



**PLANNING COMMITTEE:** 8 February 2011  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2010/1064**                      **Erection of 176 dwellings, roads and sewers and associated open space.  
Land off Banbury Lane, Pineham**

**WARD:**                                      **West Hunsbury**

**APPLICANT:**                              **David Wilson Homes**  
**AGENT:**                                      **None**

**REFERRED BY:**                              **Head of Planning**  
**REASON:**                                      **Major Development**

**DEPARTURE:**                              **No**

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**APPLICATION FOR CONSULTATION BY WNDC:**

**1. RECOMMENDATION**

- 1.1 Although the Council supports the principle of residential development of the site, there remain a number of outstanding issues. Therefore the Council raise a holding objection until the following matters are resolved/ secured:
- Conditions relating to contamination are applied.
  - Concerns relating to air quality and noise are fully resolved.
  - Concerns relating to tree protection are resolved.
  - 10% of all dwelling units are to be constructed to NBC's mobility standard. 35% of all dwellings to be affordable with 70% committed for social rented housing and 30% for Low Cost Home Ownership.
  - The future maintenance of open space must be agreed with NBC and secured by legal agreement.
  - Opportunities to improve bus, cycle and pedestrian links are fully investigated and secured as appropriate.

## **2. THE PROPOSAL**

- 2.1 The proposal is for the erection of 176 dwellings, together with roads, sewers and public open space. The dwellings will be a mixture of 1-5 bedroom properties between one and a half and three storeys in height. This equates to a density of 25 dwellings per hectare gross (including areas of open space).
- 2.2 The application is supported by a Design and Access Statement, Planning Statement, Transport Assessment, Archaeological Assessment, Ecological Appraisal, Waste Management Statement, Flood Risk Assessment, Statement of Community Involvement, Noise Survey and Ground Investigation.

## **3. SITE DESCRIPTION**

- 3.1 The site is located to the south west of Northampton in the South West District Urban Expansion Area. It is located to the south of Banbury Lane and bounded by the A43 to the east, Wootton Brook to the south and the Grand Union Canal to the west. It is rectangular in shape and consists of 6.75 hectares of arable land. There are existing hedgerows and trees on the north and west boundaries of the site together with a spinney to the south of the site.
- 3.2 The site is allocated for Primary Residential Development in the Northampton Local Plan.

## **4. PLANNING HISTORY AND CONTEXT**

- 4.1 96/0643 – Outline residential development with access from Banbury Lane.
- 4.2 The above application was approved in principle by NBC's Planning Committee in 1997 subject to planning obligations. However the application was called-in by the Secretary of State and at a Public Inquiry held in September 2001 was refused. The main reason for the refusal was that the proposed site was previously undeveloped land and the Secretary of State, in line with national planning policy set out in PPG3 Housing (2000), considered that there was sufficient supply of brownfield land to meet housing needs which should be developed prior to Greenfield sites such as the application site. PPG3 and the sequential approach to allowing sites for housing development is now replaced by PPS3 in which the sequential approach has been removed and an emphasis on meeting a continual 5 year housing land supply is prioritised.

## **5. PLANNING POLICY**

### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

## 5.2 **National Policies:**

PPS1 – Delivering Sustainable Development  
PPS3 – Housing  
PPS9 – Biodiversity and Geological Conservation  
PPG13 – Transport  
PPG17 – Planning for Open Space, Sport and Recreation  
PPS23 – Planning and Pollution Control  
PPS24 – Planning and Noise  
PPS25 – Planning and Flooding

## 5.3 **East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design  
Policy 13b – Housing Provision within Northamptonshire  
Policy 14 – Regional Priorities for Affordable Housing

## 5.4 **Northampton Borough Local Plan**

E1 – Landscape and Open Space  
E11 – Hedgerows, trees and woodland  
E12 – Hedgerows, trees and woodland  
E19 – Implementing Development  
E20 – New Development  
E40 – Crime and Vandalism  
H6 - Housing Development within Primarily Residential Areas  
H14 – Residential development and children’s play facilities  
H17 – Mobility Housing  
H32 – Affordable Housing  
L6 – The Maintenance of Open Space

