ENC. The grounds for rejection included the watering down of core principles to address infrastructure shortfalls, before any such development would be approved. The planning application should be rejected until analysis has taken place and action taken to bring services to an acceptable level. This is a

substantial development in a town with limited employment facilities.

- The density is too high and significantly higher than the existing estate to which it is attached.
- Highways issues: insufficient time to consider the revised transport assessment and concerns regarding some of the data within it; no consideration of parking within the new development and the town; considerable parking issues on existing Creed Road development which would be exacerbated in new development with additional density proposed; would significantly impact on existing lack of parking facilities in the town; risk to safety and danger to children in any access/egress through current site.
- No specific proposals to provide cycle facilities to access the town to contribute towards modal shift.
- Existing residents were told that access to new development on this site would be via Benefield Road, which influenced their decision to purchase their houses. Request that this be investigated. Request that a permanent access to the site be provided via Benefield Road.
- S106 contributions: insufficient time to consider education requirements; proposed healthcare provision is unsubstantiated and being questioned; library provision is unexplained; recreation provision is still uncertain.
- Request delay to the consideration of the application to enable time for the research and consultation to take place.

7.22 Sport England: Various comments regarding on-site and off-site open space and sports facilities provision. These matters are discussed in the relevant section below.

7.23 Fletton House Community Resource Centre, Oundle: Request s106 contributions.

7.24 Petition received with 60 signatures in support of a temporary haul route for construction traffic direct from Benefield Road to the site (imposed as a condition of planning permission) for reasons for highway safety (including for pedestrians) and amenity.

7.25 Louise Bagshawe MP has also objected, citing impact on local roads, traffic volumes, town centre car parks and strain on infrastructure including medical facilities.

7.26 Cllr Reichhold has written to express his views on the proposal, confirming that whilst the RSS has been revoked current planning applications have to take account of the housing figures in the North Northamptonshire Core Spatial Strategy. He supports Oundle Town Council's suggestion to limit the development to 100 rather than 145 dwellings. Cllr Reichhold reiterates many of the concerns expressed by residents in terms of lack of infrastructure, and traffic problems as set out in the Neighbours section, below.

7.27 Cllr Bateman has written to the Highway Authority making suggestions about improved pedestrian and cycle facilities along Glapthorn Road, central parking and a contribution to a mini bus service.

7.28 Neighbours: Letters from 53 households have been received. The comments, concerns and objections raised are summarised as follows:

- The decision should be delayed until after the RNOTP is agreed.
- There are too many unanswered questions about Oundle's infrastructure to allow the approval of a major planning application at this stage.
- The wording of the draft policy is unhelpful as it is loosely defined and open to interpretation.
- Is the sequence for development in Oundle Ashton Road first and then Creed Road? Why has this changed?
- The consultation on the RNOTP has not given residents adequate opportunity to assess the potential impact of this major development.
- Development is contrary to Core Spatial Strategy Policy 6 in that it fails to propose adequate mitigation for the impact of the development on surrounding infrastructure services and facilities.
- Concerns about noise and pollution from additional traffic – in particular construction

traffic. Hours of construction should be imposed.

- Traffic queues at access to the site to turn into Glapthorn Road at peak times in the morning at present; if another 145 dwellings are added to this the road would not cope at this time of day.
- Additional traffic would make the roads unsafe for children to play outside.
- Hillfield Road and Creed Road cannot provide adequate access to the new development.
- Increased noise and dirt from additional traffic including construction vehicles.
- Alternative access should be considered via Benefield Road.
- Concerns regarding impact of construction traffic on safety of children and others.
- Access would require two sharp 90 degree turns and negotiation of a quiet roundabout. Route is next to an under 10s playground and crosses a walking route for school children.
- Risk of piecemeal decisions relating to location of development in Oundle would have an adverse cumulative effect on traffic.
- Concerns regarding capacity of Hillfield Road and Creed Road to cater for additional traffic; roads are narrow and constrained by design and cars are often parked on either side of the road.
- Concerns regarding impact on New Road from people using this to access A605. Suggest one-way system could be considered.
- Traffic calming measures are required in Hillfield Road and Creed Road due to speed of vehicles using these routes; more traffic would increase these problems.
- Proposed development would create a 'rat-run'.
- The road network in Oundle cannot take traffic from the scale of this development.
- Creed Road already struggles with parked cars, which creates traffic flow issues and access problems for larger vehicles and emergency vehicles.
- Existing problem with loose manhole covers; increased traffic would further deteriorate quality of roads.
- Walkways and paths as well as Glapthorn Road are already in need of repair and the increased vehicle and foot traffic would add to this.
- New development would be better placed within easy access to A605 as majority of people travel to work outside Oundle.
- Inadequate parking allowed in the development – would result in increased on street parking.
- Already insufficient parking in town centre.
- Development would put an extra burden on already overstretched parking capacity in Oundle. Would adversely affect local traders as more people would travel to Corby or Peterborough to shop as they would not be able to park and 'pop' to the shops in Oundle.
- Public transport to the wider area is poor – no rail service within 10 miles of the town and no buses to local market towns such as Stamford.
- A605 is already overburdened with local traffic and significant volumes of large lorries.
- The 145 new houses would have a disproportionately adverse effect upon the roads of Oundle and its environs.
- There is no green route (walking / cycling) linking the Pavilions or new development to Oundle town centre – the development would push more children onto Glapthorn Road – this fails H&S environmental tests.
- New access road linking new development to Benefield Road would result in loss of green fields and future pressure to build along the new road.
- The cul-de-sac form of the existing development should be continued rather than create a racetrack.
- Development of low cost housing in the villages is a priority.
- Insufficient services to accommodate new development. Ambulance station has closed, fire station has previously been proposed to be closed, lack of police on the streets.
- Facilities in Oundle have reached their optimal level - such as schools, health provision, emergency services, public transport, parking, water and sewerage facilities.
- New medical and dental facilities would be required.
- There is no 24 hour police presence in Oundle.
- Plans show plot 1 immediately adjacent to 63 Creed Road. Proximity of the new dwelling would significantly reduce natural light into the adjacent house and the garden and

rear windows would become shadier. The new dwelling would also overlook the back garden and rear rooms of 63 Creed Road.

- Two dwellings proposed to rear of 61 Creed Road would result in loss of light to garden and rooms at the rear of the house and would cause overlooking.
- Concerns regarding loss of light and overlooking towards 21 Monson Way, together with loss of outlook.
- Concerns regarding impact of potential fencing on light to 19 Monson Way.
- Concerns regarding loss of light to neighbouring / surrounding dwellings and proximity to existing boundaries.
- Concerns regarding overlooking towards existing dwellings.
- The hedge should remain behind the existing properties.
- Request that open land should run along the boundaries to have a lower impact on existing properties.
- Loss of private view from houses facing towards the site which is currently open land.
- Density of proposed development is too high.
- Throughout consultation on RNOTP scale of suggested development was 125 dwellings. The RNOTP was only altered at examination on the basis that an application has been submitted for 145 dwellings, which was not the subject of any public consultation. Density is out of keeping with the character and nature of the development, in the surrounding area and in Oundle as a whole.
- Plans should be a 'mirror image' of existing development; these plans are inappropriate for a semi-rural site on the edge of greenfields.
- Development fails to respect the guidelines set out in PPS3 in terms of being well integrated with the area in terms of scale, density, layout and access.
- Development is not of a high standard of design, architecture or landscaping or reflects the environmental character of the area, contrary to CSS Policy 13.
- Lack of amenities and transport would increase carbon footprint of the town.
- Persimmon is trying to obtain planning permission ahead of the new building regulation Part L (conservation of fuel and power) scheduled for October 2010 that would require them to increase the energy performance of dwellings by another 25%. The social housing would need to comply with code level 4 rather than level 3. The Council has a duty to reduce carbon emissions and achieve a 70% CO2 reduction by 2050. If this application is approved the Council is contributing to 145 dwellings at the current targets rather than the known new energy targets, perpetuating poor energy performance.
- Contrary to CSS Policy 14 as it does not incorporate sustainable construction and energy efficiency techniques.
- Sewage system has had problems in the past year.
- The current sewage route is to the main sewer in Glapthorn Road which is reportedly nearing capacity.
- The site should have separate drainage to Benefield Road.
- Development would put further stains on drainage and sewerage systems.
- Increased coverage of land by buildings and roads would result in a decreased ability to absorb rainfall. Concerns that surface water would run off from new development through Hillfield Road and Creed Road and into lower lying areas of Oundle.
- Further construction on this site would lead to further issues with flooding to housing on Glapthorn Road.
- Existing drainage ditch runs along course of southern boundary of 21 Monson Way and currently takes run-off from existing fields and is often full. Proposal would exacerbate potential risk of flooding at adjacent properties at Monson Way.
- Not clear whether the proposed development would impact upon an existing substation adjacent to 21 Monson Way; possible impact in terms of size and noise if altered. .
- A Town wide traffic survey should have been carried out in accordance with RNOTP
- The traffic surveys that have been carried out are inaccurate
- Persimmon were unable to build all the houses they planned on the last phase behind The George Inn because the junction was deemed unsafe
- Cycling problems – use of pavements. A cycle path should be provided along Glapthorn Road.
- Inadequate access to Glapthorn Road and failure to provide access from Benefield

## Road

- Posts along Milton Road – makes dropping off young children difficult
- Access to surgery difficult
- Suggest provision of car park adjacent East Road
- Access for construction traffic
- To far from town for walking
- Potential damage to listed buildings
- Damage to roads
- General appearance of Oundle being spoilt
- Increased pollution
- Conservation Areas being ruined
- Putting more houses on the edge of Oundle is not sustainable
- Proposal is for far more houses than should be allowed – if the pattern of existing development were followed there would be 65-70 houses
- Wrong place for first time buyer and affordable homes as there is no bus service
- Persimmon and Bovis homes are notoriously low specification
- Creed Road and Herne Road proposals would increase the population of Oundle by 25%
- Need for more school places
- Lack of public transport – money should be made available to run a subsidised bus preferably driven by electricity
- Water/sewage supplies – a copy of a letter of complaint to Anglian Water has been submitted. Also highlighted that work has had to be carried out at the pumping station
- More flooding
- Insufficient local employment
- Leisure facilities for teenagers- increase in vandalism
- Adequacy of local food supplies
- Mud on the roads during the construction phase will result; Persimmon did not clean this up as promised on Phase 1,
- Reducing the hours of construction will increase the length of time of the disruption,
- Change in Government. Labour was trying to destroy Green Belt. Previous Regional Strategies and Core Spatial Strategies are no more. There is no longer a need to meet imposed targets. Other authorities have set aside Core Strategies.
- Better sites nearer the town centre. These would be greener and encourage walking
- Provision should be made on the estate for a shopping area; preferably owned and run by local people
- Money should be raised by providing a levy/roof tax of £20,000 as has been done in Milton Keynes.
- Even if the Council exercises its right to levy a Community Infra-structure Levy (CIL) this will be insufficient to meet Oundle's infra-structure needs.
- The green credentials of the estate should be considered further – is it right to allow a large development without the dwellings being built to the standard that will be mandatory in 6 years.
- Increased traffic will lead to climate change
- The minutes of the meeting are incorrect since they do not reflect what happened.
- Concerned that a decision to reject the proposal has been ignored
- The amount of neighbour notification carried out is questioned

## 8.0 Evaluation

The following issues are relevant to the determination of this application: principle of development; impact on highway network, means of access to the site and related highway matters; loss of agricultural land; the layout and design of the proposed development; housing mix; water resources (including flooding and drainage); ecological issues; archaeology and cultural heritage; noise, dust, contamination and air quality; effect on residential amenity; waste management; sustainable design and construction; the level of contributions required towards social and community infrastructure (s106); any other material planning considerations.

## 8.1 Principle of Development

8.1.1 MKSM Northamptonshire Policy 1: The Spatial Framework (East Midlands Regional Plan, March 2009) identifies that beyond the main urban centres (such as Corby, Wellingborough and Kettering) development should be focused in smaller towns, such as Rushden, Higham Ferrers and Irthlingborough and the rural service centres of Oundle, Raunds and Thrapston.

8.1.2 Policy 10 of the North Northamptonshire Core Spatial Strategy sets out the distribution of new housing and states that development plan documents will make provision for the stated amounts of housing development (net new dwellings) in the named settlements. For Oundle, the indicative housing requirement up to 2021 is 610 (though this will have been reduced by the completions between 2001 and 2009; 170 units having been completed up to 31 March 2009 (2009 Annual Monitoring Report)).

8.1.3 The existing development at Creed Road was allocated within the East Northamptonshire Local Plan 1996 (Policy OU1) and constructed during 1999/2000. This document stated that the land to the west of the allocation OU1 was considered to have long terms potential for residential development and indicated a protected access point to the site from allocation OU1 on the associated Proposals Map.

8.1.4 The application site was then put forward as an allocation in the Rural North, Oundle and Thrapston Plan (Inspector's Modifications, 8 July 2009) for residential development (145 dwellings, Policy OUN3). The Rural North, Oundle and Thrapston Plan went through an examination process in 2008 and 2009. Following the examination on 8 July 2009, the Inspector found the document to be sound.

8.1.5 A final version of the Plan incorporating the Inspector's Modifications (8 July 2009), together with the Inspector's Report, was presented to the Planning Policy Committee on 27 July 2009. The Planning Policy Committee raised concerns with the Inspector's Report, these concerns related to two particular issues: firstly the amendments to Oundle Infrastructure Policy OUN1; and secondly changes made to settlement boundaries. It was resolved at a subsequent meeting of the Committee (29 October 2009) that the Council should write to the Secretary of State to request a modification to the Rural North, Oundle and Thrapston Plan before its adoption. This letter was finalised and sent to the Government Office for the East Midlands (on behalf of the Secretary of State), on 18 March 2010 (and a holding response has now been received).

8.1.6 As yet the Council has not adopted the Plan as a Development Plan Document (DPD). In view of this matter, legal advice was sought as to the Plan's status and it was advised that this can be regarded as an emerging policy and is a material consideration.

8.1.7 The Planning Policy Committee has not, however, raised any concerns about the proposed allocation of the Creed Road site itself in the Plan. Indeed, this was extensively analysed during the Examination of the Rural North, Oundle and Thrapston Plan. Given the application site's status as a housing land allocation contained within a site allocations DPD which has been found sound by an Inspector and therefore to which considerable material weight can be attached, it is considered that the Creed Road site should be regarded as if it is allocated within an adopted DPD.

8.1.8 On the basis of the above, it is considered that the redevelopment of land to the west of Creed Road for residential development is acceptable in principle subject to the detailed considerations below.

## 8.2 Means of Access, Impact on Highway Network and Related Highway Matters

8.2.1 Access to the site is proposed via the existing development at Creed Road and Hillfield Road, which in turn is accessed off Glapthorn Road.

8.2.2 A Transport Assessment (TA) accompanies the application. The TA originally submitted was dated November 2009. A request from the Highway officer to set out the information in a simpler form to be more accessible to non-technical readers resulted in an updated TA (dated January 2010) being submitted for the latest application 10/1893/FUL. This version of the TA however has not been submitted to support this application as it essentially replicates the technical information in the TA of November 2009. Both versions of the TA are based upon a baseline transportation assessment produced in June 2008. This concludes that the site is in a sustainable location, that the site can be appropriately accessed and that the residential development of the site would have no negative impact in terms of congestion.

8.2.3 The effect of the development on the local highway network, including in combination with other planned developments in the town, primarily that at Herne Road, is of considerable concern to Oundle Town Council. Local residents have also raised concerns regarding the impact of the development on the highway network. An alternative access to the new development from Benefield Road has also been suggested by residents. As this would involve land not in the applicant's ownership or control it cannot be delivered.

8.2.4 The TA includes an assessment of the capacity of the Glapthorn Road / Hillfield Road junctions; the use of Springfield Road as a potential rat-run between Glapthorn Road and New Road; and the cumulative impact of the scheme with development at Herne Road, which has been identified within the emerging RNOTP.

8.2.5 Whilst the suggestion of an alternative access via Benefield Road is acknowledged, the Council must consider the proposal as submitted. The developer has demonstrated that the existing access is suitable and it would not therefore be appropriate to refuse planning permission on the basis that an alternative means of access (i.e. from Benefield Road), as a haul route or permanent approach is desirable. The Highway Authority has also commented on the previous application (09/0611/FUL) that as such a facility has not been included within site area; it would be unable to recommend any conditions being imposed on third party land, whilst outside the control of the applicant as it is at present. Furthermore policy OU1 of the East Northamptonshire Local Plan 1996 included a protected access point to the site from the (now) existing development at Creed Road. It should also be noted, that aside from the potential adverse visual impacts of an access from Benefield Road and the application site, this could lead to pressures for additional development between the new road and the existing built form of the town in future.

8.2.6 The Highway Officer has stated that the TA (November 2009) is based on out of date information as the original traffic counts were carried out in 2006 with subsequent traffic counts carried out in 2008 to form the baseline position which has been used as a basis for extrapolating the likely increase in traffic as a result of the housing growth for Oundle. Highway Officers have stated that further traffic survey work is required to update the information contained in the TA. Whilst remaining of the view that the TA is not out of date, the applicant has nevertheless agreed to carry out further traffic counts to confirm the traffic growth rates. This information and analysis will be reported to committee together with the final comments of the NCC Highway Officer.

### Public Transport and Cycle Network

8.2.7 The TA (November 2009, para.2.14) states that due to geometrical constraints along Creed Road it is not practical for a bus to be routed into the site. It is therefore not possible for all of the dwellings on the site to lie within the recommended 400m of a bus stop. However, in order to help increase take up of existing bus services and reduce the effects of

vehicle usage, the Highway Authority has recommended that two further stops along the X4 route be provided with Real time Information Boards and in addition that a Real time Board is located within the development or at a suitable location that would also benefit existing residents. This sign could be linked up to the four stops that would have such facilities and residents would be aware of when and where to catch buses to Peterborough and other nearby towns. Whilst the Highway Authority notes that the bus stopping facilities in Oundle for the X4 route are not currently fitted with Real time Information Boards, it has indicated that two central stops, (one inbound, one outbound) will shortly be upgraded to take Real time facilities. However there are another four X4 stops without such facility. The Highway Authority has requested that the applicant be required to provide a contribution to Northamptonshire County Council for these facilities through a s106 agreement.

8.2.8 As noted by the Highway Authority, the applicant has not proposed measures to enhance the existing cycle facilities in the town. However the Highway Authority is satisfied that the additional cycling movements resulting from the development would not create situations to the detriment of highway safety and that the lack of such enhancements to cycle facilities would not be a reason for refusal of planning permission.

### Parking

8.2.9 Oundle Town Council has raised concerns regarding the proposed parking provision and has stated that existing parking problems at Creed Road would be exacerbated. Furthermore, the Town Council and local residents have concerns that the proposals would significantly impact on the existing parking facilities within the town centre.

8.2.10 The application proposes a total of 218 spaces, which equates to 1.5 per dwelling. This is in line with Policy 6 of the emerging RNOTP, which states that for new residential development an average maximum residential parking standard of 2 parking spaces per dwelling will apply.

8.2.11. Since the application was last considered, changes to PPS13 have relaxed the policy on parking in relation to small developments, that is, those below the relevant thresholds. PPS 13 states that Local authorities should use their discretion in setting the levels of parking appropriate for small developments so as to reflect local circumstances. The relevant annexe D in PPS13 refers to maximum parking thresholds for town centre uses rather than residential, to promote sustainable transport choices. However, the current proposal is for major development. PPS13 states that developers should not be required to provide more spaces than they themselves wish other than in exceptional cases. The application includes a Travel Plan which seeks to achieve a modal shift and encourages cycle and pedestrian travel as an alternative to the car. It is considered that the current package of measures included with the application is in accordance with this policy.

8.2.12 The concerns regarding parking within the town centre are noted; however, it is not considered that the proposed development would impact so significantly that it would warrant the refusal of planning permission in this instance. Notwithstanding this, it is worth noting that the issues of town centre car parking have been recognised as a major concern throughout the Rural North, Oundle and Thrapston Plan process (2005-9). These issues were identified as the top priorities for the town in the 2007 Oundle Health check. It is proposed in the Plan (Inspector's Modifications document, paragraphs 8.22-8.24), that the Milton Road school site could be used as car parking if the primary school needs to be relocated."

### Travel Plan

8.2.13 An Indicative Travel Plan Strategy (TP) has been submitted in support of the proposals. The purpose of the TP is to set out a long term strategy for reducing dependence on the private car in favour of more sustainable modes of travel, in line with Government policy objectives. The types of proposals being considered as part of the plan are:

- Awareness and marketing campaigns aimed at encouraging the use of non-car modes

to access the site through residents' welcome packs.

- Make available cycle and pedestrian facilities to access the site by a suitable footpath network.
- Car share schemes.
- Provision of a £100 bicycle voucher per dwelling as part of the purchase.
- Installation of bicycle racks within the town (dependent upon availability of third party land).

8.2.14 The TP has highlighted that the appointment of a Travel Co-ordinator would be required and their role would be to implement, monitor and modify the Travel Plan.

8.2.15 The target for the TP would be to reduce single occupancy cars to the site by achieving a 20% modal shift towards more sustainable transport choices. The provision, agreement and implementation of a Final Travel Plan can be secured through the s106 agreement.

### Environmental Impacts

8.2.16 Oundle Town Council, together with local residents, has raised concerns regarding the environmental impacts of the proposal including the effects of construction and operational traffic once the development is complete, on the safety of existing residents at Creed Road. In particular the safety of children, noting the location of the existing play area adjacent to Creed Road on the northern side of the development. This is acknowledged and a condition is suggested to restrict the hours of plant and material delivery to between 9.15am and 3.00pm to help reduce any potential conflict between construction traffic and other users of the highway network at school peak period travel times.

8.2.17 Concerns have been expressed about increased dirt on nearby roads. A condition is suggested to require wheel cleaning prior to construction traffic leaving the site and to ensure that operational vehicles are appropriately sealed / covered to prevent material spillage, wind blow and odour nuisance

8.2.18 Concerns have also been raised regarding the impact of increased noise from additional traffic associated with the development as well as impacts upon air quality. Environmental Protection Officers consider that the additional traffic arising from the development would not cause the local air quality to exceed statutory levels. They also consider that the operational traffic (cars) arising from the completed development, would not be likely to generate significant increases in noise; however, they note that Northamptonshire County Council is the regulating Authority for road/traffic noise. PPG24 sets out noise exposure categories for new dwellings near to existing noise sources, but it was not felt necessary to request any assessment for noise under this legislation in this area as the traffic flow is not likely to impact on the new dwellings. This sort of assessment would be more relevant if development was proposed near to the A14 for example.

