



PLANNING COMMITTEE: 7th May 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/1252: Outline application for residential development of up to 200 dwellings (including affordable housing) including road infrastructure, public open space, landscaping, sustainable drainage and engineering works.

WARD: Situated within Daventry District

APPLICANT: Persimmon Homes/ Barratt Homes.
AGENT: Pegasus Group

REFERRED BY: Head of Planning

REASON: The proposal relates to a major housing scheme adjoining the Borough boundary with direct links to the Dallington Grange (Kings Heath) Sustainable Urban Extension (SUE).

CONSULTATION BY DAVENTRY DISTRICT COUNCIL:

1 INTRODUCTION

- 1.1 This report relates to an outline application submitted to Daventry District Council for the development of up to 200 dwellings on a site east of Harlestone Road, referred to as the 'Dallington Gateway'. The land forms a small part of the Kings Heath Sustainable Urban Extension (SUE) allocation in the emerging West Northamptonshire Joint Core Strategy as submitted to the Planning Inspectorate and under examination at the time of drafting this report. The Inspector's report is scheduled to be published later this year. The remainder and greater part of this proposed SUE sits within the Borough.
- 1.2 The intention of the applicants is to bring forward the Gateway site as a first phase, in advance of the larger allocation. Therefore, the decision on this application is important for NBC in that it sets the context for the future development of the Dallington Grange site. The application is

submitted in outline, with all matters reserved for later approval apart from access. Officers are satisfied that the principle of residential development is acceptable but have a number of concerns with regard to the s106 agreement, as currently drafted, and particularly the approach to affordable housing and infrastructure provision put forward by the applicants. These matters are set out fully in the report below.

2 RECOMMENDATION

2.1 That the Borough Council **OBJECTS** to the application on the basis that the s106 agreement, as currently proposed, would fail to address the infrastructure needs of the development or provide an adequate quantum or level of affordable housing. In particular:

- The current level of affordable housing proposed is 15% of the total number of dwellings. The split of affordable housing by tenure is not known at this stage. DDC's Affordable Housing SPD requires a provision of 29% unless justified through a viability appraisal. No such appraisal has been disclosed to NBC.
- As the site sits within the Northampton Related Development Area (NRDA) the affordable housing provision will meet the housing needs of Northampton Borough. Consequently, NBC requests full input into the negotiation and drafting of the s106 with regard to affordable housing, including any discussions relating to financial viability.
- As part of the wider Dallington Grange SUE, the proposal should make a proportionate contribution towards strategic infrastructure, including education and highway improvements. NBC requests that no decision is taken until agreement is reached with NCC regarding the primary education contribution. The s106 should also recognize the proportionate contribution of the development (as part of the greater SUE) towards secondary education and the A45/M1 Access Management Strategy, as set out in the memorandum of understanding between Local Planning Authorities and the County Council.
- In the absence of appropriate s106 contributions, as set out above, it is considered that the proposal forms an unsustainable, stand-alone, scheme that fails to recognise the affordable housing needs of the area and the wider infrastructure needs of the Dallington Grange SUE. As such it is inconsistent with Policy N7 of the submission West Northamptonshire Joint Core Strategy and paragraph 14 of the NPPF.
- Request that DDC clarify the future noise levels associated with the North-West bypass to ensure that a satisfactory level of residential amenity can be achieved for proposed dwellings along its route. In particular, reference is made to the noise assessment within the Environmental Impact Assessment submitted with the Dallington Grange application and the disparity with the noise report submitted with the current scheme.

3. THE PROPOSAL

- 3.1 The proposal is an outline application for up to 200 dwellings, with all matters reserved except for access. An indicative layout has been provided showing a housing layout at 38 dwellings per hectare with subsidiary open space, footpath/ cycleways and flood attenuation areas.
- 3.2 Access to the site would come from a new spur connecting to the Harlestone Road/ Sandy Lane relief road roundabout. This 200 metre stretch would form the first element of the Northampton north-west bypass which will skirt around the northern edge of the Dallington Grange development.