## 5.5 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004  
Park and Open Spaces Strategy for Northampton 2009

## **6. CONSULTATIONS/ REPRESENTATIONS**

### **Public Protection (NBC Environmental Health)**

- 6.1 Officers from this section have very serious concerns about this application. The site is located close to major roads and is in the vicinity of an existing air quality management area. The application should not be determined until a suitable air quality assessment has been submitted. An assessment of air quality is a vital element in determining whether the site is suitable for residential development.
- 6.2 In addition there are serious concerns about the suitability of the site for residential development in respect of noise. The noise report submitted with the application is unclear in respect of a number of issues. In particular the report only assesses internal noise levels within dwellings on the development, there is no assessment of noise levels in gardens and other external amenity spaces. On the basis of the data

provided in the report it is considered that noise levels in external areas are likely to be unacceptably high.

- 6.3 The assessment of noise levels at the proposed dwellings is not clear. The report contains a drawing showing the position of the 68 dB(A) contour with and without a possible bund. This drawing is not to scale. Reference is also made to locations of dwellings within NEC C. However it is not clear whether the locations of the boundaries of the NECs have been determined for the site, either undeveloped or as developed in accordance with the proposed plans. The precise details of the inputs and outputs from the noise model are not clearly specified in the report. It is requested that more detail should be provided by the applicant and if NEC contours have been determined these should be provided.
- 6.4 The development of this site for housing will involve the building of houses in areas subject to very high noise levels. The report confirms that the properties closest to the A43 (most of which are social housing) are located in NEC C - PPG 24 indicates that "planning permission should not normally be granted for new noise sensitive development. Where it is considered that permission should be given, for example because no there are alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise." Officers from this section do not consider that permission should be given in this case.
- 6.5 The phase one contamination report submitted with the application is considered to be satisfactory. If the issues mentioned above were resolved to our satisfaction we would recommend that any consent for a development on the site should be subject to condition requiring appropriate contamination investigation, risk assessment and any necessary remedial works.

#### **Arboricultural Officer (NBC)**

- 6.6 The proposed development has the potential to adversely impact on numerous medium and large sized visible trees at this location (particularly to the Northern and Southern boundaries also with individuals along the Western boundary).
- 6.7 As with all planning application of this type I would recommend that prior to any planning permission being given that the developers submit a full BS 5837:2005 tree survey together with an Arboricultural Method Statement and Tree Protection Plan showing how trees are to be protected prior to, during and after development.

#### **Outdoor Environment (NBC)**

- 6.8 Questions whether the future maintenance of the proposed landscaped/play/open space areas be undertaken by the developer or whether NBC be asked to adopt them.

#### **Housing Strategy (NBC)**

- 6.9 35% affordable housing was requested on this site but we have agreed 34.46% subject to viability. These should comprise:
- The agreed number of affordable units is 61 and the breakdown is as follows;
    - 10 x 1B flats

- x 2B flats
- x 2B houses
- 10 x 2B houses
- 26 x 3B houses
- x 4B houses
- 70% social rent and 30% to be for Low Cost Home Ownership
- The affordable units should meet HCA Design and Quality Standards, which include Level 3 Code for Sustainable Homes.
- 10% NBC mobility standard is required over the total units, or if a superior access/mobility design were adopted, such as Lifetime Homes, this mobility standard requirement could be relinquished.
- 1% NBC wheelchair standard is required over the total affordable units.

6.10 The Housing Strategy Team is satisfied with the distribution of the affordable units across the site with maximum of 12 units per clusters.

6.11 In general the Housing Strategy Team are supportive of a scheme that provides much needed affordable family housing in Northampton, however there are still some outstanding issues that need to be agreed upon before our full support can be given to this development, namely issues surrounding affordable unit sizes for which we have ongoing discussions with the applicant.