8.2.19 The Highway Authority is satisfied that the development would not give rise to a significant increase or excessive amount of vehicle queuing within the vicinity of the site or wider town, which is where problems of traffic noise and air quality issues can arise. Furthermore, given the nature and location of development, traffic speeds would be fairly slow and would not therefore be likely to give rise to problems often associated with high vehicle speeds or higher speed acceleration for instance.

8.2.20 Traffic surveys carried out in morning and afternoon peak periods suggest that there is not an unacceptable amount of traffic using Springfield Road as a "rat run". The additional vehicles resulting from the development of the Creed Road site would not unduly exacerbate this to an unacceptable degree.

8.2.21 On the basis of the above, it is considered that it would be extremely difficult to argue that the additional traffic resulting from the development would harm residential amenity.

### 8.3 Loss of Agricultural Land

8.3.1 PPS7 acknowledges the importance of the rural economy and the environmental, economic and social value of the countryside, and provides the broad policy context for the consideration of the loss of agricultural land within the development control process. It refers to the quality of agricultural land as a material planning consideration and where the best and most versatile land is present; it highlights the need to take this into account alongside other sustainability considerations. Where significant loss of agricultural land is unavoidable, local planning authorities should seek to use land of poorer quality, except where this would be inconsistent with other sustainability considerations.

8.3.2 The site is currently agricultural land and it is understood from the applicant that the land is Grade 3.

8.3.3 On balance, given the very small scale of the site (just over 4 hectares) the loss of a very limited area of agricultural land is not considered to outweigh the need for the development in order to meet regional and local growth targets, particularly as the site has been identified as a sustainable allocation within the Rural North, Oundle and Thrapston Plan (Inspector's Modifications, 8 July 2009). It is concluded that the loss of such a small area of agricultural land is not significant in the local, regional or national context.

### 8.4 Housing Mix and Density

8.4.1 PPS3 has recently been amended to remove reference to minimum densities for housing. However paragraph 46 of PPS3 requires, local planning authorities to develop density policies having regard to:

- Spatial vision and the strategy for housing development, including the level of demand and need and availability of suitable land
- Current and future level of infra-structure, services and facilities
- Desirability of using land efficiently
- Characteristics of the area
- Desirability of achieving high quality well designed housing.

8.4.2 The proposed density of the development is 35 dwellings per hectare. At 35 dwellings per hectare the density is fairly low, although the density of the existing development does equate to approximately 21.5 dwellings per hectare. The proposed density represents a balance between respecting the characteristics of the area whilst at the same time as making efficient use of land. Policy OUN3 of the emerging RNOTP states that the site at Creed Road could accommodate around 145 dwellings, associated infra-structure and open space. Your Officers' view therefore is that the removal of minimum densities makes no difference to the recommendation that planning permission should be granted.

8.4.3 Saved policy H4 of the East Northamptonshire Local Plan 1996 requires that development incorporates a mix of dwelling types and styles. In addition, policy 8 of the emerging Rural North, Oundle and Thrapston Plan (Inspector's Modifications, 8 July 2009) should include a mix of housing types to take account of local need. The following mix of units is incorporated within the development:

Unit Size / Type	Market Housing	Affordable Housing	Total
1 Bed Flats	-	12 (*6)	12
2 Bed Houses	10	26 (*12)	36
3 Bed Houses	42	14 (*11)	56
4 Bed Houses	35	6 (*1)	41
Total	87	58 (*30)	145

\* denotes the number of those which are to be rented; the remainder would be shared

ownership

8.4.4 The development proposes a balanced mix of housing sizes, types and tenures. As noted above, the proposals include 40% affordable housing, which is in line with current policy. The Council's Housing Strategy Manager is satisfied that the proposals fit the requirements for Oundle, including an appropriate tenure ratio for the town and split between small, medium and large dwellings, in line with policy 8 of the emerging RNOTP.

8.4.5 In light of the above and given the site's sustainable location relatively near to the town centre of Oundle, it is considered that the proposed density is acceptable.

## 8.5 Layout and Design

8.5.1 The layout and overall design of the scheme is considered to be acceptable. It appears to have been generally well thought out within the context of the existing development at Creed Road. Pre-application discussions took place prior to the submission of the application, and it is understood that many elements of the design and layout were agreed at that stage. However, officers have continued to work with the applicant since the submission of the application, to improve the overall design.

8.5.2 The access roads into the site form a continuation of the existing roads (Creed Road and Hillfield Road) and the central area of open space within the existing site would continue through the new scheme towards the open countryside beyond. The dwellings have been laid out in a block structure to provide active street scenes, with parking provided on plot and in rear courtyards. The higher density development is proposed to the north of the site which follows on from the existing development whereby the density is higher along Creed Road than on Hillfield Road. Lower density housing is proposed along the southern and western boundaries to help provide visual transition from the adjacent playing fields and open countryside. Whilst the density proposed is higher than the existing adjacent development, it is in line with national and local policy and the new scheme would largely follow the general form of the existing estate.

8.5.3 In terms of scale, most of the dwellings proposed would be two storeys high, to reflect the adjacent development which wholly consists of two storey units. A small number of 2.5 and three storey units are proposed (the proposed flats at Plots 26-33 and 64-69 are three storey, whilst three terraces of three dwellings are 2.5 storeys together with one pair of semi-s and four detached dwellings).

8.5.4 The Design and Access Statement identifies three character zones within the development: the 'open space edge', whereby development facing onto the open space helps to bring emphasis to the open space area; 'enclosed street zones', where houses are arranged to maximise surveillance and activity in the street; and 'green edge' on the western side, where the built form is arranged more loosely and faces towards the open countryside.

8.5.5 The designs proposed for the house types are generally standard; although this is reflective of the existing adjacent development. Following discussions with the design officer, the applicant has revisited some of the elevational designs in order to provide focal points within the development and reduce the number of blank side elevations facing into the street scene in particular. Full details of the materials palette, including samples can be required by way of condition if the application were approved, in order to ensure that it appropriately blends with the existing adjacent development.

8.5.6 Unlike the existing estate, the proposal includes a vehicular link between the northern and southern sides of the development. It is understood that this approach was developed following pre-application discussions with officers and the Local Highway Authority. The application also states that the design concept emerged from the public consultation undertaken before the application was submitted. Whilst a link between the two sides of the site is generally supported, it is considered that the approach proposed is extremely formal and somewhat contrived, and gives priority to vehicles rather than pedestrians and cyclists. It

is considered that an improved design solution could be found which minimises the need for artificial features such as bollards. As such, it is recommended that plans for the final design of the crossover between the two sides of the site be submitted and approved by way of condition.

8.5.7 The LEAP is proposed to be located to the eastern end of the central open space in order for it to be centrally accessible for existing and new residents. The surrounding dwellings have been orientated to afford surveillance over the open space.

8.5.8 The landscaping details of the central open space have been revised following officer negotiations with the applicant to show low bollards around the southern edge of the public open space in preference to railings or hedging. This will allow for easy access to the space for residents and provide a more informal appearance.

8.5.9 No details have been submitted of the planting species or sizes to be used in the proposed central open space area. A condition is suggested to cover this element.

8.5.10 With regards to the continuation of the existing central area of open space, the supporting documentation states that would be very well overlooked and would link the main pedestrian and cycle routes into the existing development, but be detached from the principal vehicle movements. Unfortunately, the area of open space within the existing development has not been provided in accordance with the originally approved plans, which included a path through the open space. This matter is currently being investigated by planning enforcement officers; however, in the interests of providing a coherent solution to the new and existing area of open space, the applicant has included the existing site (incorporating the previously approved path) within the Landscape Concept. It is therefore anticipated that if planning permission is approved for this scheme a comprehensive landscaping solution relating to the existing and new area of open space will be implemented, including the key elements such as the footpath from the originally approved plans.

8.5.11 The indicative landscaping details submitted in support of the application show the retention of the existing well established hedgerows around the periphery of the site. It is considered that these are important elements of the landscaping scheme as they would help to minimise the impact of the development upon nearby neighbours and also help to soften its visual impact whilst the new planting becomes established.

8.5.12 With regards to crime and disorder issues, whilst boundary screening details have been submitted with the application, the comments of the Northamptonshire Police Crime Prevention Officer are noted and it is recommended that final details of boundary screening, including materials samples where appropriate, be required by way of condition.

8.5.13. In addition, the comments of the Northamptonshire Police Crime Prevention Officer in respect of preventing vehicles entering the open space is noted and a suitable condition is recommended accordingly. The Officer has also requested that conditions be attached to any permission to require details of lighting to public and communal areas (including parking courts), and for the security of ground floor and easily accessible first floor doors and windows to meet specified standards to minimise opportunities for burglary and other crime. Appropriate conditions are recommended accordingly.

## 8.6 Water Resources

### Flood Risk

8.6.1 The application site lies within Flood Zone 1 which is defined by PPS25 as having a low probability of flooding. However, due to the size of the site and nature of the development a Flood Risk Assessment (FRA) has been submitted as there may still be a risk of flooding on-site and/or off-site if surface water run-off is not effectively managed.

8.6.2 PPS25 (E.9) advises that development proposals on Flood Zone 1 of one hectare or greater should be accompanied by a Flood Risk Assessment (FRA) and this FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed. In particular, for major development, the FRA should identify the opportunities to reduce the probability and consequences of Flooding.

8.6.3 The Environment Agency (EA) has assessed the FRA and has advised that the proposed development is acceptable subject to conditions relating to the following matters:

- A detailed surface water drainage scheme for the site in accordance with the amended FRA.
- A scheme for the provision of mains foul water drainage on and off site.
- Should contamination not previously identified be found to be present at the site, no further development shall be carried out until a remediation strategy has been submitted.

8.6.4 In addition to the above, the EA has noted that the pipes and hydrobrake would be adopted by Anglian Water. However, the detention zones would form part of the public open space and the EA recommends that the s106 agreement covers the adoption and maintenance for all elements of the surface water drainage scheme (which are not to be taken on by Anglian Water), to ensure surface water is managed in perpetuity.

8.6.5 It is considered that this matter can be adequately addressed within the s106 agreement. Whilst Oundle Town Council has indicated that it would be prepared to adopt the public open space, it would also be appropriate to ensure that should the land not be transferred and the adoption not take place (as has occurred at the adjacent Creed Road site), the developer would be required to set up a management company to maintain the area, including the surface water drainage systems.

8.6.6 The FRA concludes that the site is not at risk of flooding from external sources and there are no local surface water flooding issues on the land. Furthermore, it states that there would be a benefit arising in terms of the earlier development area at Creed Road; the outflow from the proposed scheme would be less than was previously anticipated and catered for within the capacity of the pipes laid down for the current estate (but also in anticipation of this scheme). As the rates for this site would be reduced to greenfield run-off it would effectively allow for increased storage volume in the earlier development sewers than was previously expected.

#### Water Supply, Drainage and Sewerage

8.6.7 Anglian Water has confirmed that there is sufficient water resource capacity to supply this development; however, improvements to the supply network would be necessary as there is no spare capacity in the Oundle area. In terms of foul flows, there is currently sufficient capacity within the foul sewerage network system to accommodate the development.

8.6.8 In addition to the above, Anglian Water has confirmed that the development can be accommodated within the public surface water network system which at present has sufficient capacity. Waste water would be treated at Oundle Sewage Treatment Works, which at present has available capacity for these flows.

8.6.9 Anglian Water has indicated that there are assets owned by Anglian Water or those subject to adoption agreements within or close to the development boundary and has requested that an informative be attached to the decision notice if permission is approved.

8.6.10 A number of residents have raised concerns about capacity of the local sewerage system and have referred to drainage problems in the vicinity of the site. Anglian Water has

confirmed that the flooding issues that have occurred relate to operational issues (not lack of capacity) such as blocked sewers caused by householders putting items down their drainage systems such as disposal nappies, oil and fats etc. We have also had a failure in a pumping station due to a mechanical problem which can happen at any time and this was rectified. Some of the flooding that has occurred is not always down to AW infrastructure, in heavy rainfall it has been found that some highway drains, private drains and runoffs from householder's gardens have drained back to AW systems causing an overload. The system is not designed to cope with this and as a consequence Anglian Water is subsequently blamed for the flooding.

## 8.7 Ecological Issues

8.7.1 An Extended Phase 1 Habitat Survey dated February 2007 was submitted with the application. This document has since been superseded by an updated Extended Phase 1 Habitat Survey dated August 2009.

8.7.2 The updated Survey August 2009 found that the arable land and habitats within the site have limited value and are typically of low botanical diversity with only common species present. It recommends that hedgerows should be retained where possible, but where their removal is unavoidable removal should take place outside of the main bird breeding season. It also notes that a number of existing trees on the boundary of the site provide potential locations for bat roosts and that if affected by the proposals, bat surveys of the mature trees should be undertaken. The Survey also recommends that mature trees should be retained as far as possible and any additional planting should include native species as far as feasible.

8.7.3 Natural England and Northamptonshire Wildlife Trust concur with the findings and recommendations of the updated Survey; however, they initially expressed concern that the proposals did not demonstrate a net gain in biodiversity and Green Infrastructure (GI) as part of the development. Following discussions with Natural England, the developer subsequently submitted further information which Natural England and the Wildlife Trust have welcomed; however, they recommend that a long term Ecological Management Plan (EMP) be secured in order to ensure the detailed design elements are appropriate and deliver a net gain in biodiversity.

8.7.4 In addition to the above, Natural England and the Wildlife Trust have concerns about the potential loss of some trees within the site which have the potential to be of ecological value and in particular to provide roosts for bats. They consider that further survey work needs to be undertaken to establish the value of these trees and to secure their retention and enhancement if appropriate. It is considered that this matter can be controlled by way of appropriate conditions, as recommended by Natural England, which is set out below.

8.7.5 Natural England and the Wildlife Trust have also stressed the importance of providing native species planting at the site; it is noted that the most recent supporting documentation still proposes some non-native species. This matter has been discussed with the developer, who have confirmed that they are satisfied that it be addressed by way of a condition, which specifically requires the final landscaping scheme and EMP to have a strong emphasis on native species planting. Furthermore, Natural England has recommended a condition to ensure that all boundary features are retained, and where removal or management is required for infrastructure purposes, this shall be undertaken outside the bird breeding season, or shall be supervised by a qualified ecologist.

8.7.6 It is understood that local residents have noted the presence of Skylarks within or close to the application site, and that they are concerned that no specific mention has been made within the Habitat Survey. This species is listed within the UK Biodiversity Action Plan (BAP) Species; as stated within the Habitat Survey at 3.11, no evidence of any statutorily protected species or UK BAP species was recorded on site during the survey.

## 8.8 Archaeology and Cultural Heritage

8.8.1 Following a request from NCC for further information regarding the archaeological potential of the site the applicant commissioned both Strata scan and Archaeological Solutions to undertake a programme of archaeological evaluation within the development area. This investigation consisted of geophysical survey followed by targeted trial trenching. The work has been undertaken and has identified that the development area contains extensive evidence of Romano British occupation in conjunction with the remnants of medieval ridge and furrow field systems.

8.8.2 The Archaeologist at NCC is satisfied that the evaluation has demonstrated that although archaeological deposits are present within part of the development area they are not of such significance as to preclude development. She has concluded that this would not represent an over-riding constraint on the development provided that adequate provision, in the form of a condition, was made for the investigation and recording of any remains that would be affected should permission be granted. As such a suitable condition is recommended below.

## 8.9 Noise, Dust, Contamination and Air Quality

8.9.1 ENC Environmental Protection Officers have no objections to the proposal on noise grounds, subject to appropriate conditions to ensure that noisy works associated with the construction of the development are limited to the following hours: 7:30am – 6:00pm Mondays to Fridays and 8:00am – 1:00pm Saturdays and at no time on Sundays and Bank Holidays. An appropriate condition is recommended below.

8.9.2 Environmental Protection Officers have also recommended a condition requiring details of dust suppression measures to be submitted for approval prior to the commencement of development. An appropriate condition is recommended accordingly.

8.9.3 In respect of potential contamination, a Phase 1 Environmental Study has been submitted in support of the application. This has identified potential low risks from near surface contamination and from backfilled excavations associated with the former brickworks. The study recommends a Phase II ground investigation including trial pits, to determine ground conditions with chemical analysis of near surface soils, together with gas monitoring to enable a risk based assessment to be completed. Subject to conditions to investigate and remediate contamination as necessary, the Environmental Protection Officers have no objection on contamination grounds. Appropriate conditions are set out below.

8.9.4 With regards to air quality, Environmental Protection Officers have confirmed that the increase in traffic resulting from the development would not cause the air quality to exceed the statutory air quality levels.

8.9.5 In order to ensure that the impact of construction works upon existing residents is minimised, it is recommended that a Construction Management Plan (CMP) is required by way of condition. In addition, it is recommended that details of site operative's, visitors and construction vehicles loading, off loading, parking and turning within the site during the construction period are required.

## 8.10 Residential Amenity

8.10.1 The main dwellings affected by the development are those within the existing Creed Road Development (primarily those adjoining the site) and those to the north of the site at Monson Way.

8.10.2 The neighbours at 61 and 63 Creed Road have expressed concerns that the dwelling at Plot 1 would cause overlooking and overshadowing. However, no windows are proposed

in the east elevation facing these properties. Furthermore, due to the position of Plots 1 and 2 which are 12 metres due west of the existing houses, together with the orientation of the sun, it is unlikely that overshadowing would result except a small amount at the very end of the day.

8.10.3 No windows are proposed in the gable of Plot 79 facing towards 53 Hillfield Road; whilst a window is proposed in the eastern side of the rear projecting element, it is considered that this would be far enough away (24.5 metres) to ensure that no significant overlooking would occur.

8.10.4 It is considered that the first floor window in the rear gable of Plot 80 would overlook a large part of the garden of 51 Hillfield Road. The bedroom served by this window has another window in the side elevation. The applicant has agreed to maintain this window in obscure glazing. An appropriate condition is recommended.

8.10.5 It is likely that a small number of proposed dwellings in their current form could result in overlooking towards dwellings to the north (9, 19, 21 Monson Way and the flats north of Plot 55 in particular) and towards 57 Creed Road to the east. The applicant has confirmed that windows on Plots 43 to 44 and 46 to 49 will be obscurely glazed to avoid any overlooking of the Monson Way properties. This matter is covered by a condition.

8.10.6 Similarly, first floor windows in the side elevation of Plot 81 facing 51 Hillfield Road will be finished in obscure glazing and this will be secured by a condition.

8.10.7 Rear first floor windows of Plots 4, 5 and 6 will be obscurely glazed to avoid impact from overlooking the neighbouring properties' garden on Creed Road.

## 8.11 Waste Management

8.11.1 A Waste Management Strategy (WMS) has been submitted in support of the application. No comments have been received from Northamptonshire County Council in respect of the Waste Management Plan.

8.11.2 ENC's Waste Management Team has expressed concerns regarding some of the detailed design elements in respect of waste and recycling collection from flats. They have stated that for multi occupancy properties/flats a communal refuse and recycling storage/collection point (bin compound) is preferable. In order to prevent future problems with respect to collection as well as to encourage the residents to participate in recycling schemes, the bin compound must be located as near as possible to the public highway and to the main building. The bin store for flats would need to accommodate a total of 5 x 360 litre wheeled bins (3 green for cardboard, plastic bottles etc, 1 red for paper and 1 blue for glass) as well as sufficient capacity for black sacks from 6 properties. The Council would provide the wheeled bins for the collection of recyclable materials. Clarification has been sought from the developer regarding the location of the bin stores; however, no detailed drawings have been provided in respect of their design. It is therefore recommended that details of the final design (including size) and location of the bin stores be submitted to the LPA for prior approval and that this is secured by way of condition.

8.11.3 The Waste Management Team has also noted that there are some private driveways within the scheme and point out that the Council operates a curtilage collection service. They have stated that the access roads would be expected to be constructed to a standard in terms of loading (some of our refuse collection vehicles weigh up to 32 tonnes) and layout should be such that turning the vehicle with less or minimum reversing. Paragraph 4.15 of the WMS states that all dwellings are within the Manual for Streets recommended distances: collection vehicles can get to within 25m of the dwelling, without exceeding the maximum reversing distance of 12m and without residents having to move their waste receptacles more than 30m. In addition, the WMS includes a plan showing large refuse vehicle tracking.

## 8.12 Sustainable Design and Construction

8.12.1 Policy 14 of the North Northamptonshire Core Spatial Strategy requires proposals of this scale to demonstrate:

- i. the development incorporates techniques of sustainable construction and energy efficiency
- ii. there is provision for waste reduction/recycling
- iii. there is provision for water efficiency and water recycling
- iv. 10% of the demand for energy will be met on site and renewably/from a decentralised renewable or low-carbon energy supply

8.12.2 A Sustainability Appraisal and Energy Statement has been submitted in support of the application. This document has been prepared on the basis of the checklist contained within the adopted Sustainable Design SPD. Whilst the supporting information states that the affordable housing within the site would be built to Code for Sustainable Homes Level 3; it does not address how the market housing would meet the above requirements of Policy 14. In line with the advice of the NNJPU Sustainable Design Advisor, appropriate conditions are recommended below to ensure that the requirements of this policy are met.

8.12.3 The comments of a local resident in respect of sustainability and carbon reduction as summarised above, are noted. However, it would not be appropriate to delay the determination of a planning application, or to refuse planning permission, on the basis of new Building Regulations which may be introduced in future.

## 8.13 Developer Contributions

8.13.1 The development is of a size which generates a need for social and community infrastructure. Detailed discussions have taken place with the applicant and it is recommended that the contributions / provisions set out in the following paragraphs be sought.

### Affordable Housing

8.13.2 The application proposes 40% affordable housing. The amount, housing type and tenure have been agreed with the Housing Strategy Manager. In total there would be 58 units, with only 30% being for rent and 70% shared ownership (21% of the total 145 dwellings therefore being for rent). These are spread throughout the site.

8.13.3 The Developer Contributions SPD and the RNOTP both have targets of up to 40% affordable housing, dependent upon viability. This target has been reached through a careful assessment of needs data - for example the Strategic Housing Market Assessment (SHMA) states that we should set a district wide target of 40%.

8.13.4. The latest Oundle specific data that we have is from the 2004 Housing Needs Survey; which stated that there was a requirement for an additional 25 affordable dwellings per annum. To date, since 2004, only 53 new affordable dwellings have been completed in the town, and so there is clearly a significant unmet need. It is unlikely that the need that was identified in 2004 has decreased. There is also some level of expectation that Oundle, as a designated rural service centre, is best placed to meet some of the need from surrounding villages.

8.13.5. The wording in the draft S106 Agreement requires the submission and approval of "a timetable and programme for phased provision" of the affordable housing.