4. SITE DESCRIPTION

- 4.1 The site is a roughly triangular parcel of agricultural land situated to the east of Harlestone Road, just outside the Borough boundary, to the north of the Lodge Farm industrial estate. The site runs adjacent to Harlestone Road from the northern edge of Lodge Farm up to Harlestone Firs, its northern extremity is marked by the new roundabout at the junction with the Sandy Lane relief road (New Sandy Lane).
- 4.2 The woodland at Harlestone Firs is located to the north and east of the site. The eastern boundary abuts the woodland, some of which will need to be cleared to gain access to the larger section of the Dallington Grange site which is a few hundred metres further east.
- 4.3 Vehicular access to the site would come from a new road linking to the roundabout at the Harlestone Road New Sandy Lane junction.

5. PLANNING POLICY

Development Plan

- 5.1 The Development Plan for the area comprises the saved policies of the Daventry District Local Plan. The site is allocated as a green wedge under Policy EN10. The aim of this policy is to provide a buffer between built up areas, particularly on the edge of Northampton.

Emerging Policy

- 5.2 **West Northamptonshire Joint Core Strategy (Submission draft)**
The site is identified within the Northampton Related Development Area and within the Kings Heath SUE identified under Policy N7. Under previous proposals a Park and Ride site was identified under Policy N7 on the site of the current application. However, on confirmation that this is no longer needed, the site is now allocated as part of the wider SUE allocation, which makes provision for up to 3,000 houses in total.

National Policies:

- 5.3 **National Planning Policy Framework (NPPF).** The NPPF replaced the previous suite of Planning Policy Statements/ Guidance Notes on 27th March 2012. Key relevant sections are:
- **Achieving sustainable development** (paragraphs 6-16)
 - **Core planning principles** (paragraph 17)
 - **Delivering sustainable development** (paragraphs 18- 22)
 - **Promoting sustainable transport** (paragraphs 29- 41)
 - **Delivering a wide choice of high quality homes** (paragraphs 47- 55)
 - **Requiring good design** (paragraphs 56 – 68)
 - **Promoting healthy communities** (paragraphs 69- 78)
 - **Conserving and enhancing the natural environment** (paragraphs 109- 125)
 - **Conserving and enhancing the historic environment** (paragraphs 126- 141)
 - **Decision taking** (paragraphs 186 – 206).

6. APPRAISAL

- 6.1 The proposed development is submitted in outline form and seeks consent for the principle of residential development at the site. The layout submitted is for indicative purposes only and seeks to demonstrate how the proposed number of dwellings could be accommodated at the site. Whilst NBC will expect to be consulted on any detailed proposals at a future stage, in responding to the current consultation the key issues insofar as the scheme affects Northampton are considered to be:
- Whether the principle of residential development is acceptable in advance of fully detailed proposals for the wider Dallington Grange site.
 - Whether the proposal constitutes a sustainable stand-alone scheme vis-à-vis the approach to infrastructure delivery and affordable housing provision.
 - Whether the proposals pay due regard to the wider Dallington Grange site with regard to environmental matters.

Principle of Development

- 6.2 In planning policy terms it is recognised that the Daventry District Local Plan is out of date with regard to housing provision and that the provisions of the NPPF with regard to housing supply are a significant factor in favour of the proposed scheme. Northampton Borough Council's 'Five Year Housing Land Supply Assessment, dated April 2012' identified a current supply of 2.32 years. This assessment included sites outside NBC's administrative boundary that are within the Northampton Related Development Area (NRDA) i.e. those sites required to deliver the growth related to Northampton's needs. The application site sits within the NRDA and is therefore required for

Northampton's growth. It would not contribute towards DDC's 5 year housing land supply.