## **7. APPRAISAL**

### **Principle of Development:**

7.1 The proposed development site is within allocated Primary Residential Development in Northampton Local Plan (1997). Saved Policy H6 allows residential development in this site. This proposal was originally called-in by the Secretary of State and refused around 10 years ago. The main reason for the refusal was the proposed site is previously undeveloped land and the Secretary of State, in line with national planning policy set out in PPG3 at the time, considered that there was sufficient supply of previously developed land to meet housing needs. PPG3 and the sequential approach to allowing sites for housing development is now replaced by PPS3 in which the sequential approach has been removed and an emphasis on meeting a continual 5 year housing land supply is prioritised.

7.2 The most up to date housing land supply figures indicate that the delivery of housing is unlikely to meet the 5 year targets set out in the Regional Spatial Strategy. However, this is more down to the level of activity in the market than any substantial issues around lack of availability of sites to develop. Nevertheless, as the site is identified as an allocation in the Local Plan, it is not considered that there is any reason why from a timing perspective the site should not be allowed to come forward now in principle.

### **Access to and from the site:**

7.3 Vehicular access to the site is proposed to be from a single point on Banbury Lane at the north of the site. This access has already been built as part of the overall Banbury Lane infrastructure development. Existing pedestrian and cycle access is located along the northern edge of the site and provides a connection on foot and by cycle to

adjacent residential areas and to footway/cycleways that have been provided as part of the Cross Valley Link Road, constructed to serve development within the South West District. It is proposed to create a cycle/pedestrian link from the site to the existing cycle path north of the site and to create two pedestrian links to the canal towpath to the west of the site.

- 7.4 Although there are currently a lack of local facilities that would assist in meeting local infrastructure needs in close proximity to the site, a proposed local centre including primary school, together with additional substantial employment opportunities will be delivered as part of the Pineham development to the north and Swan Valley to the south and west.
- 7.5 Despite these proposals Officers hold a number of reservations over development as the application provides limited proposals to reduce car use. There is no cycleway from the proposed development site directly to Swan Valley. Furthermore the nearest bus stops on Banbury Lane and Ladybridge Drive are approximately 400m away from the site entrance and some 800m from the furthest proposed houses. In terms of the existing footpath/cycleway that runs to the north of the site and leads to West Hunsbury, surveillance of the route will be greatly improved by dwellings that will overlook the pathway. The same is true of the canal tow path immediately to west of the site, which provides an opportunity for non-car based access to Swan Valley.

### **Design and Layout:**

- 7.6 A Development Brief for the site was produced by the landowners, English Partnerships (now the Homes and Communities agency) in July 2008. The brief established a vision for the development of the site and has provided the template upon which the proposals have been based. Furthermore the applicant has met with officers of WNDG to discuss the design and layout prior to submission of the application.
- 7.7 The central location of the access and the need to face outwards at the perimeter have led to a central street served by perimeter roads. Development at the southern extremity of the site is constrained by numerous services passing under the land and is identified as flood plain. This land is proposed therefore as public open space and will consist of open meadow grassland, areas of shrub planting, and play areas. The central core has the highest density and strongest built form and will also contain community spaces. The outlying roads are subservient to the main street in size and character. The strength of the built form and related density will be highest in the eastern edge adjacent to the A43 and reduce towards the west of the site against the canal. The eastern edge will be typified by a strong, nearly continuous built form with building heights from 2-3 storeys. A noise bund will be built to deflect traffic noise and the strong built form is designed to reduce the noise levels behind it. The central street will contain a large number of terraced homes although it will also feature semi-detached and detached dwellings. The average building height will start to reduce as the transition to the countryside edge on the west continues. The canal side will be typified by larger detached homes, informally arranged with a greater variety of styles and heights. The greater spaces between homes and variety of forms will reduce impact of the development upon the countryside edge. At the northern end there will be a group of terraced homes overlooking the canal lock.