8.13.6 The application proposes 40% affordable housing which is in line with the Council's requirements. The amount, housing type and tenure has been agreed with the Housing Strategy Manager.

## Education

8.13.7 Northamptonshire County Council has requested a contribution of £297,360 towards secondary and primary school places in the town. This breaks down as follows:

Secondary places = £245,731

Primary Places = £51,629

Total education contribution = £297,360.

8.13.8 This is an increase in the figure that the developer originally offered by some £20,000 and reflects the current cost multipliers being used by NCC to secure contributions towards education needs arising from development proposals. The developer has confirmed agreement to the above education contribution.

## Recreation and Open Space

8.13.9 An area of open space is provided on site. This measures 4400 square metres, of which 400 square metres is a Local Area for Equipped Play. The remainder is informal recreation space. The Council's adopted SPD for Developer Contributions sets out a formula for calculating the requirement for open space. As the total requirement set out within the SPD is not provided on site, an offsite contribution of £115,600 to cover the shortfall in line with the aforementioned SPD has been requested and agreed. In addition, the developer has agreed to a sum of £76,824 for the maintenance of the on-site open space. This has been calculated for a period of 20 years and the cost multipliers for maintaining equipped play space and informal recreation space have also been taken from the Developer Contributions SPD.

8.13.10 Whilst Oundle Town Council has indicated that it would be prepared to adopt the public open space on the basis of the above contributions, it would also be appropriate to ensure through the S106 agreement that should the land not be transferred and the adoption not take place (as has occurred at the adjacent Creed Road site), the developer would be required to set up a management company to maintain the area.

8.13.11 Whilst the comments of Sport England regarding the requirement for indoor facilities are noted, the Council's adopted SPD for Developer Contributions does not make provision for this; it is therefore not considered reasonable to insist on contributions in this instance.

The wording in the draft S106 Agreement is flexible and states that this is:

"a contribution towards the provision of new or improved off-site youth and adult recreation open space and/or facilities within Oundle in accordance with the Oundle 2010 Town Plan."

8.13.12 It is proposed that this off-site contribution be payable no later than the occupation of the 35th open market dwelling. The developer has advised:

"Oundle Town Council (OTC) has previously requested the opportunity for time to consider and assess the use to which the contribution would be best allocated. In the knowledge that OTC through the Oundle 2020 Town Plan will be identifying those requirements and priorities, it is considered reasonable that provision is made approximately 50% through the development"

For Members information it is normal practice to require any unused contributions to be repaid if they are not spent within 5 years of payment. For this reason it is important not to require the provision of contributions too early

## Libraries

8.13.13 Northamptonshire County Council has requested a contribution of £32,320 based on their standard cost multipliers towards improving local library facilities, to which the developer has agreed.

## Health

8.13.14 The Council's Developer Contributions SPD refers to the need for capital contributions from major development proposals to be made for GP surgeries where an increased population will result which cannot be accommodated within existing surgeries. This is based on an assumption that each dwelling will yield an average of 2.4 persons and 1800 patients per GP as the maximum recommended by the Dept of Health and the East Midlands Strategic Health Authority. Before a contribution is sought, the capacity of existing surgeries locally needs to be established.

8.13.15 The surgery in Glapthorn Road is close to the site and would serve the new population. Oundle Surgery currently has 5.5 full time equivalent GPs and 10,600 patients (including 900 pupils of Oundle School seen in the school sanatorium.) This equates to 1,927 patients per GP. The Creed Road development would yield an additional 348 patients based upon an average household size of 2.4 persons. Other growth in Oundle (from the proposal at Herne Road) would yield further 254 patients. The growth total would therefore be 602 patients which would require an additional consulting room.

8.13.16 The surgery provides a range of health services in a number of clinics in addition to the basic GP service. These include diabetic eye screening clinic and outreach haematology clinic. The practice has had to turn away a number of other clinics due to lack of capacity. The PCT has advised that the health centre building which was designed to accommodate 5 GPs and 1 consulting room for nurses is over capacity due to the expanded range of services now being offered and the continued growth of the population in Oundle and the surrounding villages. Patient numbers have risen by approximately 200 to 300 patients per year since 1993. The manner in which health care services are now provided has changed over the years with the increased use of nursing staff to deal with some elements of patient care. The GPs have stated that there is a need to expand the floor space of the premises in order to retain the current level of services available to patients and take on the additional population arising from the proposed expansion of Oundle (Creed Road and Herne Road developments). (Evidence to support the claim for additional funding via developer contributions has been requested from PCT and this will be reported to committee.)

8.13.17 Following discussions, the PCT has however suggested that improvements to the Oundle surgery could be made to accommodate the new population arising from the growth of Oundle. The improvements include extending into the car park area to create a further two consulting rooms and three additional parking spaces at an estimated cost of £100,000. A proportion of the cost of one consulting room would be a fair contribution from the Creed Road development. PCT will provide details of the cost which will be reported to Committee as an update. Surgery will fund remainder.

8.13.18 The applicant has agreed to a sum of £76,560 to be added to the S106 legal agreement towards the cost of the above improvement work. This is a figure suggested by the PCT based on a tariff requiring a contribution of £880 per dwelling for the market housing and excluding the 40% affordable units.

## Highways Infrastructure Improvements and Travel Plan

8.13.18 As discussed above, Northamptonshire County Council has requested a contribution of £18,000 for the installation of three 'Real time' Bus shelters.

8.13.20. A financial contribution of £10,000 has been agreed towards the cost of cycle stands and 2 cycle shelters in the town centre. Details regarding the exact locations of these facilities are to be covered by the S106 agreement.

8.13.21 The applicant has agreed to provide the first occupier of each property with a voucher to the value of £100 per dwelling towards the cost of a new bicycle.

8.13.22 As noted above, the Final Travel Plan would be secured through the s106 agreement.

#### Oundle 2010 Visioning Contribution

8.13.23 It was reported to the 18 August Development Control meeting that the developer had agreed to make a contribution of £10,000 towards the visioning work of the Town Council for their 2020 Town Plan. The developer has recently confirmed that this contribution will be paid for the current application. However, this payment does not form part of the S106 contributions for the latest application 10/01893/FUL.

8.13.24. It is proposed that £1,000 of this be paid on the granting of planning permission and the remainder at the commencement of development.

#### Other Matters

8.13.25 Whilst Northamptonshire County Council's request for contributions towards the fire service are acknowledged, the Council's adopted SPD for Developer Contributions does not make provision for this and it is therefore not considered appropriate to insist upon in this instance. However, it is recommended that the developers be required to install fire hydrants within the development and that this be secured by condition.

8.13.26 As discussed above, should planning permission be granted the s106 agreement would need to include appropriate clauses to ensure that the surface water drainage scheme is appropriately maintained.

#### 9.0 Recommendation

9.1 That subject to the receipt of no objections from the local highway authority, Committee GRANT planning permission subject to conditions and the completion of a Section 106 Agreement.

#### **Conditions/Reasons -**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. 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 safeguard the adequate investigation of any archaeological remains which may be present within the site.
3. Prior to the commencement of development details of all external materials shall be submitted to and approved by the Local Planning Authority in writing. In addition, sample panels of brickwork shall be constructed on site prior to the commencement of development.  
Reason: Development shall be carried out in accordance with the approved details.

4. Prior to the commencement of development details of existing levels of the site in relation to adjoining land levels and proposed levels including finished floor levels shall be submitted to and agreed with the Local Planning Authority in writing. Development shall be carried out in accordance with these approved details.

Reason: In the interests of visual and residential amenity.

5. Prior to the commencement of development details of existing levels of the site in relation to adjoining land levels and proposed levels including finished floor levels shall be submitted to and agreed with the Local Planning Authority in writing. Development shall be carried out in accordance with these approved details.

Reason: In the interests of visual and residential amenity.

6. Notwithstanding the approved plans and prior to the commencement of development final plans details for the design of the vehicular crossing point over the open space between the northern and southern sides of the development shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in the approved manner.

Reason: To ensure a satisfactory form of development.

7. Prior to the commencement of development a scheme for lighting the private parking areas, footpaths and areas of public open space shall be submitted to and approved by the Local Planning Authority in writing and development shall be carried out and thereafter retained in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and crime prevention.

8. Notwithstanding the approved plans and prior to the commencement of the development details (including materials samples where appropriate) of the location, height, design and materials of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s). The details shall largely follow the principles of the boundary screening plan which accompanied the application. Such approved details shall be erected and thereafter retained in the approved manner unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area; to ensure that the private areas of the development are afforded an acceptable measure of privacy; and in the interests of crime prevention.

9. Prior to the commencement of development a scheme for the provision of street furniture including litter and dog bins shall be submitted to and approved in writing by the Local Planning Authority. The street furniture shall thereafter be installed and shall be maintained in line with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and ensuring an appropriate standard of development.

10. The standards of external door sets and windows to be installed on the ground floor, or easily accessible first floor, of the buildings shall be made secure to standards, independently certified, set out in BSI PAS 24-1:1999 'Doors for enhanced Security' and BS 7950 'Windows for enhanced security'.

Reason: In the interests of crime prevention.

11. Prior to the commencement of works a Landscape/Ecological Management Plan shall be submitted to and agreed by the Local Planning Authority and shall incorporate comprehensive and detailed plans of biodiversity enhancement features (inc. design and purpose), their long-term management, species lists/planting schemes (to predominantly feature stock of native provenance), and indications of BAP habitat/species provision.

Reason: In order to safeguard protected species which may inhabit the site and to ensure biodiversity enhancement in accordance with PPS9.

12. All existing boundary hedgerows shall be retained unless otherwise agreed in writing by the Local Planning Authority. Where removal or management is required no works shall take place unless first agreed in writing by the local planning authority and they shall be undertaken at a suitable time of year (September – March inclusive) or under the supervision of a qualified ecologist.

Reason: In order to minimise disturbance to breeding birds and in the interests of visual and residential amenity.

13. Prior to the removal of any existing trees within the site or other arboricultural works the trees shall be inspected by a licensed bat worker. The details of the works, results of the bat inspection and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any tree works and the works shall thereafter be undertaken in the approved manner.

Reason: In order to safeguard protected species which may inhabit the site.

14. All works which cause any noise that is audible at the boundary of the site, or at any such other place as may be agreed with the Council, shall be carried out only between the hours of 7.30am and 6.00pm Mondays to Fridays, 8.00am and 1.00pm on Saturdays and at no time on Sundays and Bank Holidays.

Reason: In the interests of residential amenity.

15. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's "Model procedures for the management of Land Contamination, CR11"

Reason: To ensure potential risks arising from previous site uses have been fully assessed

16. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

17. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

18. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to

the required standards.

19. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with and in order to protect groundwater quality.

20. Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority and provision of the fire hydrants shall be made in accordance with the scheme and timetable.

Reason: To ensure a satisfactory form of development

21. Pedestrian splays of at least 2.4m x 2.4m (2m x 2m where there is turning space within the site) shall be provided on each side of the vehicular accesses prior to the first occupation of the units served by those accesses. These measurements are taken along and to the rear of the highway boundary within the curtilage of the site. The areas of land forward of these splays shall be reduced to and maintained at a height not exceeding 0.6m above carriageway level.

Reason: In the interests of highway safety.

22. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include and specify the provision to be made for the following

- i. Overall strategy for managing environmental impacts which arise during construction;
- ii. Measures to control the emission and suppression of dust and dirt during construction;
- iii. Control of noise emanating from the site during the construction period;
- iv. Hours of construction work for the development;
- v. Contractors' compounds, materials storage and other storage arrangements, cranes and plant, equipment and related temporary infrastructure;
- vi. Designation, layout and design of construction access and egress points;
- vii. Internal site circulation routes;
- viii. Directional signage (on and off site);
- ix. Provision for emergency vehicles;
- x. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials
- xi. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- xii. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- xiii. and other similar debris on the adjacent public highways;
- xiv. Routing agreement for construction traffic;
- xv. Storage of plant and materials used in constructing the development;
- xvi. Enclosure of phase or development parcel development sites or development parcels and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- xvii. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
- xviii. A system to ensure that all operational vehicles arriving at and leaving the site are appropriately sealed or covered so as to prevent material spillage, wind blow and odour nuisance.
- xix. In addition to the above a daily log shall be kept on an ongoing basis to record all vehicles attracted to the site and this log shall be maintained on an annual basis and be available for scrutiny at the request of the planning authority. The approved Construction

Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity and high

23. Prior to first use or occupation of the dwelling(s) served by a private access, parking and turning facilities shall be provided in accordance with the approved plans and shall thereafter be aside and retained for those purposes.

Reason: In the interests of highway safety.

24. The access gradient of private accesses from the Highway Boundary shall not exceed 1 in 15.

Reason: In the interests of highway safety.

25. Prior to first use or occupation of dwelling(s) served by a private access a positive means of access drainage shall be installed to ensure that surface water from the access or private land does not discharge onto the highway.

Reason: In the interests of highway safety.

26. Prior to first use or occupation of dwelling(s) served by a private access the means of access shall be paved with a hard bound surface for a minimum of 5.0m from the highway boundary and retained as such.

Reason: In the interests of highway safety.

27. Any gates at the point of private accesses shall be hung to open inwards only.

Reason: In the interests of highway safety

28. Notwithstanding the approved plans final details of the surface treatments for the shared areas, driveways and roads within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and subsequently implemented and retained in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

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

29. No dwelling shall be occupied until its designated car parking space(s) has been laid out and constructed ready for use in accordance with the approved plans and other approved details pursuant to any other relevant conditions.

Reason: In the interests of highway safety and of ensuring a satisfactory form of development.

30. Prior to the first occupation of any of the dwellings hereby approved details of measures to prevent cars entering or parking on the open space shall be submitted to and approved in writing by the Local Planning Authority. These measures shall not hinder general pedestrian and cycle access and shall be installed in line with a timetable to be agreed by the Local Planning Authority. The measures shall thereafter be retained in the approved manner unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding the public open space for its intended use and in the interests of minimising crime and antisocial behaviour.

31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no windows or other openings shall be inserted above ground floor level in the side (east) facing elevation of Plot 1 or the rear (east) facing gable end of Plot 79 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no further

windows or other openings shall be inserted above ground floor level in the rear (east facing) elevation of Plot 80 or the east facing elevation of Plot 81 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the rear first floor bedroom windows to Plots 80, 43-45, 47 - 49 and 4 -6; together with the first floor side bedroom window to Plot 81 shall be glazed and maintained in obscure glass.

Reason: In the interests of residential amenity.

34. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the garages hereby approved shall be retained and shall not be converted to living accommodation unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety by ensuring the retention of adequate off-street parking facilities commensurate with the size of the dwelling

35. Prior the commencement of development a Sustainability Statement shall be submitted to and approved in writing by the local planning authorities. The statement shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with policy 14 of the NNCSS and Supplementary Planning Document Sustainable Construction and Design.

36. At least 10% of the demand for energy shall be met on site and renewably/from a decentralised renewable or low-carbon energy supply (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007). Prior to the commencement of development details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Policies 13 and 14 of the North Northamptonshire Core Spatial Strategy and the Sustainable Construction and Design SPD.

37. The development shall be carried out fully in accordance with the submitted waste management strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of amenity and sustainability.

38. Development shall not begin until a detailed surface water drainage scheme for the site in accordance with the amended Flood Risk Assessment undertaken by Woods Hardwick Ltd (dated September 2009, ref: CSB/KM/E/15871/B4) has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

39. No development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved

in writing by the local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

40. Sight lines shall be provided to give visibility along the road over a distance of at least 33.0m in both directions, from a point measured 2.4 back along the centre line of the proposed junction and shared vehicle access points. These dimensions are to be measured from and along the nearer edge of carriageway.

Reason: In the interests of highway safety.

41. Notwithstanding the hours of construction work approved pursuant to condition 22(iv) the delivery of plant and materials shall take place only between the hours of 0915 and 1500 or after 1630 ( but not outside of the hours agreed for construction works) unless otherwise agreed in writing by the local planning authority.

Reason: in the interests of highway safety

42. Notwithstanding the approved plans no development shall take place until a comprehensive landscaping scheme for the site has been submitted to and approved by the Local Planning Authority. The scheme shall follow the principles set out within the Landscape Design Statement and Landscape Proposals (drawing numbers PER 17202-10b and PER 16867-10D Sheets 1-6. The landscaping scheme shall include an implementation schedule. 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 to take account of Section 198 of the Town and Country Planning Act 1990.

## Informatives

### 1. SCHEDULE OF DRAWINGS

#### HOUSING TYPE / ELEVATION PROPOSALS

##### **Market Units:-**

Drawing No: 626-102	House Type 626
Drawing No: 800-104	House Type 800
Drawing No: 71-FOG-103	House Type C 71 FOG
Drawing No: 978-101	House Type 978
Drawing No: 978-102	House Type 978
Drawing No: 1024-102	House Type 1024
Drawing No: 1206 Rev P2	House Type 1206
Drawing No: 1234-100	House Type V1234-1
Drawing No: 1234-100	V1234.4 – Side Garden
Drawing No: 154	House Type 154 Elevations
Drawing No: 154	House Type 154 Floor Plans
Drawing No: 142	House Type 142 Elevations
Drawing No: 142	House Type 142 Floor Plans
Drawing No: SITE/PL/POLTS	Horseshoe Planning Drawing
Drawing No: 185-103	House Type 185
Drawing No: 4Bfr-narrow-102	House Type 4 BFR NARROW
Drawing No: G1	House Type G1
Drawing No: G2	House Type G2

Amendments submitted 25 January 2010

House Type 142 – Elevations – Plots 84, 119 & 133  
House Type 142 – Floor Plans – Plots 84, 119 & 133  
Drawing no. (800 – 100) – Type 800 – Plot 115  
Drawing no. (978 – 100) – Type 978 – Plots 17 & 63  
Drawing no. (VS 978 – 100) – Type VS 978 – Plots 3 & 38  
Drawing no. (1206 -100) – Type 1206 – Plots 39/40, 56/57, 95 – 97 & 143 – 145

Amendment submitted 3 February 2010

Drawing no. (800 – 101) – Type 800 – Plots 58 & 143

Affordable Units:-

Drawing No: 30505 2b4p2s KFEF L(0) 09 - Westbury Partnership Affordable House Types RF2  
Drawing No: 30505 2b4p2s KFEF L(0) 11 - Westbury Partnership Affordable House Types RF2  
Drawing No: 30505 2b4p2s KFEF L(0) 07 - Westbury Partnership Affordable House Types RF2  
Drawing No: 30505 2b4p2s KLEF L(0) 10 - Westbury Partnership Affordable House Types RF2

Drawing No: 30505 3b5p2s KFEF L(0) 011 - Westbury Partnership Affordable House Types RF3  
Drawing No: 30505 3b5p2s KFEF L(0) 010 - Westbury Partnership Affordable House Types RF3  
Drawing No: 30505 3b5p2s KFEF L(0) 09 - Westbury Partnership Affordable House Types RF3  
Drawing No: 30505 3b5p2s KFEF L(0) 07 - Westbury Partnership Affordable House Types RF3  
Drawing No: 1006/1BFR/02 (Plots 64-69)

Amendments submitted 25 January 2010

Drawing no. (4BSOF – 100) – 4 Bed Affordable – Plot 7  
Drawing no. (2b4p – 101) – 2 Bed affordable – Plot 10  
Drawing no. (2b4p – 100) – 2 bed affordable – Plot 137  
Drawing no. (3b5p – 100) – 3 Bed affordable – Plots 24, 70 & 106

Drawing no. (1006 – 006/1 Rev A) - Street Scene Elevations sheet 1  
Drawing no. (1006 – 006/2 Rev A) – Street Scene Elevations sheet 2

Amendment submitted 14 April 2010

Drawing no. (1006/1BFR/01 Rev A) - Plots 28 – 33

Amendments submitted 28 April 2010

Drawing no. 30505 3b5p2s45 KFEF L(0)07 – Westbury Partnership Affordable Housing Type R3C (Semi detached) – Front Elevation  
Drawing no. 30505 3b5p2s45 KFEF L(0)09 - Westbury Partnership Affordable Housing Type R3C (Semi Detached) - Rear Elevation

Additional information and Amendments submitted 3 February 2010

Site Layout Plan (1006 – 003 Rev T)  
Boundary Treatments Plan (1006 – 005 Rev D)

Further Information submitted 10 March 2010

Landscape Drawings (PER 16867 – 10D) (Sheets 1 – 6)  
Landscape Concept drawing Public Open Space PER16867 10B

## 2. Reason for Decision

In approving this application, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS5, PPS9, PPG13, PPG17, PPS23, PPG24, PPS25; Policies 1, 2, 3, 13b, 14, 17, 26, 28, 29, 32, 35, 36, 39, 40, 41, 43, 45, 46, 48, 49, 53, 54, Policy MKSM SRS Northamptonshire 1 and 2 of the East Midlands Regional Plan; MKSM Sub-Regional Strategy Strategic Policy 3; North Northamptonshire Core Spatial Strategy 2008 policies 1, 6, 7, 9, 10, 13, 14 and 15; policies GEN3, H4, H16, RL3, RL4 of the East Northamptonshire District Local Plan; and Rural North Oundle and Thrapston Plan (Inspector's Modifications July 2009), ENC SPD Developer Contributions, NCC SPGs Crime & Disorder and Parking, and North Northamptonshire Sustainable Design SPD. Having regard to these, the representations received and any other material planning considerations, the main issues were identified as: the principle of the development; the impact on the highway network, means of access to the site and related highway matters; the loss of agricultural land; the layout and design of the proposed development; the housing mix; water resources (including flooding and drainage); ecological issues; archaeology and cultural heritage; noise, dust, contamination and air quality; effect on residential amenity; waste management; sustainable design and construction; the level of contributions towards social and community infrastructure. The application has been approved as:

The principle of the development is acceptable.

The proposal would not have an unacceptable impact on the local or strategic highway network.

The proposal would not result in a substantial loss of the best and most versatile agricultural land.

The siting and layout of the development is acceptable and would not harm the visual amenity or character of the area.

The development provides for an acceptable level of affordable housing and mix.

The development will not have an adverse effect on flood risk and sewage capacity.

The development would not have an adverse impact on ecology and biodiversity.

The development would not have an unacceptable impact upon archaeology or cultural heritage.

The development would not be exposed to significant levels of contamination and would not have an adverse impact in terms of noise, dust or air quality.

The proposal would not have a significant impact on residential amenity.

The development incorporates techniques of sustainable construction and energy efficiency.

The development provides adequate social and community infrastructure in accordance with the Council's adopted SPD in respect of developer contributions."

## Committee Report

Committee Date : 23 February 2011

Printed: 14 February 2011

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Case Officer **Gerri Smith**

**EN/10/01893/FUL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>14 October 2010</b>	<b>21 October 2010</b>	<b>20 January 2011</b>	<b>Oundle</b>	<b>Oundle</b>

Applicant **Persimmon Homes (East Midlands) Ltd**

Agent **John Martin And Associates - Mr M Bagshaw**

Location **Land End Of Creed Road Oundle Northamptonshire**

Proposal **Erection of 145 dwellings with associated open space, landscaping and access (Resubmission)**

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The application is brought forward for determination by Development Control Committee because it is a major proposal. The proposal is linked to application EN/09/00611/FUL which also is included on this agenda.

### 1. Summary of Recommendation

1.1 That in view of the pending appeal against non-determination of the application, Committee confirms that, subject to receipt of no objections from the local highway authority, if it had been in a position to determine the application, it would be minded to GRANT planning permission subject to the conditions set out below and a S106 agreement.

### 2. Background

2.1 The proposed layout and drawings in the application replicate application 09/00611/FUL.

2.2 Application 09/00611/FUL was reported with an officer recommendation of approval to Development Control Committee on 28th April 2010. Members resolved to defer making a decision to allow further consideration in relation to highway matters including the checking of the Transport Assessment to ensure that the development would not have an adverse impact on infrastructure within the town.

2.3 Following the receipt and consideration of further information which clarified the acceptability of the highway impacts, the application was reported back to Development Control Committee on 18 August 2010. Members again deferred the application to enable the wording of the S106 agreement to be finalised.

2.4 The application was reported again to Committee on 29 September 2010. The officer report confirmed that the developer contributions were satisfactory in accordance with the Developer Contributions SPD. Members again deferred making a decision on the application for a third time pending clarification of the Government's position on housing targets, localism and spatial planning; and to enable further progress to be made on the Oundle 2020 Town Plan.

2.5 The applicant requested an extension of time for application 09/00611FUL on 1st June 2010 outside of the six month period to allow a further time period to appeal the application.

The applicant was informed that the Council could not agree to extend the time limit for the determination of the application as the request was made out of time.

2.6 The effect of the deferral and the refusal of the time extension request is that the applicant is not able to appeal the non-determination of the application as the 6 months appeal period has lapsed and the applicant cannot appeal against refusal as no decision has been made on the application.

2.7 In these circumstances the applicant has made a claim for judicial review on the basis that the Council has acted unlawfully by relying upon immaterial considerations and failing to have regard to material considerations in dealing with the application. Additionally, the claim states that the Council have acted unlawfully in refusing to allow an extension of time on the application.

2.8 The issues pertinent to the Judicial Review of the application were reported to Development Control Committee on 9 February 2011. This matter was discussed in a "Private and Confidential" session as it involved advising members of a legal opinion. Members agreed that the application should be brought back for consideration by the Committee.

2.9 The current application was submitted to allow the applicant another opportunity to appeal. An appeal was lodged against the Council's non-determination of the application on 24 January 2011. In these circumstances the power to decide the application now rests with the Planning Inspectorate; however the application is reported to the Development Control Committee to determine what decision the Committee would have made, had it been in a position to do so.

### 3.0 The Proposal

3.1 This is a full application to build 145 dwellings. The site is accessed via the existing Creed Road development, off Glaphorn Road.

3.2 The scheme includes a mix of dwellings with a central area of public open space forming a continuation from the existing development to the east and including a LEAP and landscape planting. Pedestrian and cycle routes are included adjacent to the open space. The density is 35 dwellings per hectare. The development would include 40% affordable housing.

3.3 Car parking is provided at 1.5 spaces per dwelling, either on plot or within parking courts,

3.4 The following plans, reports and information accompany the application:

- Planning Statement
- Design and Access Statement
- Housing Statement
- Site location Plan re: JMA/P085/01
- Site Layout (Rev U)
- House Type Drawings
- Street elevations (1006-006/1 Rev A & 1006-006/2 Rev A)
- Boundary Treatments Plan (1006-005 Rev D)
- Flood Risk Assessment
- Transport Assessment and Framework Travel Plan
- Tree Report
- Landscape Specification
- Extended Phase 1 Habitat Survey
- Ground Report -Phase 1 Site Appraisal Desk Study
- Archaeological Desk Based Assessment, Geophysical Survey Report & Archaeological Evaluation
- Statement of Community Involvement
- Energy and Sustainability Appraisal

- Waste Management Strategy
- Utilities Statement
- S106 Heads of Terms

3.5 The application is not EIA development and does not require an Environmental Statement.

#### 4.0 The Site and Surroundings

4.1 The site is located to the northwest of Oundle town centre, with existing residential development to the north and east, open countryside to the west and Oundle School playing fields to the south. The site is within walking distance of the town centre; the centre of the site to the Market Square is approximately 1.4 kilometres (as the crow flies) or 1.7 kilometres (approximately 1 mile) (via Creed Road and Glaphorn Road).

4.2 The site area is 4.12 hectares and is currently used as agricultural land. No known public rights of way currently existing through the site. The site is relatively level throughout in relation to surrounding land and is bounded by existing hedgerows containing a number of trees to the north, west and south.. The east boundary is enclosed by post and rail fencing. A dry ditch runs along the southern boundary.

4.3. The site is bordered to the north and east by existing residential development and by playing fields associated with Oundle School to the south. To the west lie further agricultural fields leading to longer range views of woodland.

#### 5.0 Policy Considerations

##### 5.1 National Planning Policy

PPS1 – Delivering Sustainable Development (incorporating new statement on climate change)

PPS3 – Housing

PPS9 – Biodiversity and Geological Conservation

PPG13 – Transport

PPS5 – Planning and Historic Environment

PPG17 – Planning for Open Space, Sport and Recreation

PPS23 – Planning and Pollution

PPG24 – Planning and Noise

PPS25 – Development and Flood Risk

##### 5.2 East Midlands Regional Plan

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application. However, Cala Homes have indicated that they propose to challenge this decision at the Court of Appeal.

Policy 1 – Regional Core Objectives

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development

Policy 13b – Housing Provision (Northamptonshire)

Policy 14 – Regional Priorities for Affordable Housing

Policy 17 – Regional Priorities for Managing the Release of Land for Housing

Policy 26 – Protecting and Enhancing the Region's Natural and Cultural Heritage

Policy 28 – Regional Priorities for Environmental and Green Infrastructure

Policy 29 – Priorities for Enhancing the Region's Biodiversity

Policy 32 – A Regional Approach to Water Resources and Water Quality  
Policy 35 – A Regional Approach to Managing Flood Risk  
Policy 36 – Regional Priorities for Air Quality  
Policy 39 – Regional Priorities for Energy Reduction and Efficiency  
Policy 40 – Regional Priorities for Low Carbon Energy Generation  
Policy 41 – Regional Priorities for Culture, Sport and Recreation  
Policy 43 – Regional Transport Objectives  
Policy 45 – Regional Approach to Traffic Growth Reduction  
Policy 46 – A Regional Approach to Behavioural Change  
Policy 48 – Regional Car Parking Standards  
Policy 49 – A Regional Approach to Improving Public Transport Accessibility  
Policy 53- Regional Trunk Road Priorities  
Policy 54 – Regional Major Highway Priorities  
Policy MKSM SRS Northamptonshire 1  
Policy MKSM SRS Northamptonshire 2

### 5.3 MKSM Sub-Regional Strategy Strategic Policy 3- Sustainable Communities

5.4 North Northamptonshire Core Spatial Strategy  
Policy 1 – Strengthening the network of settlements  
Policy 6 – Infrastructure Delivery and Developer Contributions  
Policy 7 – Delivering Housing  
Policy 9 – Distribution and Location of Development  
Policy 10 – Distribution of Housing  
Policy 13 – General Sustainable Development Principles  
Policy 14 – Energy Efficiency and Sustainable Construction  
Policy 15 – Sustainable Housing Provision

### 5.5 Northamptonshire County Structure Plan No relevant saved policies.

5.6 East Northamptonshire District Local Plan  
GEN3 - Infrastructure, Services and Amenities  
H4 - Housing Types and Sizes  
H16- Local Needs Housing  
RL3 – Open space for New Development  
RL4 – Play areas for New Development

5.7 Other Relevant Policies / Documents  
Rural North, Oundle and Thrapston Plan (Inspector's modifications 8 July 2009)  
The Rural North Oundle and Thrapston Plan went through an examination process in 2008 and 2009. Following this examination on 8 July 2009 the Inspector found the document sound. However, as yet the Council has not adopted the Plan as a Development Plan Document as such the Council is still treating the document as emerging policy.  
ENC SPD – Developer Contributions  
NCC SPG – Crime and Disorder  
NCC SPG – Parking  
North Northamptonshire Sustainable Design SPD  
North Northamptonshire Annual Monitoring Report, December 2009  
Safer Places – the Planning System and Crime Prevention 2004

### 6.0 Planning History

6.1 EN/09/00611/OUT - Erection of 145 houses- Pending a decision.

6.2 EN/94/00182/OUT - Residential development. Outline planning permission approved 25.02.1997.

- 6.3 EN/96/00855/REM - Residential development (144 houses) and estate road. Reserved Matters approved 11.07.1997.
- 6.4 EN/99/00386/REM - Residential development (24 houses - change of house types). Approved 23.09.1999.
- 6.5 EN/00/00294/FUL - Change of house type (Plot 15). Approved 03.07.2000.
- 7.0 Consultations and Representations
- 7.1 ENC Planning Policy: No policy objections.
- 7.2 ENC Housing Strategy: The proposed affordable housing provision is in line with current policy. The affordable dwelling types are predominantly (65%) smaller dwellings, which fits with the requirements for Oundle. The layout, tenure split and housing mix is acceptable.
- 7.3 ENC Design Officer – Is broadly satisfied with the layout no amendments are required. The design of the open space needs to be cohesive space running between the existing development and the new. Concern is expressed about the railings around the open space which would create a barrier to access.
- 7.4 Landscape Officer: The open space concept drawing shows the design for this beginning to reflect a workable planting structure. No details of planting have been provided of the open space area. The concept drawing shows a hedge around the open space which does not sit well with the surrounding street structure and prevents access to the open space. Tree sizes still appear to be consistent through the site with little variation which can help to give a sense of early establishment. Feature trees should be planted at a larger size/specification. The scheme once it is agreed should be completed during the on-site construction works
- 7.5 ENC Environmental Protection Officers: No objection subject to conditions in respect of contamination, noise / dust and air quality.
- 7.6 ENC Waste Manager: Various comments regarding waste storage and collection. These matters are discussed in the relevant section below.
- 7.7 NCC Archaeology: No objection subject to a condition relating to the investigation and recording of any remains that would be affected should permission be granted.
- 7.8 NCC (Developer Contributions Project Manager): request contributions towards education, fire and rescue resource, fire hydrants and library services.
- 7.9 NCC Fire and Rescue: request contribution per household towards local fire and rescue infrastructure costs. Development would require up to three fire hydrants which should be designed into the development – condition suggested.
- 7.10 NCC Policy Team: Applicant needs to demonstrate that development will not adversely affect a Minerals Safeguarding area.
- 7.11 NCC Highways: Is satisfied with the site layout and development details. However, the TA dated January 2010 needs to be updated by additional traffic surveys to ensure it is current. At the present time there is inadequate information on which to base a full response.
- 7.12 Anglian Water Services: No objection subject to condition to secure a surface water strategy prior to commencement of the development.

7.13 Environment Agency: No objection subject to conditions relating to flood risk, environmental infrastructure (foul water drainage) and groundwater and contaminated land.

7.14 Highways Agency: No objections to the proposal.

7.15 English Heritage: The application should be determined in line with national and local policy guidance and on the basis of your specialist conservation advice.

7.16 EON (Central Networks): No objection.

7.17 North Northants Badger Group: No objection.

7.18 NNJPU Sustainable Design Advisor: No objection subject to condition.

7.19 Northamptonshire Wildlife Trust: No objection in principle;

7.20 Natural England: No objection subject to conditions.

7.21 Northamptonshire Primary Care Trust: Formal response awaited.

7.22 Northamptonshire Crime Prevention Officer: No objection - comments summarised as follows:

- With regards to rear parking courts, recommend that some fencing is amended to increase surveillance into these areas. For example, use of 'hit and miss' or 1500mm close boarded fencing with 300mm trellis topping. All rear access to be lockable.
- Lighting details should be provided including for the vehicle parking areas, private drives and public open space.
- Two roads with hammer heads to north of site need to have knee rail height post and metal fencing to prevent unauthorised vehicular movement on public open space.
- Communal door sets should be access controlled.
- Rear gates and bin and cycle stores should be securely lockable.
- Ideally full Secured by Design accreditation should be sought as a minimum requirement. Request that condition be imposed if approved to require secure doors and windows.

7.23 Oundle Town Council reiterate their comments made in respect of the previous application 09/00611. Objections received in response to initial consultation in respect of the following:

- Density is too high.
- Highways issues: limited access to the site via existing development; impact on Cotterstock Road junction; provision should be made for immediate or future access from Benefield Road; existing parking problems at Creed Road would be exacerbated; the access passes a children's play area; effects of construction traffic on existing estate roads.
- Flooding: existing development has caused flooding in surrounding areas; appears to be no plans to ameliorate negative effects of further housing.
- Insufficient open space provision.

Further objections have been received from Oundle Town Council in response to the re-consultations following the receipt of further information in January 2010:

- Local policy context: since the initial consultation response, the RNOTP as amended by the Government Inspector has been rejected by ENC. The grounds for rejection included the watering down of core principles to address infrastructure shortfalls, before any such development would be approved. The planning application should be rejected until analysis has taken place and action taken to bring services to an acceptable level. This is a substantial development in a town with limited employment facilities. The density is too high and significantly higher than the existing estate to which it is attached.
- Highways issues: insufficient time to consider the revised transport assessment and concerns regarding some of the data within it; no consideration of parking within the new development and the town; considerable parking issues on existing Creed Road

development which would be exacerbated in new development with additional density proposed; would significantly impact on existing lack of parking facilities in the town; risk to safety and danger to children in any access/egress through current site.

- No specific proposals to provide cycle facilities to access the town to contribute towards modal shift.

7.24 Sport England: Various comments regarding on-site and off-site open space and sports facilities provision. These matters are discussed in the relevant section below.

7.25 Neighbours: Letters have been received from 19 households. The comments, concerns and objections are summarised as follows:

- The decision should be delayed until after the RNOTP is agreed.
- There are too many unanswered questions about Oundle's infrastructure to allow the approval of a major planning application at this stage.
- Infrastructure is insufficient to support current population without improvements being made.
- A retirement village would be a better option than family housing.
- Social housing on this site is not appropriate given the lack of public transport and local jobs to support the new housing.
- Development is contrary to Core Spatial Strategy Policy 6 in that it fails to propose adequate mitigation for the impact of the development on surrounding infrastructure services and facilities.
- Concerns about noise and pollution from additional traffic – in particular construction traffic. Hours of construction should be imposed.
- Traffic queues at access to the site to turn into Glaphorn Road at peak times in the morning at present; if another 145 dwellings are added to this the road would not cope at this time of day.
- Additional traffic would make the roads unsafe for children to play outside.
- Hillfield Road and Creed Road cannot provide adequate access to the new development.
- Increased noise and dirt from additional traffic including construction vehicles.
- Alternative access should be considered via Benefield Road.
- Concerns regarding impact of construction traffic on safety of children and others.
- Car parking in Oundle centre is already a problem and this would make it far worse.
- Increase in traffic will cause congestion in town and around Creed Road.
- Schools and health centre are oversubscribed. Pupils are being bussed out of town.
- Access would require two sharp 90 degree turns and negotiation of a quiet roundabout. Route is next to an under 10s playground and crosses a walking route for school children.
- Concerns regarding capacity of Hillfield Road and Creed Road to cater for additional traffic; roads are narrow and constrained by design and cars are often parked on either side of the road.
- Concerns regarding impact on New Road from people using this to access A605. Suggest one-way system could be considered.
- Traffic calming measures are required in Hillfield Road and Creed Road due to speed of vehicles using these routes; more traffic would increase these problems.
- Proposed development would create a 'rat-run' on Springfield Road.
- The road network in Oundle cannot take traffic from the scale of this development.
- Transport Assessment is inaccurate, traffic surveys have not been satisfactorily carried out and the wrong data has been used to assess the likely impacts.
- Creed Road already struggles with parked cars, which creates traffic flow issues and access problems for larger vehicles.
- New development would be better placed within easy access to A605 as majority of people travel to work outside Oundle.
- Emergency vehicle access to the development would be severely hindered due to the existing density of on street parking in the estate, particularly Creed Road.
- Inadequate parking allowed in the development – would result in increased on street parking.
- Development would put an extra burden on already overstretched parking capacity in

Oundle.

- Public transport to the wider area is poor – no rail service within 10 miles of the town and no buses to local market towns such as Stamford.
- A605 is already overburdened with local traffic and significant volumes of large lorries.
- Occupiers would be required to rely on cars on roads that are already busy.
- The 145 new houses would have a disproportionately adverse effect upon the roads of Oundle and its environs.
- Facilities in Oundle have reached their optimal level - such as schools, health provision, emergency services, public transport, parking, water and sewerage facilities.
- New medical and dental facilities would be required.
- Density of proposed development is too high and the proposal is out of character with the town.
- Development should await a town level development plan. The previous application was deferred pending the results of Oundle 2020 Town Plan.
- Drainage and sewerage is at breaking point.
- Concern expressed that demand for housing in Oundle comes from outside the town.
- This proposal would require increased infrastructure provided in advance.
- Other sites in RNOPT are preferable to this as they are closer to the town centre
- Oundle surgery is unable to service the increased population
- Increased traffic congestion from moving traffic will be beyond the capacity of Glaphorn Road and New Road
- Increased parking congestion on Glaphorn Road.
- Increase road cycling problems; risk of cycling on pavements
- Lack of public transport will increase car usage,
- inadequate access onto Glaphorn Rd and the failure to provide access from Benefield Road,
- Pressure on school places at all levels,
- the lack of facilities in Oundle will have an adverse effect on climate change through increased car usage,
- There is no longer a requirement to agree to development to meet imposed targets,
- it would be unreasonable, unsafe and premature to approve until the new planning framework has been clarified by the government.
- Housing figures should now be set aside following Eric Pickles abolition of the RSS housing figures. Need to consider whether the housing figures are right for Oundle.
- Oundle does not have the physical space for major infrastructure improvements even if funds were available.
- The S106 offer is inadequate to meet the infrastructure needs. Items not included in S106.
- Throughout consultation on RNOTP scale of suggested development was 125 dwellings. The RNOTP was only altered at examination on the basis that an application has been submitted for 145 dwellings, which was not the subject of any public consultation.
- Density is out of keeping with the character and nature of the development, in the surrounding area and in Oundle as a whole.
- Plans should be a 'mirror image' of existing development; these plans are inappropriate for a semi-rural site on the edge of greenfields.
- Development fails to respect the guidelines set out in PPS3 in terms of being well integrated with the area in terms of scale, density, layout and access.
- Sewage system has had problems in the past year.
- Development would put further stains on drainage and sewerage systems.

## 8.0 Evaluation

The following issues are relevant to the determination of this application: principle of development; impact on highway network, means of access to the site and related highway matters; loss of agricultural land; the layout and design of the proposed development; housing mix; water resources (including flooding and drainage); ecological issues; archaeology and cultural heritage; noise, dust, contamination and air quality; effect on residential amenity; waste management; sustainable design and construction; the level of

contributions required towards social and community infrastructure (s106); any other material planning considerations.

## 8.1 Principle of Development

8.1.1. MKSM Northamptonshire Policy 1: The Spatial Framework (East Midlands Regional Plan, March 2009) identifies that beyond the main urban centres (such as Corby, Wellingborough and Kettering) development should be focused in smaller towns, such as Rushden, Higham Ferrers and Irthlingborough and the rural service centres of Oundle, Raunds and Thrapston.

8.1.2 Policy 10 of the North Northamptonshire Core Spatial Strategy sets out the distribution of new housing and states that development plan documents will make provision for the stated amounts of housing development (net new dwellings) in the named settlements. For Oundle, the indicative housing requirement up to 2021 is 610.

8.1.3 The existing development at Creed Road was allocated within the East Northamptonshire Local Plan 1996 (Policy OU1) and constructed during 1999/2000. This document stated that the land to the west of the allocation OU1 was considered to have long terms potential for residential development and indicated a protected access point to the site from allocation OU1 on the associated Proposals Map.

8.1.4 The application site was then put forward as an allocation in the Rural North, Oundle and Thrapston Plan (Inspector's Modifications, 8 July 2009) for residential development (145 dwellings, Policy OUN3). The Rural North, Oundle and Thrapston Plan went through an examination process in 2008 and 2009. Following the examination on 8 July 2009, the Inspector found the document to be sound.

8.1.5 A final version of the Plan incorporating the Inspector's Modifications (8 July 2009), together with the Inspector's Report, was presented to the Planning Policy Committee on 27 July 2009. The Planning Policy Committee raised concerns with the Inspector's Report, these concerns related to two particular issues: firstly the amendments to Oundle Infrastructure Policy OUN1; and secondly changes made to settlement boundaries. It was resolved at a subsequent meeting of the Committee (29 October 2009) that the Council should write to the Secretary of State to request a modification to the Rural North, Oundle and Thrapston Plan before its adoption. This letter was finalised and sent to the Government Office for the East Midlands (on behalf of the Secretary of State), on 18 March 2010 and a holding response has now been received.

8.1.6 As yet the Council has not adopted the Plan as a Development Plan Document (DPD). In view of this matter, legal advice was sought as to the Plan's status and it was advised that this can be regarded as an emerging policy and is a material consideration.

8.1.7 The Planning Policy Committee has not, however, raised any concerns about the proposed allocation of the Creed Road site itself in the Plan. Indeed, this was extensively analysed during the Examination of the Rural North, Oundle and Thrapston Plan. Given the application site's status as a housing land allocation contained within a site allocations DPD which has been found sound by an Inspector and therefore to which considerable material weight can be attached, it is considered that the Creed Road site should be regarded as if it is allocated within an adopted DPD.

8.1.8 On the basis of the above, it is considered that the redevelopment of land to the west of Creed Road for residential development is acceptable in principle subject to the detailed considerations below.

## 8.2 Means of Access, Impact on Highway Network and Related Highway Matters

8.2.1 Access to the site is proposed via the existing development at Creed Road and Hillfield

Road, which in turn is accessed off Glapthorn Road.