- 7.8 Although the general layout is considered to be appropriate there is potential to create a stronger frontage onto the main street and there are concerns regarding the layout and use of communal car parking courtyards. There is scope to provide some landmark buildings at appropriate locations to help improve legibility. There is also a potential to take greater advantage from being located next to the Grand Union Canal for creating a distinct character and identity to the community in the development site.

### **Housing:**

- 7.9 The proposed housing type, size and tenure has a good variety and mix. A good mix of housing types and tenure contributes towards sustaining mixed communities which is compliant to PPS 3. Whilst it would appear that the location of affordable housing are mainly concentrated at the eastern edge of the site, which may differentiate parts of the scheme based on housing tenure, NBC Housing Strategy is satisfied with the distribution of the affordable units across the site with a maximum of 12 units per cluster. The Design and Access Statement submitted with the application demonstrates that 61 dwellings classed as affordable housing will be provided which equates to 35% of the housing provision. This figure is confirmed by NBC Housing Strategy who have had discussions with the applicant. This number meets the requirement threshold as identified in the Affordable Housing SPD.

### **Open Space :**

- 7.10 The need for open space on the site has been discussed with WNDC Officers and the provision made for amenity space and playspace meets the required standards. A maintenance plan for the proposed open space within the site needs to be in place according to Policy L6 in *Northampton Local Plan (1997)*.

### **Flood Risk :**

- 7.11 Paragraph D6 in Planning Policy Statement 25 states that 'Within each Flood Zone, new development should be directed first to sites at the lowest probability of flooding and the flood vulnerability of the intended use matched to the flood risk of the site'. Part of the proposed development site falls into Flood Zone 2 and 3. However, the Flood Risk Assessment submitted with the application clearly shows that all the development will be located outside the 1 in 200 plus climate change flood level. Therefore it is considered that the proposed development is compliant to PPS 25. Nonetheless, WNDC must ensure that the Environment Agency is satisfied with the proposals prior to its determination.

### **Environmental Health Issues**

- 7.12 The NBC Public Protection Officer expressed serious concerns about the proposal as an air quality assessment had not been submitted at the time of the application. This document has subsequently been submitted and it is noted that the assessment concludes that the air quality impact is negligible. At the time of writing the report the Public Protection Officer has not commented on the submitted assessment. An update on this issue will be provided via the Addendum.

7.13 Serious concerns were also expressed about the suitability of the site in respect of noise from the A43 as it was considered that the noise report was unclear. A landscape buffer, comprising an earth bund with new landscaping, is proposed to the eastern boundary of the site, screening views of the A43 and attenuating any associated noise impacts. It is considered that this proposal would help address the concerns raised re noise. However, at this stage the Council's environmental health service remain concerned. This must be adequately addressed before the application is determined.

## **8. CONCLUSION**

- 8.1 The principle of residential development on the site is consistent with its current allocation in the Northampton Local Plan and the proposal is considered to be a relatively sustainable development.
- 8.2 The proposals will supply approximately 176 new dwellings (of which 35% to be classed as affordable housing), public open space and children's play areas. NBC should be involved in reaching a legal agreement on housing matters.
- 8.3 The potential to improve the site layout and accessibility needs to be explored prior to the determination of the application.
- 8.4 In environmental terms it is considered that matters regarding noise, air quality and trees need to be resolved prior to the determination of the application. The issue of contamination can be controlled by the use of an appropriate planning condition.

## **10. BACKGROUND PAPERS**

10.1 96/0643.

## **11. LEGAL IMPLICATIONS**

11.1 None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

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|--|------------------------|--------------|
| <b>Position:</b>                           | <b>Name/Signature:</b> | <b>Date:</b> |
| <b>Author:</b>                             | Rowena Simpson         | 24/01/2011   |
| <b>Development Control Manager Agreed:</b> | Gareth Jones           | 27/01/2011   |





Name: SW  
 Date: 26th January 2011  
 Scale: 1:2000  
 Dept: Planning  
 Project: Site Location Plan

Title  
**Banbury Lane, Pineham**

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