8.2.2 A Transport Assessment (TA) accompanies the application. The TA originally submitted was dated December 2010 however this was amended in January 2011 to set out the information in a simpler form to be more accessible to non-technical readers at the request of the local highway authority. Both versions of the TA are based upon a baseline transportation assessment produced in June 2008. This concludes that the site is in a sustainable location, that the site can be appropriately accessed and that the residential development of the site would have no negative impact in terms of congestion.

8.2.3 The effect of the development on the local highway network, including in combination with other planned developments in the town, primarily that at Herne Road, is of considerable concern to Oundle Town Council. Local residents have also raised concerns regarding the impact of the development on the highway network. An alternative access to the new development from Benefield Road has also been suggested by residents. As this would involve land not in the applicant's ownership or control it cannot be delivered.

8.2.4 The TA includes an assessment of the capacity of the Glapthorn Road / Hillfield Road junctions; the use of Springfield Road as a potential rat-run between Glapthorn Road and New Road; and the cumulative impact of the scheme with development at Herne Road, which has been identified within the emerging RNOTP.

8.2.5 Whilst the suggestion of an alternative access via Benefield Road is acknowledged, the Council must consider the proposal as submitted. The developer has demonstrated that the existing access is suitable and it would not therefore be appropriate to refuse planning permission on the basis that an alternative means of access (i.e. from Benefield Road), as a haul route or permanent approach is desirable. The Highway Authority has also commented on the previous application (09/0611/FUL) that as such a facility has not been included within site area; it would be unable to recommend any conditions being imposed on third party land, whilst outside the control of the applicant as it is at present. Furthermore policy OU1 of the East Northamptonshire Local Plan 1996 included a protected access point to the site from the (now) existing development at Creed Road. It should also be noted, that aside from the potential adverse visual impacts of an access from Benefield Road and the application site, this could lead to pressures for additional development between the new road and the existing built form of the town in future.

8.2.6 The Highway Officer has stated that the TA (January 2011) is based on out of date information as the original traffic counts were carried out in 2006 with subsequent traffic counts carried out in 2008 to form the baseline position which has been used as a basis for extrapolating the likely increase in traffic as a result of the housing growth for Oundle. Highway Officers have stated that further traffic survey work is required to update the information contained in the TA. Whilst remaining of the view that the TA is not out of date, the applicant has nevertheless agreed to carry out further traffic counts to confirm the traffic growth rates. This information and analysis will be reported to committee together with the final comments of the NCC Highway Officer.

#### Public Transport and Cycle Network

8.2.7 The TA states that due to geometrical constraints along Creed Road it is not practical for a bus to be routed into the site. It is therefore not possible for all of the dwellings on the site to lie within the recommended 400m of a bus stop. However, in order to help increase take up of existing bus services and reduce the effects of vehicle usage, the Highway Authority has recommended that two further stops along the X4 route be provided with Real-time Information Boards and in addition that a Real-time Board is located within the development or at a suitable location that would also benefit existing residents. This sign could be linked up to the four stops that would have such facilities and residents would be aware of when and where to catch buses to Peterborough and other nearby towns. Whilst the Highway Authority notes that the bus stopping facilities in Oundle for the X4 route are not

currently fitted with Real-time Information Boards, it has indicated that two central stops, (one inbound, one outbound) will shortly be upgraded to take Real-time facilities. However there are another four X4 stops without such facility. The Highway Authority has requested that the applicant be required to provide a contribution to Northamptonshire County Council for these facilities through a s106 agreement.

8.2.8 The TA (January 2011) emphasises that walking and cycling is a real alternative to gain access from the site to the town centre. The high percentage of journeys to work on foot can be confirmed by census data which shows 15.33% for Oundle compared with the national average of 9.99%. Furthermore, the site is accessible for cyclists being within easy reach of a range of facilities. Census data reveals that journeys to work by bicycle in Oundle are almost twice the national average at 5.25%. This is supported by the data collected during a traffic count at the Glapthorn Road/ Hillfield Road junction with 4% of all journeys to and from the site being by bicycle in the AM and PM peak hours. The applicant has proposed a voucher to assist the purchase of a cycle for each household via a S106 contribution together with secure cycle parking for each dwelling.

8.2.9 By contrast the number of people travelling to work by bus is only 1.41% which is below the national average of 7.51%. The area is served by few bus routes. The geometrical constraints of Creed Road make it unsuitable as a bus route. The nearest bus stops to the site are on Glapthorn Road serving the number 13 service. The route is safe and well lit for pedestrians.

8.2.10 The applicant has not proposed measures to enhance the existing cycle facilities in the town. However the Highway Authority is satisfied that the additional cycling movements resulting from the development would not create situations to the detriment of highway safety and that the lack of such enhancements to cycle facilities would not be a reason for refusal of planning permission.

8.2.11 The Highway Authority has advised that standard conditions and a s106 agreement to secure the provision of public transport infrastructure improvements will be required similar to the 09/0611/FUL application.

## Parking

8.2.12 Oundle Town Council has raised concerns regarding the proposed parking provision and has stated that existing parking problems at Creed Road would be exacerbated. Furthermore, the Town Council and local residents have concerns that the proposals would significantly impact on the existing parking facilities within the town centre.

8.2.13 The application proposes a total of 218 spaces, which equates to 1.5 per dwelling. This is in line with Policy 6 of the emerging RNOTP, which states that for new residential development an average maximum residential parking standard of 2 parking spaces per dwelling will apply.

8.2.14 Since the application was last considered, changes to PPS13 have relaxed the policy on parking in relation to small developments, that is, those below the relevant thresholds. PPS 13 states that Local authorities should use their discretion in setting the levels of parking appropriate for small developments so as to reflect local circumstances. The relevant annex D in PPS13 refers to maximum parking thresholds for town centre uses rather than residential, to promote sustainable transport choices. However, the current proposal is for major development. PPS13 states that developers should not be required to provide more spaces than they themselves wish other than in exceptional cases. The application includes a Travel Plan which seeks to achieve a modal shift and encourages cycle and pedestrian travel as an alternative to the car. It is considered that the current package of measures included with the application is in accordance with this policy.

8.2.15. The concerns regarding parking within the town centre are noted; however, it is not considered that the proposed development would impact so significantly that it would warrant the refusal of planning permission in this instance. Notwithstanding this, it is worth noting that the issues of town centre car parking have been recognised as a major concern throughout the Rural North, Oundle and Thrapston Plan process (2005-9). These issues were identified as the top priorities for the town in the 2007 Oundle Health check. It is proposed in the Plan (Inspector's Modifications document, paragraphs 8.22-8.24), that the Milton Road school site could be used as car parking if the primary school needs to be relocated."

#### Travel Plan

8.2.16 An Indicative Travel Plan Strategy (TP) has been submitted in support of the proposals. The purpose of the TP is to set out a long term strategy for reducing dependence on the private car in favour of more sustainable modes of travel, in line with Government policy objectives. The types of proposals being considered as part of the plan are:

- Appointment of a Travel Co-Coordinator prior to occupation of the first dwelling.
- A site audit identifying the transport links to the site for the various non-motorised modes and proposed transport initiatives.
- Setting of suitable and achievable targets
- Awareness and marketing campaigns aimed at encouraging the use of non-car modes to access the site through residents' welcome packs.
- Make available cycle and pedestrian facilities to access the site by a suitable footpath network.
- Car share schemes.
- Provision of a £100 bicycle voucher per dwelling as part of the purchase.
- Installation of bicycle racks within the town (dependent upon availability of third party land).

8.2.17 The TP has highlighted that the appointment of a Travel Co-ordinator would be required and their role would be to implement, monitor and modify the Travel Plan.

8.2.18 The target for the TP would be to reduce single occupancy car trips to the site by achieving a 20% modal shift towards more sustainable transport choices. The provision, agreement and implementation of a Final Travel Plan can be secured through the s106 agreement.

#### Environmental Impacts

8.2.19 Oundle Town Council, together with local residents, has raised concerns regarding the environmental impacts of the proposal including the effects of construction and operational traffic once the development is complete, on the safety of existing residents at Creed Road. In particular the safety of children, noting the location of the existing play area adjacent to Creed Road on the northern side of the development. This is acknowledged and a condition is suggested to restrict the hours of plant and material delivery to between 9.15am and 3.00pm to help reduce any potential conflict between construction traffic and other users of the highway network at school peak period travel times.

8.2.20 Concerns have been expressed about increased dirt on nearby roads. A condition is suggested to require wheel cleaning prior to construction traffic leaving the site and to ensure that operational vehicles are appropriately sealed / covered to prevent material spillage, wind blow and odour nuisance.

8.2.21 Concerns have also been raised regarding the impact of increased noise from additional traffic associated with the development as well as impacts upon air quality. Environmental Protection Officers consider that the additional traffic arising from the development would not cause the local air quality to exceed statutory levels. They also consider that the operational traffic (cars) arising from the completed development, would not be likely to generate significant increases in noise; however, they note that Northamptonshire

County Council is the regulating Authority for road/traffic noise. PPG24 sets out noise exposure categories for new dwellings near to existing noise sources, but it was not felt necessary to request any assessment for noise under this legislation in this area as the traffic flow is not likely to impact on the new dwellings. This sort of assessment would be more relevant if development was proposed near to the A14 for example.

8.2.22 Updated traffic counts are due to be carried out to confirm that the development would not give rise to a significant increase or excessive amount of vehicle queuing within the vicinity of the site or wider town, which is where problems of traffic noise and air quality issues can arise. Furthermore, given the nature and location of development, traffic speeds would be fairly slow and would not therefore be likely to give rise to problems often associated with high vehicle speeds or higher speed acceleration for instance.

8.2.23 On the basis of the above, it is considered that it would be extremely difficult to argue that the additional traffic resulting from the development would harm residential amenity.

### 8.3 Loss of Agricultural Land

8.3.1 PPS7 acknowledges the importance of the rural economy and the environmental, economic and social value of the countryside, and provides the broad policy context for the consideration of the loss of agricultural land within the development control process. It refers to the quality of agricultural land as a material planning consideration and where the best and most versatile land is present; it highlights the need to take this into account alongside other sustainability considerations. Where significant loss of agricultural land is unavoidable, local planning authorities should seek to use land of poorer quality, except where this would be inconsistent with other sustainability considerations.

8.3.2 The site is currently agricultural land and it is understood from the applicant that the land is Grade 3.

8.3.3 On balance, given the very small scale of the site (just over 4 hectares) the loss of a very limited area of agricultural land is not considered to outweigh the need for the development in order to meet growth targets, particularly as the site has been identified as a sustainable allocation within the Rural North, Oundle and Thrapston Plan (Inspector's Modifications, 8 July 2009). It is concluded that the loss of such a small area of agricultural land is not significant in the local, regional or national context.

### 8.4 Housing Mix and Density

8.4.1 PPS3 has recently been amended to remove reference to minimum densities for housing. However paragraph 46 of PPS3 requires, local planning authorities to develop density policies having regard to:

- Spatial vision and the strategy for housing development, including the level of demand and need and availability of suitable land
- Current and future level of infra-structure, services and facilities
- Desirability of using land efficiently
- Characteristics of the area
- Desirability of achieving high quality well designed housing.

8.4.2. The proposed density of the development is 35 dwellings per hectare.

At 35 dwellings per hectare the density is fairly low, although the density of the existing development does equate to approximately 21.5 dwellings per hectare. The proposed density represents a balance between respecting the characteristics of the area whilst at the same time as making efficient use of land. Policy OUN3 of the emerging RNOTP states that the site at Creed Road could accommodate around 145 dwellings, associated infra-structure and open space. Your Officers' view therefore is that the removal of minimum densities makes no difference to the recommendation that planning permission should be granted.

8.4.3 Saved policy H4 of the East Northamptonshire Local Plan 1996 requires that development incorporates a mix of dwelling types and styles. In addition, policy 8 of the emerging Rural North, Oundle and Thrapston Plan (Inspector's Modifications, 8 July 2009) should include a mix of housing types to take account of local need. The proposal includes a range of dwelling types including flats, maisonettes, terraced, attached and detached.

8.4.4. The scheme would deliver 40% affordable housing (58 units) comprising 30 social rented units and 28 shared ownership. The following mix of units is proposed

Unit Size / Type	Social Rented	Shared ownership	Total
1 Bed Flats	6	6	12
2 Bed Houses	12	14	26
3 Bed Houses	11	3	14
4 Bed House	1	5	6
Total	30	28	58

8.4.5 The development proposes a balanced mix of housing sizes, types and tenures, including 40% affordable housing, which is in line with current policy. The Council's Housing Strategy Manager is satisfied that the proposals fit the requirements for Oundle, including an appropriate tenure ratio for the town and split between small, medium and large dwellings, in line with policy 8 of the emerging RNOTP.

8.4.6 As noted above the density of the development is 35 dwellings per hectare. This is greater than the density on the existing development at Creed Road (to the east of the application site) which equates to approximately 21.5 dwellings per hectare and is a fairly low density. However, 35 dwellings per hectare is in line with PPS3 (Housing) which states that Local Planning Authorities may wish to set out a range of densities across the plan area, although 30 dwellings per hectare should be used as national indicative minimum to guide decision making until local density policies are in place. Furthermore, Policy OUN3 of the emerging RNOTP, states that the site at Creed Road could accommodate around 145 dwellings, associated infrastructure and open space.

8.4.7 In light of the above and given the site's sustainable location relatively near to the town centre of Oundle, it is considered that the proposed density is acceptable.

## 8.5 Layout and Design

8.5.1 The layout and overall design of the scheme is considered to be acceptable. It appears to have been generally well thought out within the context of the existing development at Creed Road. Pre-application discussions took place prior to the submission of the application, and it is understood that many elements of the design and layout were agreed at that stage. However, officers have continued to work with the applicant since the submission of the application, to improve the overall design.

8.5.2 The access roads into the site form a continuation of the existing roads (Creed Road and Hillfield Road) and the central area of open space within the existing site would continue through the new scheme towards the open countryside beyond. The dwellings have been laid out in a block structure to provide active street scenes, with parking provided on plot and in rear courtyards. The higher density development is proposed to the north of the site which follows on from the existing development whereby the density is higher along Creed Road than on Hillfield Road. Lower density housing is proposed along the southern and western boundaries to help provide visual transition from the adjacent playing fields and open countryside. Whilst the density proposed is higher than the existing adjacent development, it is in line with national and local policy and the new scheme would largely follow the general form of the existing estate.

8.5.3 In terms of scale, most of the dwellings proposed would be two storeys high, to reflect the adjacent development which wholly consists of two storey units. A small number of 2.5 and three storey units are proposed (the proposed flats at Plots 26-33 and 64-69 are three storey, whilst three terraces of three dwellings are 2.5 storeys together with one pair of semis and four detached dwellings).

8.5.4 The Design and Access Statement identifies three character zones within the development: the 'open space edge', whereby development facing onto the open space helps to bring emphasis to the open space area; 'enclosed street zones', where houses are arranged to maximise surveillance and activity in the street; and 'green edge' on the western side, where the built form is arranged more loosely and faces towards the open countryside.

8.5.5 The designs proposed for the house types are generally standard; although this is reflective of the existing adjacent development. Focal points have been provided within the development and the number of blank side elevations facing into the street scene has been reduced to create a lively street scene with a good amount of surveillance over the open space. Full details of the materials palette, including samples can be required by way of condition if the application were approved, in order to ensure that it appropriately blends with the existing adjacent development.

8.5.6 Unlike the existing estate, the proposal includes a vehicular link between the northern and southern sides of the development. This approach was developed following pre-application discussions with officers and the Local Highway Authority. The application also states that the design concept emerged from the public consultation undertaken before the application was submitted. Whilst a link between the two sides of the site is generally supported, it is considered that the approach proposed is extremely formal and somewhat contrived, and gives priority to vehicles rather than pedestrians and cyclists. It is considered that an improved design solution could be found which minimises the need for artificial features such as bollards. As such, it is recommended that plans for the final design of the crossover between the two sides of the site be submitted and approved by way of condition.

8.5.7 The LEAP is proposed to be located to the eastern end of the central open space in order for it to be centrally accessible for existing and new residents. The surrounding dwellings have been orientated to afford surveillance over the open space.

8.5.8 The landscaping details of the central open space have been revised following officer negotiations with the applicant to show low bollards around the southern edge of the public open space in preference to railings or hedging. This will allow for easy access to the space for residents and provide a more informal appearance. This satisfied the concerns previously raised by the Conservation Officer.

8.5.9 No details have been submitted of the planting species or sizes to be used in the proposed central open space area. A condition is suggested to cover this element.

8.5.10 With regards to the continuation of the existing central area of open space, the supporting documentation states that would be very well overlooked and would link the main pedestrian and cycle routes into the existing development, but be detached from the principal vehicle movements. Unfortunately, the area of open space within the existing adjacent development has not been provided in accordance with the originally approved plans, which included a path through the open space. This matter is currently being investigated by planning enforcement officers; however, in the interests of providing a coherent solution to the new and existing area of open space, the applicant has included the existing site (incorporating the previously approved path) within the Landscape Concept. It is therefore anticipated that if planning permission is approved for this scheme a comprehensive landscaping solution relating to the existing and new area of open space will be implemented, including the key elements such as the footpath from the originally approved plans.

8.5.11 The indicative landscaping details submitted in support of the application show the retention of the existing well established hedgerows around the periphery of the site. It is considered that these are important elements of the landscaping scheme as they would help to minimise the impact of the development upon nearby neighbours and also help to soften its visual impact whilst the new planting becomes established.

8.5.12 With regards to crime and disorder issues, whilst boundary screening details have been submitted with the application, the comments of the Northamptonshire Police Crime Prevention Officer are noted and it is recommended that final details of boundary screening, including materials samples where appropriate, be required by way of condition.

8.5.13 In addition, the comments of the Northamptonshire Police Crime Prevention Officer in respect of preventing vehicles entering the open space is noted and a suitable condition is recommended accordingly. The Officer has also requested that conditions be attached to any permission to require details of lighting to public and communal areas (including parking courts), and for the security of ground floor and easily accessible first floor doors and windows to meet specified standards to minimise opportunities for burglary and other crime. Appropriate conditions are recommended accordingly.

## 8.6 Water Resources

### Flood Risk

8.6.1 The application site lies within Flood Zone 1 which is defined by PPS25 as having a low probability of flooding. However, due to the size of the site and nature of the development a Flood Risk Assessment (FRA) has been submitted as there may still be a risk of flooding on-site and/or off-site if surface water run-off is not effectively managed.

8.6.2 PPS25 (E.9) advises that development proposals on Flood Zone 1 of one hectare or greater should be accompanied by a Flood Risk Assessment (FRA) and this FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed. In particular, for major development, the FRA should identify the opportunities to reduce the probability and consequences of Flooding.

8.6.3 The Environment Agency (EA) has assessed the FRA and has advised that the proposed development is acceptable subject to conditions relating to the following matters:

- A detailed surface water drainage scheme for the site in accordance with the amended FRA.
- A scheme for the provision of mains foul water drainage on and off site.
- Should contamination not previously identified be found to be present at the site, no further development shall be carried out until a remediation strategy has been submitted.

8.6.4 In addition to the above, the EA has noted that the pipes and hydrobrake would be adopted by Anglian Water. However, the detention zones would form part of the public open space and the EA recommends that the s106 agreement covers the adoption and maintenance for all elements of the surface water drainage scheme (which are not to be taken on by Anglian Water), to ensure surface water is managed in perpetuity.

8.6.5 It is considered that this matter can be adequately addressed within the s106 agreement. Whilst Oundle Town Council has indicated that it would be prepared to adopt the public open space, it would also be appropriate to ensure that should the land not be transferred and the adoption not take place (as has occurred at the adjacent Creed Road site), the developer would be required to set up a management company to maintain the area, including the surface water drainage systems.

8.6.6 The FRA concludes that the site is not at risk of flooding from external sources and there are no local surface water flooding issues on the land. Furthermore, it states that there

would be a benefit arising in terms of the earlier development area at Creed Road; the outflow from the proposed scheme would be less than was previously anticipated and catered for within the capacity of the pipes laid down for the current estate (but also in anticipation of this scheme). As the rates for this site would be reduced to greenfield run-off it would effectively allow for increased storage volume in the earlier development sewers than was previously expected.

## Water Supply, Drainage and Sewerage

8.6.7 Anglian Water has confirmed that the surface water/flood risk assessment submitted with the application is acceptable subject to a condition requiring the approval of and provision of a works relating to waste water prior to occupation of any dwelling.

8.6.8 Concern has been expressed by local residents about the available capacity of the sewerage system to accept any further development; however, Anglian Water has confirmed that there is available capacity for the foul flows from the proposed development at Oundle Sewage Treatment Works.

8.6.9 Anglian Water has indicated that there are no assets owned by Anglian Water or those subject to adoption agreements within the development boundary.

## 8.7 Ecological Issues

8.7.1 An Extended Phase 1 Habitat Survey dated August 2009 was submitted with the application.

8.7.2 The survey found that the arable land and habitats within the site have limited value and are typically of low botanical diversity with only common species present. It recommends that hedgerows should be retained where possible, but where their removal is unavoidable removal should take place outside of the main bird breeding season. It also notes that a number of existing trees on the boundary of the site provide potential locations for bat roosts and that if affected by the proposals, bat surveys of the mature trees should be undertaken. The Survey also recommends that mature trees should be retained as far as possible and any additional planting should include native species as far as feasible.

8.7.3 Natural England and Northamptonshire Wildlife Trust concur with the findings and recommendations of the Survey. Comments provided on the previous planning application have now been addressed in this submission. Natural England welcomes the applicant's commitment to provide a green space within the layout and to retain trees and hedgerows which may have potential for bat roosts and serve as a wildlife corridor. Natural England recommend that a long term Ecological Management Plan (EMP) be secured in order to ensure the detailed design elements are appropriate and deliver a net gain in biodiversity. In addition, a condition is suggested to ensure that no vegetation is removed during the bird breeding season.

8.7.4 Natural England and the Wildlife Trust have also stressed the importance of providing native species planting at the site; it is noted that the most recent supporting documentation still proposes some non-native species. This matter has been discussed with the developer, who have confirmed that they are satisfied that it be addressed by way of a condition, which specifically requires the final landscaping scheme and EMP to have a strong emphasis on native species planting. Furthermore, Natural England has recommended a condition to ensure that all boundary features are retained, and where removal or management is required for infrastructure purposes, this shall be undertaken outside the bird breeding season, or shall be supervised by a qualified ecologist.

8.7.5 It is understood that local residents have noted the presence of Skylarks within or close to the application site, and that they are concerned that no specific mention has been made within the Habitat Survey. This species is listed within the UK Biodiversity Action Plan (BAP)

Species; as stated within the Habitat Survey at 3.11, no evidence of any statutorily protected species or UK BAP species was recorded on site during the survey.

## 8.8 Archaeology and Cultural Heritage

8.8.1 The application is supported by an Archaeological evaluation report following geophysical survey and trial trenching on the site. This work has identified that the development area contains extensive evidence of Romano British occupation in conjunction with the remnants of medieval ridge and furrow field systems.

8.8.2 The Archaeologist at NCC is satisfied that the evaluation has demonstrated that although archaeological deposits are present within part of the development area they are not of such significance as to preclude development. She has concluded that this would not represent an over-riding constraint on the development provided that adequate provision, in the form of a condition, was made for the investigation and recording of any remains that would be affected should permission be granted. As such a suitable condition is recommended below.

## 8.9 Noise, Dust, Contamination and Air Quality

8.9.1 ENC Environmental Protection Officers have no objections to the proposal on noise grounds, subject to appropriate conditions to ensure that noisy works associated with the construction of the development are limited to the following hours: 7:30am – 6:00pm Mondays to Fridays and 8:00am – 1:00pm Saturdays and at no time on Sundays and Bank Holidays. An appropriate condition is recommended below.

8.9.2 Environmental Protection Officers have also recommended a condition requiring details of dust suppression measures to be submitted for approval prior to the commencement of development. An appropriate condition is recommended accordingly.

8.9.3 In respect of potential contamination, a Phase 1 Environmental Study has been submitted in support of the application. This has identified potential low risks from near surface contamination and from backfilled excavations associated with the former brickworks. The study recommends a Phase II ground investigation including trial pits, to determine ground conditions with chemical analysis of near surface soils, together with gas monitoring to enable a risk based assessment to be completed. Subject to conditions to investigate and remediate contamination as necessary, the Environmental Protection Officers have no objection on contamination grounds. Appropriate conditions are set out below.

8.9.4 With regards to air quality, Environmental Protection Officers have confirmed that the increase in traffic resulting from the development would not cause the air quality to exceed the statutory air quality levels.

8.9.5 In order to ensure that the impact of construction works upon existing residents is minimised, it is recommended that a Construction Management Plan (CMP) is required by way of condition. In addition, it is recommended that details of site operative's, visitors and construction vehicles loading, off loading, parking and turning within the site during the construction period are required.

## 8.10 Residential Amenity

8.10.1 The main dwellings affected by the development are those within the existing Creed Road Development (primarily those adjoining the site) and those to the north of the site at Monson Way.

8.10.2 The neighbour at 63 Creed Road has expressed concerns that the dwelling at Plot 1 would cause overlooking and overshadowing. However, no windows are proposed in the east elevation facing these properties. Furthermore, due to the position of Plots 1 and 2 which are

12 metres due west of the existing houses, together with the orientation of the sun, it is unlikely that overshadowing would result except a small amount at the very end of the day.

8.10.3 No windows are proposed in the gable of Plot 79 facing towards 53 Hillfield Road; whilst a window is proposed in the eastern side of the rear projecting element, it is considered that this would be far enough away (24.5 metres) to ensure that no significant overlooking would occur.

8.10.4 It is considered that the first floor window in the rear gable of Plot 80 would overlook a large part of the garden of 51 Hillfield Road. The bedroom served by this window has another window in the side elevation. The applicant has agreed to maintain this window in obscure glazing to avoid any problem occurring. An appropriate condition is recommended.

8.10.5 It is likely that a small number of proposed dwellings could result in overlooking towards dwellings to the north (9, 19, 21 Monson Way and the flats north of Plot 55 in particular) and towards 57 Creed Road to the east. The applicant has confirmed that windows on Plots 43 to 44 and 46 to 49 will be obscurely glazed to avoid any overlooking of the Monson Way properties. This matter is covered by a condition.

8.10.6 Similarly, first floor windows in the side elevation of Plot 81 facing 51 Hillfield Road will be finished in obscure glazing and this will be secured by a condition.

8.10.7 Rear first floor windows of Plots 4, 5 and 6 will be obscurely glazed to avoid impact from overlooking the neighbouring properties' garden on Creed Road.

## 8.11 Waste Management

8.11.1 A Waste Management Strategy (WMS) has been submitted in support of the application. No comments have been received from Northamptonshire County Council in respect of the Waste Management Plan.

8.11.2 ENC's Waste Management Team has expressed concerns regarding some of the detailed design elements in respect of waste and recycling collection from flats. They have stated that for multi occupancy properties/flats a communal refuse and recycling storage/collection point (bin compound) is preferable. In order to prevent future problems with respect to collection as well as to encourage the residents to participate in recycling schemes, the bin compound must be located as near as possible to the public highway and to the main building. The bin store for flats would need to accommodate a total of 5 x 360 litre wheeled bins (3 green for cardboard, plastic bottles etc, 1 red for paper and 1 blue for glass) as well as sufficient capacity for black sacks from 6 properties. The Council would provide the wheeled bins for the collection of recyclable materials. Clarification has been sought from the developer regarding the location of the bin stores; however, no detailed drawings have been provided in respect of their design. It is therefore recommended that details of the final design (including size) and location of the bin stores be submitted to the LPA for prior approval and that this is secured by way of condition.

8.11.3 The Waste Management Team has also noted that there are some private driveways within the scheme and point out that the Council operates a curtilage collection service. They have stated that the access roads would be expected to be constructed to a standard in terms of loading (some of our refuse collection vehicles weigh up to 32 tonnes) and layout should be such that turning the vehicle with less or minimum reversing. Paragraph 4.15 of the WMS states that all dwellings are within the Manual for Streets recommended distances: collection vehicles can get to within 25m of the dwelling, without exceeding the maximum reversing distance of 12m and without residents having to move their waste receptacles more than 30m. In addition, the WMS includes a plan showing large refuse vehicle tracking.

## 8.12 Sustainable Design and Construction

8.12.1 Policy 14 of the North Northamptonshire Core Spatial Strategy requires proposals of this scale to demonstrate:

- i. the development incorporates techniques of sustainable construction and energy efficiency
- ii. there is provision for waste reduction/recycling
- iii. there is provision for water efficiency and water recycling
- iv. 10% of the demand for energy will be met on site and renewably/from a decentralised renewable or low-carbon energy supply.

8.12.2 A Sustainability Appraisal and Energy Statement has been submitted in support of the application. This document has been prepared on the basis of the checklist contained within the adopted Sustainable Design SPD. Whilst the supporting information states that the affordable housing within the site would be built to Code for Sustainable Homes Level 3; it does not address how the market housing would meet the above requirements of Policy 14. In line with the advice of the NNJPU Sustainable Design Advisor, appropriate conditions are recommended below to ensure that the requirements of this policy are met.

## 8.13 Developer Contributions

8.13.1 The development is of a size which generates a need for social and community infrastructure. Detailed discussions have taken place with the applicant and it is recommended that the contributions / provisions set out in the following paragraphs be sought.

### Affordable Housing

8.13.2 The application proposes 40% affordable housing which is in line with the Council's requirements. The amount, housing type and tenure has been agreed with the Housing Strategy Manager.

### Education

8.13.3 Northamptonshire County Council has requested a contribution of £297,360 towards secondary and primary school places in the town. This breaks down as follows:

Secondary places = £245,731

Primary Places = £51,629

Total education contribution = £297,360.

8.13.4 This is an increase in the figure that the developer originally offered by some £20,000 and reflects the current cost multipliers being used by NCC to secure contributions towards education needs arising from development proposals. The developer has confirmed agreement to the above education contribution.

### Recreation and Open Space

8.13.5 An area of open space is provided on site. This measures 4400 square metres, of which 400 square metres is a Local Area for Equipped Play. The remainder is informal recreation space. The Council's adopted SPD for Developer Contributions sets out a formula for calculating the requirement for open space. As the total requirement set out within the SPD is not provided on site, an off-site contribution of £115,600 to cover the shortfall in line with the aforementioned SPD has been requested and agreed. In addition, the developer has agreed to a sum of £76,824 for the maintenance of the on-site open space. This has been calculated for a period of 20 years and the cost multipliers for maintaining equipped play space and informal recreation space have also been taken from the Developer Contributions SPD.

8.13.6 Whilst Oundle Town Council has indicated that it would be prepared to adopt the public open space on the basis of the above contributions, it would also be appropriate to ensure through the s106 agreement that should the land not be transferred and the adoption not take place (as has occurred at the adjacent Creed Road site), the developer would be required to set up a management company to maintain the area.

8.13.7 Whilst the comments of Sport England regarding the requirement for indoor facilities are noted, the Council's adopted SPD for Developer Contributions does not make provision for this; it is therefore not considered reasonable to insist on contributions in this instance.

#### Libraries

8.13.8 Northamptonshire County Council has requested a contribution of £32,320 based on their standard cost multipliers towards improving local library facilities, to which the developer has agreed.

#### Health

8.13.9 The Council's Developer Contributions SPD refers to the need for capital contributions from major development proposals to be made for GP surgeries where an increased population will result which cannot be accommodated within existing surgeries. This is based on an assumption that each dwelling will yield an average of 2.4 persons and 1800 patients per GP as the maximum recommended by the Dept of Health and the East Midlands Strategic Health Authority. Before a contribution is sought, the capacity of existing surgeries locally needs to be established.

8.13.10 The surgery in Glaphorn Road is close to the site and would serve the new population. Oundle Surgery currently has 5.5 full time equivalent GPs and 10,600 patients (including 900 pupils of Oundle School seen in the school sanatorium.) This equates to 1,927 patients per GP. The Creed Road development would yield an additional 348 patients based upon an average household size of 2.4 persons. Other growth in Oundle (from the proposal at Herne Road) would yield further 254 patients. The growth total would therefore be 602 patients which would require an additional consulting room.

8.13.11. The surgery provides a range of health services in a number of clinics in addition to the basic GP service. These include diabetic eye screening clinic and outreach haematology clinic. The practice has had to turn away a number of other clinics due to lack of capacity. The PCT has advised that the health centre building which was designed to accommodate 5 GPs and 1 consulting room for nurses is over capacity due to the expanded range of services now being offered and the continued growth of the population in Oundle and the surrounding villages. Patient numbers have risen by approximately 200 to 300 patients per year since 1993. The manner in which health care services are now provided has changed over the years with the increased use of nursing staff to deal with some elements of patient care. The GPs have stated that there is a need to expand the floor space of the premises in order to retain the current level of services available to patients and take on the additional population arising from the proposed expansion of Oundle (Creed Road and Herne Road developments).

8.13.12. Following discussions, the PCT has however suggested that improvements to the Oundle surgery could be made to accommodate the new population arising from the growth of Oundle. The improvements include extending into the car park area to create a further two consulting rooms and three additional parking spaces at an estimated cost of £100,000. A proportion of the cost of one consulting room would be a fair contribution from the Creed Road development with the GP surgery funding the remainder. PCT will provide details of the cost which will be reported to Committee as an update.

8.13.13 The applicant has agreed to a sum of £76,560 to be added to the S106 legal agreement towards the cost of the above improvement work. This is a figure suggested by

the PCT based on a tariff requiring a contribution of £880 per dwelling for the market housing and excluding the 40% affordable units.

#### Highways Infrastructure Improvements and Travel Plan

8.13.14. As discussed above, Northamptonshire County Council has requested a contribution of £18,000 for the installation of three 'Real-time' Bus shelters.

8.3.15. A financial contribution of £10,000 has been agreed towards the cost of cycle stands and 2 cycle shelters in the town centre. Details regarding the exact locations of these facilities are to be covered by the S106 agreement.

8.3.16 The applicant has agreed to provide the first occupier of each property with a voucher to the value of £100 per dwelling towards the cost of a new bicycle.

8.13.17 As noted above, the Final Travel Plan would be secured through the s106 agreement.

#### Oundle 2010 Visioning Contribution

8.13.18 It was reported to the 18 August Development Control meeting that the developer had agreed to make a contribution of £10,000 towards the visioning work of the Town Council for their 2020 Town Plan in respect of the original application 09/00611/FUL. The developer has recently confirmed that this contribution will be paid, however, this payment does not form part of the S106 contributions for the current application.

#### Other Matters

8.13.19. Whilst Northamptonshire County Council's request for contributions towards the fire service are acknowledged, the Council's adopted SPD for Developer Contributions does not make provision for this and it is therefore not considered appropriate to insist upon in this instance. However, it is recommended that the developers be required to install fire hydrants within the development and that this be secured by condition.

8.13.20. As discussed above, should planning permission be granted the S106 agreement would need to include appropriate clauses to ensure that the surface water drainage scheme is appropriately maintained.

#### 9.0 Recommendation

9.1 That in view of the pending appeal against non-determination of the application, Committee confirms that, subject to receipt of no objections from the local highway authority, if it had been in a position to determine the application, it would be minded to GRANT planning permission subject to the conditions set out below and a S106 agreement.

#### **Conditions/Reasons -**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004
2. 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 safeguard the adequate investigation of any archaeological remains which may be present within the site.

3. Prior to the commencement of development details of all external materials shall be submitted to and approved by the Local Planning Authority in writing. In addition, sample panels of brickwork shall be constructed on site prior to the commencement of development. Development shall be carried out in accordance with the approved details.
4. Prior to the commencement of development details of existing levels of the site in relation to adjoining land levels and proposed levels including finished floor levels shall be submitted to and agreed with the Local Planning Authority in writing. Development shall be carried out in accordance with these approved details.  
Reason: In the interests of visual and residential amenity.
5. Notwithstanding the approved plans and prior to the commencement of construction of the flats hereby approved full details including the design and location of the proposed refuse storage together with cycle stores to be provided for the flats, which should be secure and lockable, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter retained in the approved manner unless otherwise agreed in writing by the local planning authority.  
Reason: To ensure a satisfactory form of development and in the interests of crime prevention.
6. Notwithstanding the approved plans and prior to the commencement of development final plans details for the design of the vehicular crossing point over the open space between the northern and southern sides of the development shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in the approved manner.  
Reason: To ensure a satisfactory form of development
7. Prior to the commencement of development a scheme for lighting the private parking areas, footpaths and areas of public open space shall be submitted to and approved by the Local Planning Authority in writing and development shall be carried out in accordance with these approved details.  
Reason: In the interests of amenity and crime prevention
8. Notwithstanding the approved plans and prior to the commencement of the development details (including materials samples where appropriate) of the location, height, design and materials of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s). The details shall largely follow the principles of the boundary screening plan which accompanied the application. Such approved details shall be erected and thereafter retained in the approved manner unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area; to ensure that the private areas of the development are afforded an acceptable measure of privacy; and in the interests of crime prevention
9. Prior to the commencement of development a scheme for the provision of street furniture including litter and dog bins shall be submitted to and approved in writing by the Local Planning Authority. The street furniture shall thereafter be installed and shall maintained in line with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of amenity and ensuring an appropriate standard of development.
10. The standards of external door sets and windows to be installed on the ground floor, or easily accessible first floor, of the buildings shall be made secure to standards, independently certified, set out in BSI PAS 24-1:1999 'Doors for enhanced Security' and BS 7950 'Windows for enhanced security'.

Reason: In the interests of crime prevention.

11. Prior to the commencement of works a Landscape/Ecological Management Plan shall be submitted to and agreed by the Local Planning Authority and shall incorporate comprehensive and detailed plans of biodiversity enhancement features (inc. design and purpose), their long-term management, species lists/planting schemes (to predominantly feature stock of native provenance), and indications of BAP habitat/species provision.

Reason: In order to safeguard protected species which may inhabit the site and to ensure biodiversity enhancement in accordance with PPS9.

12. All existing boundary hedgerows shall be retained unless otherwise agreed in writing by the Local Planning Authority. Where removal or management is required no works shall take place unless first agreed in writing by the local planning authority and they shall be undertaken at a suitable time of year (September – March inclusive) or under the supervision of a qualified ecologist.

Reason: In order to minimise disturbance to breeding birds and in the interests of visual and residential amenity.

13. Prior to the removal of any existing trees within the site or other arboricultural works the trees shall be inspected by a licensed bat worker. The details of the works, results of the bat inspection and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any tree works and the works shall thereafter be undertaken in the approved manner.

Reason: In order to safeguard protected species which may inhabit the site.

14. All works which cause any noise that is audible at the boundary of the site, or at any such other place as may be agreed with the Council, shall be carried out only between the hours of 7.30am and 6.00pm Mondays to Fridays, 8.00am and 1.00pm on Saturdays and at no time on Sundays and Bank Holidays.

Reason: In the interests of residential amenity.

15. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. Reason: To ensure potential risks arising from previous site uses have been fully assessed

16. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

17. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.  
Reason: To ensure site remediation is carried out to the agreed protocol.
18. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.  
Reason: To provide verification that the required remediation has been carried out to the required standards.
19. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority.  
Reason: To ensure all contamination within the site is dealt with and in order to protect groundwater quality.
20. Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority and provision of the fire hydrants shall be made in accordance with the scheme and timetable.  
Reason: To ensure a satisfactory form of development.
21. Pedestrian splays of at least 2.4m x 2.4m (2m x 2m where there is turning space within the site) shall be provided on each side of the vehicular accesses prior to the first occupation of the units served by those accesses. These measurements are taken along and to the rear of the highway boundary within the curtilage of the site. The areas of land forward of these splays shall be reduced to and maintained at a height not exceeding 0.6m above carriageway level.  
Reason: In the interests of highway safety.
22. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include and specify the provision to be made for the following:
- i. Overall strategy for managing environmental impacts which arise during construction;
  - ii. Measures to control the emission and suppression of dust and dirt during construction;
  - iii. Control of noise emanating from the site during the construction period;
  - iv. Hours of construction work for the development;
  - v. Contractors' compounds, materials storage and other storage arrangements, cranes and plant, equipment and related temporary infrastructure;
  - vi. Designation, layout and design of construction access and egress points;
  - vii. Internal site circulation routes;
  - viii. Directional signage (on and off site);
  - ix. Provision for emergency vehicles;
  - x. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;
  - xi. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
  - xii. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
  - xiii. and other similar debris on the adjacent public highways;
  - xiv. Routing agreement for construction traffic;
  - xv. Storage of plant and materials used in constructing the development;

xvi. Enclosure of phase or development parcel development sites or development parcels and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

xvii. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

xviii. A system to ensure that all operational vehicles arriving at and leaving the site are appropriately sealed or covered so as to prevent material spillage, wind blow and odour nuisance.

xix. In addition to the above a daily log shall be kept on an ongoing basis to record all vehicles attracted to the site and this log shall be maintained on an annual basis and be available for scrutiny at the request of the planning authority.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the local planning authority.

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

23. Prior to first use or occupation of the dwelling(s) served by a private access, parking and turning facilities shall be provided in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.

Reason: In the interests of highway safety

24. The access gradient of private accesses from the Highway Boundary shall not exceed 1 in 15.

Reason: In the interests of highway safety.

25. Prior to first use or occupation of dwelling(s) served by a private access a positive means of access drainage shall be installed to ensure that surface water from the access or private land does not discharge onto the highway.

Reason: In the interests of highway safety.

26. Prior to first use or occupation of dwelling(s) served by a private access the means of access shall be paved with a hard bound surface for a minimum of 5.0m from the highway boundary and retained as such.

Reason: In the interests of highway safety.

27. Any gates at the point of private accesses shall be hung to open inwards only.

Reason: In the interests of highway safety.

28. Notwithstanding the approved plans final details of the surface treatments for the shared areas, driveways and roads within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and subsequently implemented and retained in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

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

29. No dwelling shall be occupied until its designated car parking space(s) has been laid out and constructed ready for use in accordance with the approved plans and other approved details pursuant to any other relevant conditions.

Reason: In the interests of highway safety and of ensuring a satisfactory form of development.

30. Prior to the first occupation of any of the dwellings hereby approved details of measures to prevent cars entering or parking on the open space shall be submitted to and approved in writing by the Local Planning Authority. These measures shall not hinder general pedestrian and cycle access and shall be installed in line with a timetable to be agreed by the Local Planning Authority. The measures shall thereafter be retained in the approved manner unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding the public open space for its intended use and

in the interests of minimising crime and antisocial behaviour.

31. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no windows or other openings shall be inserted above ground floor level in the side (east) facing elevation of Plot 1 or the rear (east) facing gable end of Plot 79 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no further windows or other openings shall be inserted above ground floor level in the rear (east facing) elevation of Plot 80 or the east facing elevation of Plot 81 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the rear first floor bedroom windows to Plots 80, 43-45, 47 - 49 and 4 -6; together with the first floor side bedroom window to Plot 81 shall be glazed and maintained in obscure glass.

Reason: In the interests of residential amenity.

34. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the garages hereby approved shall be retained and shall not be converted to living accommodation unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety by ensuring the retention of adequate off-street parking facilities commensurate with the size of the dwelling.

35. Prior the commencement of development a Sustainability Statement shall be submitted to and approved in writing by the local planning authorities. The statement shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with policy 14 of the NNCSS and Supplementary Planning Document Sustainable Construction and Design.

36. At least 10% of the demand for energy shall be met on site and renewably/from a decentralised renewable or low-carbon energy supply (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007). Prior to the commencement of development details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Policies 13 and 14 of the North Northamptonshire Core Spatial Strategy and the Sustainable Construction and Design SPD.

37. The development shall be carried out fully in accordance with the submitted waste management strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of amenity and sustainability.

38. Development shall not begin until a detailed surface water drainage scheme for the site in accordance with the amended Flood Risk Assessment undertaken by Woods Hardwick Ltd (dated September 2009, ref: CSB/KM/E/15871/B4) has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

39. No development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

40. Sight lines shall be provided to give visibility along the road over a distance of at least 33.0m in both directions, from a point measured 2.4 back along the centre line of the proposed junction and shared vehicle access points. These dimensions are to be measured from and along the nearer edge of carriageway.

Reason: In the interests of highway safety.

41. Notwithstanding the hours of construction work approved pursuant to condition 22(iv) the delivery of plant and materials shall take place only between the hours of 0915 and 1500 or after 1630 ( but not outside of the hours agreed for construction works) unless otherwise agreed in writing by the local planning authority.

Reason: in the interests of highway safety.

42. Notwithstanding the approved plans no development shall take place until a comprehensive landscaping scheme for the site has been submitted to and approved by the Local Planning Authority. The scheme shall follow the principles set out within the Landscape Design Statement and Landscape Proposals ( drawing numbers PER 17202-10b and PER 16867-10D Sheets 1-6. The landscaping scheme shall include an implementation schedule. 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 to take account of Section 198 of the Town and Country Planning Act 1990.

## Informatives

### 1. Drawing Numbers:

#### HOUSING TYPE / ELEVATION PROPOSALS

##### Market Units:-

Drawing No: 626-102	House Type 626
Drawing No: 800-104	House Type 800
Drawing No: 71-FOG-103	House Type C 71 FOG
Drawing No: 978-101	House Type 978
Drawing No: 978-102	House Type 978
Drawing No: 1024-102	House Type 1024
Drawing No: 1206 Rev P2	House Type 1206
Drawing No: 1234-100	House Type V1234-1
Drawing No: 1234-100	V1234.4 – Side Garden
Drawing No: 154	House Type 154 Elevations
Drawing No: 154	House Type 154 Floor Plans
Drawing No: 142	House Type 142 Elevations

Drawing No: 142	House Type 142 Floor Plans
Drawing No: SITE/PL/POLTS	Horseshoe Planning Drawing
Drawing No: 185-103	House Type 185
Drawing No: 4Bfr-narrow-102	House Type 4 BFR NARROW
Drawing No: G1	House Type G1
Drawing No: G2	House Type G2
Drawing No: 800-101	House Type 800-101
Drawing No: 800-100	House Type 800
Drawing No: 978-100	House Type 978
Drawing No: VS978-100	House Type VS 978
Drawing No: 1206-100	House Type 1206
Drawing No: 142	Floor Plans
Drawing No: 142	Elevations

Affordable Units:-

Drawing No: 1006/1BFR/02	(Plots 64-69)
Drawing No: 1006/1BFR/01A	(Plots 28-33)
Drawing No. 4BSof – 100	(Plot 7)

Drawing No: 30505 2b4p2s KFEF L(0) 09 - Westbury Partnership Affordable House Types RF2

Drawing No: 30505 2b4p2s KFEF L(0) 11 - Westbury Partnership Affordable House Types RF2

Drawing No: 30505 2b4p2s KFEF L(0) 07 - Westbury Partnership Affordable House Types RF2

Drawing No: 30505 2b4p2s KLEF L(0) 10 - Westbury Partnership Affordable House Types RF2

Drawing No: 2b4p – 101 - 2 Bed Affordable (Plot 10)

Drawing No: 2b4p – 100 - 2 Bed Affordable (Plot 137)

Drawing No: 30505 3b5p2s KFEF L(0) 011 - Westbury Partnership Affordable House Types RF3

Drawing No: 30505 3b5p2s45 KFEF L(0) 010 - Westbury Partnership Affordable House Types RF3

Drawing No: 30505 3b5p2s45 KFEF L(0) 09 - Westbury Partnership Affordable House Types RF3C

Drawing No: 30505 3b5p2s KFEF L(0) 07 - Westbury Partnership Affordable House Types RF3C

Drawing No: 30505 3b5p -100 – 3 Bed Affordable (Plots 24, 70 & 106)

Drawing No. (1006 – 006/1 Rev A) – Street Scene Elevations Sheet 1

Drawing No. (1006 – 006/2 Rev A) – Street Scene Elevations Sheet 2

Site Layout Plan (1006 – 003 Rev T)

Boundary Treatments Plan (1006 – 005 Rev D)

Landscape Drawings (PER 16867 – 10D) (Sheets 1 – 6)

Landscape Concept drawing Public Open Space PER16867 10B

Amendment submitted 2 February 2011

Site Layout Plan (1006 – 003 Rev U)

## 2. Reason for Decision

In approving this application, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS5, PPS9, PPG13, PPG17, PPS23, PPG24, PPS25; Policies 1, 2, 3, 13b, 14, 17, 26, 28, 29, 32, 35, 36, 39, 40, 41, 43, 45, 46, 48, 49, 53, 54, Policy MKSM SRS Northamptonshire 1 and 2 of the East Midlands Regional Plan; MKSM Sub-Regional Strategy Strategic Policy 3; North Northamptonshire Core Spatial Strategy 2008 policies 1, 6, 7, 9, 10, 13, 14 and 15; policies GEN3, H4, H16, RL3, RL4 of the East Northamptonshire District Local Plan; and Rural North Oundle and Thrapston Plan (Inspector's Modifications July 2009), ENC SPD Developer Contributions, NCC SPGs Crime & Disorder and Parking, and North Northamptonshire Sustainable Design SPD. Having regard to these, the representations received and any other material planning considerations, the main issues were identified as: the principle of the development; the

impact on the highway network, means of access to the site and related highway matters; the loss of agricultural land; the layout and design of the proposed development; the housing mix; water resources (including flooding and drainage); ecological issues; archaeology and cultural heritage; noise, dust, contamination and air quality; effect on residential amenity; waste management; sustainable design and construction; the level of contributions towards social and community infrastructure. The application has been approved as:

The principle of the development is acceptable.

The proposal would not have an unacceptable impact on the local or strategic highway network.

The proposal would not result in a substantial loss of the best and most versatile agricultural land.

The siting and layout of the development is acceptable and would not harm the visual amenity or character of the area.

The development provides for an acceptable level of affordable housing and mix.

The development will not have an adverse effect on flood risk and sewage capacity.

The development would not have an adverse impact on ecology and biodiversity.

The development would not have an unacceptable impact upon archaeology or cultural heritage.

The development would not be exposed to significant levels of contamination and would not have an adverse impact in terms of noise, dust or air quality.

The proposal would not have a significant impact on residential amenity.

The development incorporates techniques of sustainable construction and energy efficiency.

The development provides adequate social and community infrastructure in accordance with the Council's adopted SPD in respect of developer contributions."

# Committee Report

Committee Date : 23 February 2011

Printed: 14 February 2011

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Case Officer **Carolyn Tait**

**EN/10/02171/FUL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>10 December 2010</b>	<b>16 December 2010</b>	<b>10 February 2011</b>	<b>Raunds Saxon</b>	<b>Raunds</b>

Applicant **Mr Trevor Partrick**

Agent **CHQ Partnership Ltd**

**Location** Rear Of Works Adj 47 Park Road Raunds Northamptonshire

Proposal **Erection of new dwelling**

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## 1 Summary of Recommendation

1.1 That permission be REFUSED.

## 2 The Proposal

2.1 The application proposes the erection of a new dwelling. This is a re-submission of a previously approved scheme for a single dwelling.

2.2 The proposed dwelling measures approximately 11 metres in length by 7 metres in width by 7 metres in height. The finished floor levels of the dwelling would sit approximately 1 metre below the ground level of an adjacent access drive.

2.3 The proposed dwelling would be finished in off white render and cedar weather boarding to the walls, slate to the roof and brown upvc windows.

2.4 The dwelling would replace a modern extension to the adjacent grade II listed building, which has already been demolished under the previous consent.

2.5 The proposed dwelling would have three bedrooms and private amenity space to the side. The application proposes the provision of a single parking space to the side of the property and a single parking space directly off of Park Road. This would involve the demolition of an existing garage.

## 3 The Site and Surroundings

3.1 The application site is situated on the eastern side of Park Road just north of the junction with Butts Road and opposite the junction with Manor Street.

3.2 The site is adjacent to a grade II listed factory building that fronts the highway, and the site is an area where a 1970s blockwork extension was situated until it was recently demolished.

3.3 There is a single width vehicular access immediately to the north, running alongside the application site, which gives access to three dwellings.

3.4 To the south of the site are detached properties on Butts Road, which are situated at a lower level as the land falls along Park Road in a north-south direction.

3.5 The immediate area is characterised by a range of dwelling types and sizes including terraced, semi-detached and more modern detached.

3.6 The extension that once formed part of the factory and has now been demolished, extended the full width of the plot and abutted the rear boundary of No.2 Butts Road.

#### 4 Policy Considerations

- 4.1 National Planning Policy Guidance
  - PPS1– Sustainable Development
  - PPS3 – Housing
  - PPS5 – Planning and the Historic Environment
  - PPG23 – Planning and Pollution Control
  - PPG24 – Planning and Noise

- 4.2 East Midlands Regional Plan
  - Policy 2 – Promoting Better Design
  - Policy 3 – Distribution of New Development
  - Policy 13b – Housing Provision (Northamptonshire)

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application.

- 4.3 North Northamptonshire Core Spatial Strategy
  - Policy 1 – Strengthening the Network of Settlements
  - Policy 7 – Delivering Housing
  - Policy 9 – Distribution and Location of Development
  - Policy 10 – Distribution of Housing
  - Policy 13 – General Sustainable Development Principles

- 4.4 Supplementary Planning Guidance
  - Parking SPG

- 4.5 Other Documents
  - Raunds Area Plan, Preferred Options

#### 5 Relevant Planning History

5.1 EN/03/00374/FUL Demolition of warehouse and erection of a pair of semi-detached dwellings. REFUSED. This application was refused on grounds of design and impact on neighbour amenity as a result of loss of privacy and overbearing impact.

5.2 EN/09/01230/LBC Redevelopment of part of the site to provide a new detached dwelling and new retaining wall. PERMITTED.

5.3 EN/09/01229/FUL Redevelopment of part of the site to provide a new detached dwelling and new retaining wall. PERMITTED.

5.4 EN/10/00601/FUL Redevelopment of part of the site to provide a new detached dwelling and new retaining wall – amendments to EN/09/01229/FUL. PERMITTED.

#### 6 Consultations and Representations

- 6.1 Neighbours: Comments received from No.4 Butts Road and can be summarised as:
  - The area served by the access road is already over developed.
  - Will create a hemmed in feeling.

- The site is very small and only suitable for a single storey bungalow that will not overpower the area.
- Object to the raised parking area which runs alongside the garden of No.4 Butts Road. This wall screens a suntrap patio and also a children's playhouse and sand pit. This is a peaceful area of the garden and car doors slamming and vehicle movements would cause disturbance.
- The parking area would allow direct views into a bedroom window.
- Previous plans showed the door being repositioned from the proposed parking area after taking into account neighbour's objections. A driveway in this location would be worse.
- There is no need for a ramp or parking area at this end of the property. The other parking area proposed should be sufficient to park vehicles.
- The proposed location of the bins against the garden wall would cause odour and noise issues.
- Windows in the roof would cause overlooking and an invasion of privacy.
- Noise and odour issues when French doors are open.
- The proposed dwelling would be constructed in a cheap and tacky manner using timber and render and being thrown up quickly.
- Not in keeping with the area.
- Various comments have been received regarding the developers intentions.
- Looks more like a prison than a house.
- The outlook for the future occupier would be a factory wall, a garden fence, a garden wall and a pair of garages.
- Limited space and access make the site unsuitable.
- Vehicles block the access road.
- The applicant states that there would be adequate turning space within the site, this could not be achieved.

6.2 Northamptonshire County Council Archaeological Advisor: Comments can be summarised as:

- The application site is within the southern edge of a site identified in the County Historic Environment Record as a 6th Century cremation cemetery; cremations with grave goods were found during archaeological work in 1989. To the north west of the cemetery is the North Raunds Saxon and medieval settlement, a designated heritage asset. Saxon activity has been recorded to the east and to the south west of the application site, and to the west medieval activity has also been identified. There is therefore the potential for remains of archaeological interest to survive on the application site.
- Consent has previously been granted for a dwelling on this site without any requirement for archaeological work. This occurred when there was no provision in County for archaeological advice on smaller schemes.
- PPS5 HE8.1 stresses the importance of pre application discussions in order to assess the significance of potential heritage assets.
- An archaeological condition would be acceptable.
- Please attach a condition as per paragraph HE12.3 of PPS5 to any permission granted in respect of this application.

6.3 Raunds Town Council: No objection.

6.4 Ancient Monuments Society: Comments received can be summarised as:

- Concerns with the way in which the site is evolving.
- When permission was granted to demolish the 20th Century extension, an understanding was reached that the main building would benefit from a programme of repairs. The 2009 and 2010 application were both approved on the condition that remedial works would be implemented concurrently with the development permitted. No detailed reference is made to the remedial works in the latest application. Urge the importance of this condition and would advise the conservation team to supervise the works.
- Surprised and disappointed that the applicant has submitted such a diluted proposal, which contrasts with those put forward both in August 2009 and March 2010. The original design had merit in its inventiveness and was a sympathetic response to the listed building. The new

design is lacklustre and the choice of materials is disappointing. Whilst aluminium for the roof, doors and windows made a happy combination with the cedar cladding to give the building a quasi-industrial feel, upvc and slates would result in something unremarkable and of poor design quality.

- Should resist approval of these revised plans.

6.5 Senior Conservation Officer: Comments can be summarised as:

- The proposed development is not of sufficient quality to merit its location adjacent to the listed building. This is owing to the buildings rather bland design.
- The approved scheme offered a much more site responsive solution. The materials proposed are also considered of insufficient quality, particularly the upvc windows and doors and the grey slate roof covering.
- The development proposed would have an adverse impact on the setting of the listed building and recommend that this application be refused in accordance with policy HE10 of PPS5.
- Notwithstanding these comments, if approval is granted then consideration will need to be given to how the works of repair to the listed building be controlled.

6.6 Local Highway Authority: Comments can be summarised as:

- Would not wish to see the promotion of a secondary access.
- The Department of Transport Design Note states that any access will create a potential accident risk and therefore the number of access on any stretch of road should be kept to a minimum. Multiple points of access are therefore to be strongly resisted.
- In its present form the proposals are unacceptable to this authority for highway safety reasons and recommend refusal on the following grounds: The formation of an additional residential vehicle access to a single dwelling would form an additional and unnecessary source of danger and conflict between emerging drivers, pedestrians and all other users of the highway network.

6.7 Environmental Protection Officer: Comments can be summarised as:

- There is an extant permission for the site, EN/09/01229/FUL. Under this permission contamination was investigated and the conclusion of the environmental engineer was that the only pollutant linkage of concern was made ground beneath the site. However, as the site levels are to be reduced by approximately 1.5 metres this would effectively remove all the made ground. Therefore, although laboratory testing could be carried out it was decided it was unnecessary as all potentially contaminated material would be removed from site.
- The proposed ground level in the application is 26.215 which would result in a finished floor level of 26.490. This would result in made ground remaining in situ as the ground level under the approved scheme is 25.390. It has been suggested to the agent that sampling and testing of the made ground could be carried out to establish if it poses any risk by remaining in situ. Failing this the made ground must be removed and levels made up with suitable engineered fill.
- No objection to the planning application but suitable conditions would need to be worded and placed on the permission addressing this problem.

6.8 Design Officer: Comments can be summarised as:

- Aware that two previous approvals for similar development on this site (09/01229/FUL and 10/00601/FUL). Regard has been given to these existing planning approvals in formulating a response.
- Access – The design and access statement only discusses vehicular access and parking from the private lane which runs off Park Road. The rationale for the orientation of the building so that its 'front' faces the 'back' of existing properties on Park Road is not clear from the information provided, although it is noted that this orientation is consistent with the previously approved schemes.
- No principle objection to the vehicular access off the lane, there is no mention of the other points of access which appear to be indicated on the plans. A stepped access into the courtyard area appears to be shown from a parking area on Park Road. This also formed the principle access to the dwelling approved under application 10/00601/FUL. This matter is

raised because the intention is unclear from the information provided. There are points of detail which this raises, such as whether there would be a gate at the top of the steps, to enclose any courtyard garden. Enclosing the garden here could potentially have a visual impact on Park Road.

- In addition, a stepped pedestrian access is shown into the courtyard garden from the private lane which runs off Park Road. The need for another access point here appears questionable.
- Character and appearance – The site for the proposal is highly visible and prominent from the south on Park Road/Butts Road, due mainly to its elevated position. This in itself demands high quality design and appearance, though this need is further compounded in this instance by the proximity of the site to the adjacent listed building, and the fact that from some points in Park Road it can be seen in the same view as the spire of St Peters Church.
- When comparing the scheme to the previously approved development, it is considered that it takes a significant step backwards. The approved scheme has a non-standard, contemporary design and appearance, which provide an appropriate contrast with the surrounding built context. This proposal incorporates more standard architectural features (e.g. fenestration and roof lights) and arbitrary material choices, which would create a rather bland and undistinctive building from this visually prominent site. This would be contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy and as such recommends that the application should be refused.
- It is also noted that close boarded fencing is proposed along the southern site boundary. This would be 1.8 metres high and sit on top of the proposed retaining wall. Whilst some boundary treatment should be provided in the interest of protecting neighbouring amenity, this is an unattractive solution which is likely to be partially visible from Park Road. Alternatives should be considered.
- Other matters – Whilst the previously approved proposal had similar arrangements, there is a reservation about the relationship of the courtyard garden proposed, and the adjacent listed building. Although there do not appear to be any openings at ground floor level in the rear elevation of the listed building, there are some at first floor level. Whilst the relationship of the courtyard garden and the listed building may be considered acceptable with the current use of the building, a reservation relates to the long term use of the listed building should the current occupier relocate. This may restrict future use of the listed building.
- Bin stores are proposed in the south eastern corner of the site on the proposed driveway. It is assumed that bin collection would be made from Park Road. It may therefore be beneficial to consider a storage location which would be closer to Park Road.
- Overall, for the above reasons the proposal is of a lower quality than the similar scheme already approved, and falls short of the requirements of Policy 13 of the North Northamptonshire Core Spatial Strategy. As such, the Design Officer can lend no support for this application.

6.9 Fire and Rescue Service: No comments received.

6.10 Council for British Archaeology: No comments received.

6.11 English Heritage: No comments received.

6.12 Society for the Protection of Ancient Buildings: No comments received.

6.13 The Victorian Society: No comments received.

6.14 Site notice displayed: 10 January 2011 on a lamp post to the front of the site.

## 7 Evaluation

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

7.2 Principle of development

7.2.1 The principle of a dwelling on this site has been established by the granting of planning

consent EN/10/00601/FUL. With reference to guidance contained within PPS1 and PPS3, which encourages the reuse of previously developed land and bearing in mind the site's location within a primarily residential area, the principle of residential development would be acceptable.

### 7.3 Design, visual impact and impact on the adjacent grade II listed building

7.3.1 The starting point when determining this application is the differences between the previously approved scheme and this submission. The differences are listed below:

#### 10/00601/FUL

- Materials – cedar cladding, render, standing seam aluminium roofing, powder coated aluminium windows, hardwood entrance door and powder coated aluminium gutter.
- Scale – approximately 9.5 metres wide, 13.5 metres deep and 7 metres high to the ridge.
- Distance below ground level – approximately 1.6 metres.
- One parking space proposed directly off of Park Road.
- Distance from adjacent listed building – approximately 5 metres.
- Access – This would be from the proposed parking space and has included steps up to the front of the house.

#### 10/02171/FUL

- Materials – cedar boarding, render, slate and brown upvc.
- Scale – approximately 8 metres wide, 11 metres deep and 6.8 metres high to the ridge.
- Distance below ground level – approximately 1.1 metres.
- Parking is proposed the same as the previous scheme with one space off of Park Road. However, additional parking for one vehicle is also proposed off of the private access road.
- Distance from the adjacent listed building – approximately 5 metres.
- Access – This can be gained from both parking spaces.

7.3.1 The proposed dwelling would occupy an area left by the demolition of the factory extension to the rear of the grade II listed building. The footprint of the dwelling would sit on the footprint of the demolished extension but would occupy a smaller area. The demolished extension occupied the majority of the plot and was attached to the listed factory building, whereas the proposed dwelling would be situated some approximate 5 metres from the rear and set back from the southern boundary with No.2 Butts Road by approximately 1.4 metres. From the ground level of the access road, the proposed dwelling would have a ridge height of approximately 6 metres and therefore the ridge height would be the same as the grade II listed building.

7.3.2 The dwelling would have a modern appearance with horizontal cedar cladding and render finish to the walls. The dwelling would be constructed under a slate roof. The standard form and appearance of the building, by being rectangular in shape with a pitched roof, gives it a somewhat bland appearance and does not provide a high quality design. The proposed building has little visual interest due to the design and materials chosen. Therefore it would not complement the industrial appearance of the adjacent listed factory building, as it would be residential in character. Although the surrounding area is predominantly residential, the proposal would also not complement these surrounding buildings, due to its very bland design. It would fail to enhance the character of the surrounding area, which is a key principle of Policy 13 of the North Northamptonshire Core Spatial Strategy. Whilst it is noted that a previous scheme was approved at this site, the extant proposal had an industrial appearance and would complement the adjacent listed building. The previous scheme includes features of interest such as a canopy roof, triangular shaped fenestration and a mixture of materials including an aluminium roof. These features would complement the industrial appearance of the adjacent building by providing a contrast to the very regular shape and positioning of the

windows, and traditional materials. The previously approved scheme is irregular and very modern in appearance, but maintains an industrial appearance. It would therefore offer an appropriate contrast to the listed building. This current application proposes a dwelling that tries to incorporate the regularity of the listed building by keeping the form simple (rectangular with a pitched roof), has standard window proportions and materials. It therefore fails to complement the adjacent listed factory building and create a distinctive character in its own right.

7.3.3 The building would be visible from the Park Road and the access road, and therefore the proposal by reason of its design and simple form would result in a detrimental visual impact on the character and appearance of the street scene, contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy.

7.3.4 Neighbours comments have been received to state that the proposed site is only suitable for a single storey dwelling. There is an extant permission for a two storey dwelling on this site and the proposal has been designed to eliminate any undue harm to neighbouring amenity caused by a two storey property. The proposal would be approximately the same height as the previous rear extension to the listed building and therefore would not result in any more harm than that was previously on the site or what could be built on the site should the extant permission for a dwelling be implemented.

7.3.5 Neighbours have commented that the proposal would lead to an overdevelopment of the area served by the access road. This access road was previously used to serve the former factory extension's parking area and therefore would not cause anymore harm than the previous arrangement. The occupiers of the neighbouring property have also commented that the site would be unsuitable due to the limited space and limited access. As the site has an extant permission for a dwelling and the proposal is for a dwelling that is smaller than that previously approved, the site is therefore not considered to be unsuitable.

#### 7.4 Neighbouring amenity

7.4.1 The occupiers of No.4 Butts Road have expressed concerns regarding loss of privacy as a result of potential overlooking from roof lights. The submitted drawings include sections that demonstrate that this would not be possible given the height of the first floor level within the building, they would be located approximately 2.2 metres above floor level. Whilst it would be possible for occupiers to stand on objects to gain views out of roof lights, the Council could not substantiate a refusal on these grounds. The number of roof lights proposed to the south elevation is the same as the number proposed in the previously approved scheme.

7.4.2 The level of overlooking from the utility room window onto the access road is considered acceptable given that this is not a habitable room.

7.4.3 The windows to the ground floor south elevation would not result in any issues of overlooking to No.2 or No.4 Butts Road as these are at ground floor level and there would be boundary screening located on the southern boundary of the site.

7.4.4 Comments have been received regarding noise and odours coming from the French doors that would serve the utility room. Although these are material planning considerations, noise and smell associated with normal domestic use would not be unrealistic. Should these become a problem then they can be dealt with under separate legislation.

7.4.5 There would be no more overshadowing or overbearing caused than the previous extension created and as such this would not warrant a reason for refusal.

7.4.6 Concerns have been raised regarding the noise of vehicle movements to the east of the site. This was previously a parking area used for the factory building and as such the proposal would cause no more harm than the previous arrangement. The neighbours have

also raised concerns that vehicles parking here would be able to overlook an existing bedroom window in the neighbouring property at No.4 Butts Road. There would be no more overlooking caused from parked vehicles than the previous arrangement of the former factory building.

## 7.5 Impact on highway safety

7.5.1 The local highway authority have objected to the proposal based on it incorporating two access points. The previous scheme only included one access point to the site which was off of Park Road. This scheme includes a new access point from the private access road which currently serves three properties. This access originally served the former factory extension and therefore there would not be an intensification of use. There is also an existing garage which is served directly off of Park Road and therefore there would not be an intensification of use of this access. As such a refusal reason based on the two access points would be unreasonable.

7.5.2 The impact of digging below the level of the access road would be controlled by building regulations. Any blocking of the access during the construction phase would be a civil matter between those parties who have rights of access across the land. The potential for the blocking of this access during construction is not a material consideration, nor is the perceived security risk to vehicles parked on the highway as a result of the access being blocked temporarily. The access is not adopted highway, therefore any dispute over its use is a civil matter.

## 7.6 Contamination

7.6.1 The Council's Environmental Protection Officer has commented that the proposed ground level in the application is 26.215 which would result in a finished floor level of 26.490. This would result in made ground remaining in situ as the ground level under the approved scheme is 25.390. It has been suggested to the Agent that sampling and testing of the made ground could be carried out to establish if it poses any risk remaining in situ. Failing this the made ground must be removed and levels made up with suitable engineered fill. If permission were to be granted then a condition could be added to ensure that the made ground posed no risk.

## 7.7 Archaeology

7.7.1 Although the County Council's Archaeologist has requested a condition as per paragraph HE12.3 of PPS5, this would be unreasonable. They have taken into account that at the time of the previous permission, there was no provision in County for archaeological advice on smaller schemes. As this previous permission is still extant a dwelling could still be built on this plot without the need for the investigation and recording of any remains that are affected.

## 8 Other issues

8.1 Crime and Disorder - this application does not raise any significant issues.

8.2 Access for Disabled - this building would not be subject to any public access and therefore does not raise any significant issues.

8.3 Various comments have been received about the developers intentions. These are not a material consideration.

8.4 Comments have been received regarding the location of the bins. The proposed location would not be practical and therefore if permission were to be granted a condition could be added for details of bin storage to be submitted prior to the commencement of development.

8.5 Neighbours have commented that the proposal would create a hemmed in feeling and that the outlook for future occupiers would be limited. Adequate amenity space is provided within the site for future occupiers and any potential occupier of the property would be aware of the amount of amenity space prior to occupation.

## 9 Recommendation

9.1 That the application be REFUSED for the following reason:

### **Conditions/Reasons -**

1. The proposed dwelling by reason of its design and form, in particular the materials and the fenestration, would create a poor quality development that would result in a detrimental visual impact on the character and appearance of the street scene and the setting of the adjacent listed building. As such the proposal would be contrary to policy 13 (h) of the adopted North Northamptonshire Core Spatial Strategy which seeks to enhance the character of the surroundings with quality design, and Policy HE10 of PPS5.

### **Informatives**

1. The drawings to which this decision relates are as follows:  
Plans received by the Local Planning Authority on 10 December 2010, drawing numbers: CHQ.10.9378-03 Proposed plans and elevations and CHQ.10.9378-02 Location plan, block plan and site plan.

# Committee Report

Committee Date : 23 February 2011

Printed: 14 February 2011

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Case Officer **Gerri Smith**

**EN/11/00053/RWL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>14 January 2011</b>	<b>14 January 2011</b>	<b>11 March 2011</b>	<b>Thrapston Market</b>	

**Ringstead**

Applicant **Spencer Street Dvelopments Ltd. - Mr C R Benham**

Location **1 Spencer Street Ringstead Northamptonshire NN14 4BX**

Proposal **Replacement of extant planning permission 07/01083/FUL - Residential development comprising three (3) houses and four (4) flats with car parking and altered means of access. Office extension to rear (resubmission) dated 23.05.2007**

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## 1 Summary of Recommendation

1.1 The application be Granted, subject to conditions,

## 2 The Proposal

2.1 The application proposes residential development on the site, comprising the erection of 3, 3-bed houses and 4, 2 bed flats. Two of the houses front onto Denford Road and comprise a pair of semis of three-storey height. The third fronts Spencer Street and is two storeys. The proposed flats lie adjacent and together with the house, form a two-storey terrace fronting Spencer Street.

2.2 Car parking is proposed in a parking court to the rear of the development taking access from Denford Road via the existing access point. This has been improved to include a 2.4m by 2.4m splay at the access. The parking area includes a double garage, allocated to the semi-detached pair on Plots 1 and 2. In addition to the garage, 6 other parking spaces are proposed to serve the development.

2.3 On site turning is provided within the parking area and a 1.8m footway is to be provided along the site frontage.

2.4 The application also includes a small extension to the existing office on Spencer Street adjacent to the site. The proposed office extension measures 2.7m wide and 6.7m deep. This will provide a meeting room and toilets and act as a link between the proposed residential development and the existing office building.

2.5 Cycle parking is proposed to the rear of the office link extension.

2.6 No bin storage detail to serve the development have been provided.

## 3 The Site and Surroundings

3.1 The application site comprises 0.1 hectares and is situated at the corner of Denford Road and Spencer Street and is occupied by a small bungalow, a car park and storage building which forms part of the Dodson and Horrell premises on the opposite corner of Spencer Street. The site also includes an office building, again part of the Dodson and Horrell business.

3.2 The site is bounded to the north, east and west by housing development dating predominantly from the Edwardian/ Late Victorian period. Opposite on the southern side of Spencer Street is the Dodson and Horrell premises.

3.3 The building opposite the site to the west on the inside of the bend in Denford Road is a thatched traditional building, adjacent to which are a pair of bungalows which are of more recent origin and the Denbank Cats Home.

3.4 The area is generally undulating; the site slopes up from Denford Road to the east along Spencer Street and also slopes up from the corner of the site towards the northwest where it adjoins the existing terrace of houses in Denford Road.

3.5 The site currently has an access from both Denford Road and Spencer Street. The latter runs between the office building and 5 Denford Road and serves the car park behind the office building.

#### 4 Policy Considerations

##### 4.1 Planning Policy Guidance Notes/Statements

PPS1 – Delivering Sustainable Development (incorporating new statement on climate change)

PPS3 – Housing

PPS5 – Planning and Historic Environment

PPS10 – Waste Management

PPG13 – Transport

PPS22 – Renewable Energy

PPG24 – Planning and Noise

PPS25 – Development and Flood Risk

##### 4.2 East Midlands Regional Plan

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application. However, Cala Homes have indicated that they propose to challenge this decision at the Court of Appeal.

Policy 1 – Regional Core Objectives

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development

Policy 17 – Regional Priorities for Managing the Release of Land for Housing

Policy 28 – Regional Priorities for Environmental and Green Infrastructure

Policy 29 – Priorities for Enhancing the Region's Biodiversity

Policy 32 – A Regional Approach to Water Resources and Water Quality

Policy 39 – Regional Priorities for Energy Reduction and Efficiency

Policy 40 – Regional Priorities for Low Carbon Energy Generation

Policy 43 – Regional Transport Objectives

Policy 45 – Regional Approach to Traffic Growth Reduction

Policy 46 – A Regional Approach to Behavioural Change

Policy 48 – Regional Car Parking Standards

Policy MKSM SRS Northamptonshire 1

Policy MKSM SRS Northamptonshire 2

4.2 North Northamptonshire Core Spatial Strategy  
Policy 1 – Strengthening the network of settlements  
Policy 9 – Distribution and Location of Development  
Policy 10 – Distribution of Housing  
Policy 13 – General Sustainable Development Principles  
Policy 14 – Energy Efficiency and Sustainable Construction

4.3 East Northamptonshire District Local Plan - No relevant policies

4.4 Other Relevant Policies / Documents  
Raunds Area Plan (Preferred Options)  
NCC SPG – Crime and Disorder  
NCC SPG – Parking  
North Northamptonshire Sustainable Design SPD  
Safer Places – the Planning System and Crime Prevention 2004

5 Relevant Planning History

5.1 07/01083/FUL- Residential development of 3 x 3 bed houses and 4 x 2bed flats with small office extension – Refused July 2007. A subsequent appeal was allowed.

5.1.1 06/02408/FUL – Residential development of 3 x 3 bed houses and 4 x 2bed flats with small office extension – Refused by Planning Committee in April 2007 contrary to officer recommendation. A subsequent appeal was allowed.

5.1.2 03/00193/OUT- Residential development - Permitted 23 Feb 2004.

5.2 The site has been subject to a number of pre- application discussions with planning and highways officers which has led to the present application.

6 Consultations and Representations

6.1 Neighbours - 12 Denford Road - objects on the grounds of potential parking and access problems.

6.2 Northamptonshire County Council Highways- No comments received to date.

6.3 Ringstead Parish Council – Object

- Supports the principle of the application as this provides potential affordable housing whilst still retaining the offices.
- Objects to only 8 parking spaces, this does not appear adequate
- Objects to three storey housing now proposed, suggests an alternative combination of flats/houses should be considered.
- Comments that a developer contribution is not required. Would like to see some traffic calming or pedestrian crossing.
- Have general concerns about sewerage and drainage.

6.4 Environmental Health Officer - No comments received to date

6.5 Housing Strategy - No objections. The site falls below the threshold to request a proportion of units as affordable housing.

6.6. NCC Archaeology - Archaeological examination further west of the site has revealed small quantities of Saxon pottery but no related features or structures. Some potential for remains to be present on the site. Requests that a recording condition be imposed.

6.6 Conservation Officer – No comments received to date.

## 7 Evaluation

### Background to the development

7.1 The application is a renewal of planning application 07/01083/FUL which was refused planning permission and subsequently appealed. Another application (06/02408/FUL) was also refused in 2007. Both applications were considered at appeal when the appeals were upheld and planning permission granted in May 2008. The difference between the two schemes related to the window design for the end gable of the building facing Denford Road. The current scheme reverts back to the developer's preferred design and omits a double bay window which formed part of the previous scheme 06/02408/FUL.

Principle of development:

7.2 The following issues are relevant to the determination of this application:

7.2.1 The principle of the proposed development of the site was established in May 2008 when the proposal was given planning permission through the appeal process. This application is a renewal of that permission. The only issues to be considered is whether there is any change to planning policy or circumstances since the appeal decision which may point to a different decision now being made. Since that time the Core Spatial Strategy has been adopted in June 2008. The renewal application has therefore to be assessed in terms of the new policies contained within that document.

7.2.2 Policy 10 of the North Northamptonshire Core Spatial Strategy seeks to direct development to the urban areas with modest growth at the smaller towns and rural service centres. Limited development in the villages, such as is proposed here, is supported by Policy 10.

7.2.3. The location of development is to be set out in DPDs. The Raunds Area Plan Preferred Options identifies Ringstead as a large network village where development opportunities exist through small scale infilling. Local services are available within Ringstead to serve the additional dwelling proposed and the proposal will not have an adverse impact on the form, character or setting of the village. The proposal represents an opportunity to redevelop a site which is currently unattractive and has the potential to attract commercial traffic into a residential area. Whilst work on Raunds Area Plan. has been suspended pending the emerging Four Towns Plan, it is a material consideration. The proposal does not conflict with the emerging policies in the Raunds Area Plan.

7.2.4 PPS3 Housing supports and encourages the reuse of brownfield sites. PPS3 emphasises good design and layout in new development, which make more efficient use of land without compromising the quality of the environment.

### 7.3. Design, Layout and Density

7.3.1 Policy 13 of the North Northamptonshire Core Spatial Strategy sets general design and sustainable development principles for new development and requires that new development is of a high standard of design and respects and enhances the character of its surroundings.

7.3.2 The character of this part of Ringstead was developed around the Late Victorian /Edwardian period and is characterised by stepped terraced houses which follow the rise of the land. The surrounding streets generally comprise houses which have a close relationship to the street and the proposed scheme follows this format in the terraced layout of the two storey development proposed to front Spencer Street. The detail of the new development includes chimneys and pitched roofs, brick exteriors with slated roofs and stone mullion and cill detail to the windows. The brick is proposed to match the adjacent office building which will ensure that the new development blends in well with the existing. The house and flats forming this terrace will have a ground floor bay window to provide articulation to the street. The buildings are positioned close to the back edge of the highway to follow the prevailing pattern of development in this part of the village.

7.3.3 To the rear of the terrace, Juliet balconies are proposed to the flats at first floor level. This will provide surveillance from the living rooms to the car park area to the rear.

7.3.4 The semis proposed on the Denford Road frontage are designed as typical town houses. Again materials include brick exterior and slated roofs. Stone is used as a stringcourse and for cills and window arches and above the entrances. Traditional details include sash windows, chimneystacks, a pitched roof front dormer to each house and a double height chamfered bay window with a hipped roof. A velux type window is proposed to the rear elevation of each house.

7.3.5 The design of the buildings and the layout remains the same as previously proposed and is satisfactory as it reflects the character of the area and complies with Policy 13.

#### 7.4. Density

7.4.1 The application proposes a density development at 70 dwellings per hectare. Members originally refused the applications in 2007 on the basis that the density was too high. However, in considering the appeals, the Inspector took the view that the limited amenity space would not affect the character or appearance of the area generally and commented that "not everyone wants a garden to maintain". The Inspector concluded that the design of the scheme would not amount to overdevelopment which which would be harmful to the living conditions of future residents or harm the character and appearance of the area.

7.4.2 Since the appeal was determined, PPS3 has been revised to remove the need for development to achieve minimum densities. However, on a site such as this in the centre of a village, it is considered that higher density is acceptable.

#### 7.5 Access and Parking

7.5.1. The access proposed to serve the development from Denford Road is considered to be acceptable. The Highway Officer has not commented on the application at the time of writing the report. In terms of the earlier schemes on this site the Highway Officer did not raise any objections to the principle of development provided that several standard conditions were imposed including the control of water run off from the site, restrictions on the access gradient, and the retention of parking and on site turning space. These standard conditions have been carried over to this application.

7.5.2 The amount and type of traffic attracted to the site is likely to be different in comparison to the existing land use, as the development will remove the existing storage use from the site. It is likely therefore that the number of commercial vehicles attracted to the village will be reduced which will be a positive improvement in terms of residential amenity.

7.5.3 Since the appeal was determined, changes to PPS13 have relaxed the policy on parking provision which previously required a maximum parking requirements approach to development proposals in relation to small developments, that is, those below the relevant thresholds. PPS 13 states that Local authorities should use their discretion in setting the levels of parking appropriate for small developments so as to reflect local circumstances. The proposal allows for the parking of 8 cars, two of which will be within a garage. This allows for 1 space per dwelling and 1 space for visitors. Whilst this is lower than the 1.5 spaces per unit normally required for this type of development, it is considered that there will be a net gain in general terms resulting from the potential reduction in commercial traffic that the development of this site will entail. In view of this, the parking ratio is considered to be acceptable by officers and reflects the appeal decision.

7.5.4 The scheme will include works to the highway to provide a pedestrian footway to highway standards along the site frontage. Secured cycle parking has been shown to serve the flats. Details of cycle parking have been secured by condition.

## 7.6 Effect on neighbours:

7.6.1 The site has a boundary with only one existing residential property No. 10 Denford Road, which lies adjacent to Plot 1. The impact on this property is negligible as the proposed dwelling is approximately 7.7m from its side elevation. The house proposed on Plot 1 will replace an existing bungalow which now occupies this part of the site. The height of the buildings has increased here but this is considered acceptable in terms of the impact on the street scene as the adjacent existing terrace is set at a high level and the ridgeline of the roof of the proposed dwellings is only marginally higher than that of the existing terrace.

7.6.2 Whilst a letter of objection has been received from a neighbour at 12 Denford Road who is concerned about parking and access problems, is noted. As stated above, the access remains unchanged from the earlier scheme which was found acceptable to the local highway authority. The parking provision whilst low is considered to be acceptable given the previous use of the site and the likely type and nature of vehicle movements which could continue on the site if the established commercial use was to continue on the site.

## 7.7. Landscaping and boundary treatment

7.7.1 The application proposes private rear gardens for each of the houses. The car park area is to be hardsurfaced with block paving. This should include marking out for the car spaces and hatching of the turning space to ensure its retention.

7.7.2 Some grassed areas and tree planting is proposed to the rear of the flats in the car park this is welcomed as it will visually soften the car park and help to break up the large area of hard surfacing.

7.7.3 The front of the buildings are to be retained as open plan given the close relationship of the built form to the highway. This is typical of a traditional village street layout. The frontage to Spencer Street will be softened by some planting beds at the front of each property.

7.7.4 The topography of the site necessitates that a retaining wall of 2m in height is provided to separate the site from the office car park to the east. This extends from the rear of the proposed office extension to the close board fence, which marks the northern boundary of the site. Additionally, a retaining wall is proposed to the north of the side elevation of Plot 1 alongside the path at the side of the house, which accesses the rear garden. The wall at this point is 1.2m high.

7.7.5 The proposed boundary treatment between individual gardens is 1.8m high close board fence. A 1.8m high wall marks the southern boundary of Plot 2 with the car park. Similarly Plot 3, on the corner has a brick wall to mark the garden boundary on the Denford Road frontage. This is considered to be acceptable. Details of boundary treatment is controlled by condition.

## 7.8 Archaeology

7.8.1. PPS5 provides the policy background for considerations relating to historic environment. Whilst the application site is not in a Conservation Area and there are no listed buildings immediately affected by the proposal. However, there is evidence of a previous Saxon settlement further west to the rear of Back Street and High Street in Ringstead and small quantities of Saxon pottery have been found. Some medieval pottery has been found to the south west of the site. There is therefore the potential for remains of occupation or other activity to survive on the site. A condition is recommended to ensure that an artefacts discovered during the construction phase are recorded.

## 8 Other Issues

8.1 Crime and Disorder - Adequate surveillance of the parking court is available from the rear of the proposed houses.

8.2 Access for the Disabled - No disabled issues are considered relevant to the determination of this application.

8.3 Affordable Housing - The Supplementary Planning Document on Developer Contributions adopted by the Council in June 2006 sets a threshold of 10 units of housing or a site size of 0.28 hectares in the villages before affordable housing requirement is needed. Affordable Housing contribution is not required in this case as the site is 0.1 hectare in size and the development yields only 9 units.

## 9 Recommendation

9.1 It is recommended that the application be GRANTED, subject to the following conditions:

### **Conditions/Reasons -**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To achieve a satisfactory appearance for the development and to avoid detriment to the visual amenity of the area.

3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communication cables, pipelines etc, indicating lines, manholes supports etc). Any planting which dies within a period of 5 years shall be replaced by plants of a suitable size or species unless otherwise agreed by the local planning authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area landscape.

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority

Reason: To ensure a reasonably satisfactory standard of development which is not detrimental to the visual amenity of the area.

5. Prior to the commencement of development, details of the provision on site for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and the cycle parking shall be provided concurrently with the remainder of the development.

Reason: In the interests of community safety

6. Prior to the commencement of development, details of the provision of bin storage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details concurrently with the remainder of the development.

Reason: To ensure an adequate standard of development

7. Prior to the commencement of development, details to show a cross section of the gradient of the car park entrance to a maximum gradient of 1 in 15 for the first 5 metres shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason: In the interests of highway safety.

8. Prior to the commencement of development, details of the proposed footway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details prior to the first occupation of the development.

Reason: To ensure an adequate standard of development.

9. Prior to the occupation of the dwellings hereby approved, the vehicular turning area shall be hatched and the car parking spaces shall be marked out. The garages shall be used only for the garaging of private motor vehicles in the ownership or control of any resident in any of the dwellings hereby permitted.

Reason: In the interests of highway safety.

10. Prior to the occupation of the dwellings hereby approved, the car park shall be drained across the access to prevent the discharge of surface water onto the public highway.

Reason: In the interests of highway safety and convenience and to ensure the proper drainage of the site.

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason : To ensure a reasonably satisfactory standard of development which is not detrimental to the visual amenity of the area.

12. A watching brief is to be undertaken during development, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works, and the appropriate recording should take place if any archaeology is discovered.

Reason: To safeguard the adequate investigation of any archaeological remains which may be present within the site.

13. Before any work is commenced on the development the subject of this permission details of the ground floor levels of all of the proposed buildings in relation to the nearest public highway shall have been submitted to and approved by the local planning authority, and the development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the amenity of adjacent occupiers.

## Informatives

### 1. 13 Relevant Plans

L/12/01, MS/06/001B, MS/06/005D, MS/06/006A, MS/06/007C, MS/06/008, received by the local planning authority on 23 May 2007 and 12 June 2007.

### 2. Reason for Decision

The following policies have been considered in the determination of this application.

Planning Policy Guidance Notes/Statements

PPS1 – Delivering Sustainable Development (incorporating new statement on climate change)

PPS3 – Housing

PPS5 – Planning and Historic Environment

PPS10 – Waste Management

PPG13 – Transport

PPS22 – Renewable Energy

PPG24 – Planning and Noise

PPS25 – Development and Flood Risk

East Midlands Regional Plan:

Policy 1 – Regional Core Objectives

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development

Policy 17 – Regional Priorities for Managing the Release of Land for Housing

Policy 28 – Regional Priorities for Environmental and Green Infrastructure

Policy 29 – Priorities for Enhancing the Region's Biodiversity

Policy 32 – A Regional Approach to Water Resources and Water Quality

Policy 39 – Regional Priorities for Energy Reduction and Efficiency

Policy 40 – Regional Priorities for Low Carbon Energy Generation

Policy 43 – Regional Transport Objectives

Policy 45 – Regional Approach to Traffic Growth Reduction

Policy 46 – A Regional Approach to Behavioural Change

Policy 48 – Regional Car Parking Standards

Policy MKSM SRS Northamptonshire 1

Policy MKSM SRS Northamptonshire 2

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the network of settlements  
Policy 9 – Distribution and Location of Development

Policy 10 – Distribution of Housing

Policy 13 – General Sustainable Development Principles

Policy 14 – Energy Efficiency and Sustainable Construction

Other Relevant Policies / Documents

Raunds Area Plan (Preferred Options)

NCC SPG – Crime and Disorder

NCC SPG – Parking

North Northamptonshire Sustainable Design SPD

Safer Places – the Planning System and Crime Prevention 2004