- 6.3 Paragraph 49 of the NPPF states that 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites'.
- 6.4 Given the emphasis within the NPPF and the relatively advanced stage of the West Northamptonshire Joint Core Strategy (WNJCS), it is considered that appropriate weight should be attached to emerging policy in this case. Policy N7 of the WNJCS allocates the site as part of the Kings Heath SUE. NCC's requirement for a park and ride site has been removed and the submission version of the WNJCS includes the 'gateway' site as part of the SUE. Therefore, in principle, emerging policy recognises that the principle of development at the site is appropriate. Given the stage of the WNJCS and the thrust of the NPPF officers are satisfied that the principle of development is acceptable and sufficient to outweigh the intentions of saved Policy EN10 of the Daventry District Local Plan which allocates the site as part of a 'green wedge' skirting the perimeter of Northampton.
- 6.5 Whilst the principle of development is accepted it is clearly essential that any scheme coming forward in advance of the bulk of the SUE allocation is planned in a manner that does not prejudice the delivery of the overall scheme. In physical terms, the gateway site is somewhat detached from the main site with a section of Harlestone Firs in-between. To gain access to the remainder of the site, the bypass/access road will need to punctuate the woodland. Nevertheless, the scheme will form a gateway to the main site at one of its key entrances. The indicative layout is based on good design principles, with buildings responding to key frontages and viewpoints, and the green infrastructure network provides for footpath and cycle connections through to future phases of the scheme. Subject to full details at the reserved matters stage it is considered that the scheme would provide an appropriate entrance to the wider development.
- 6.6 Notwithstanding the above, the current proposal is coming forward well in advance of the development of the main site. Discussions are ongoing with regard to the wider scheme but the planning application, submitted in 2007, still remains undetermined. Discussions are proceeding with the applicant but a revised submission will be required due to the passage of time and change to material considerations. In order to be viewed as a sustainable 'stand-alone' scheme it is essential that the current proposals take account of the wider infrastructure needs of the development as a whole and make a proportionate contribution to delivering necessary infrastructure. Without this, the gateway scheme will fail to assist in delivering the wider project and would appear as a relatively isolated housing development, devoid of appropriate facilities. In other words, officers do not consider that the

scheme represents sustainable development unless appropriate provision is made for necessary affordable housing, education, open space and sustainable transport measures. These matters are considered below.

Approach to Infrastructure Provision and Affordable Housing

- 6.7 Given the close proximity and relationship with the Kings Heath SUE site and the Borough boundary officers requested to be involved closely with discussions on the application. However, to date, NBC officers have not been involved in any meetings relating to the s106 agreement or infrastructure needs of the scheme. At the time of writing, a draft s106 has been presented which makes provision for the following:
- 15% affordable housing (with an undefined tenure mix)
 - Completion of the bypass extension, up to the site access (200m in to the site from the round-a-bout)
 - A £200,000 contribution towards off-site highway works/ public transport provision
 - Provision of play areas/ open space within the development
 - Submission of a travel plan
 - Primary school contribution (figure not defined)
- 6.8 Officers have a number of concerns with regard to these heads of terms.

Affordable Housing

- 6.9 Sites within the NRDA are being brought forward to meet Northampton's growth needs including those parts that lie outside the Borough. Accordingly, agreement has been reached with Daventry and South Northamptonshire Council's that the allocation of affordable housing units will prioritise those with local need in Northampton. A nominations cascade has been agreed which therefore gives priority to residents within the NRDA or those with a local connection to the NRDA. Due to the constraints of the Borough's administrative boundary Northampton is unable to meet its own housing need without relying on sites outside its boundary but within the NRDA located close to the Borough boundary. As such it is imperative that appropriate levels (and tenures) of affordable housing provision are secured through s106 agreements for housing development within the NRDA.
- 6.10 Daventry District Council's Affordable Housing Supplementary Planning Document (adopted December 2012) states that on developments of 15 dwellings and above 29% of dwellings shall be affordable. In terms of tenure split, the SPD seeks two-thirds rented/ one-third intermediate (for example, shared ownership) units. Where developments cannot achieve this on grounds of viability, the SPD requires that full viability appraisals are submitted and reviewed. Given that the housing is to meet the needs of Northampton, NBC's planning and housing teams would expect to be fully engaged in this process.

In this case, the current heads of terms for the s106 agreement propose a level of affordable housing at 15%. The tenure split is currently unknown. The applicants cite the cost associated with the access arrangements which will form the first phase of the north-west bypass as the reason why 29% affordable housing is unviable. However, no financial information has been submitted to NBC to support this claim. On this basis, the negotiations have not followed the procedure required and the 15% level of affordable housing cannot be supported or substantiated.

- 6.11 Given the importance of affordable housing in Northampton, it is essential that NBC is involved in these discussions. Consequently, it is recommended that an objection is sent to DDC until such time as the level and mix of affordable housing has been properly discussed and justified. As background, NBC's housing team request that the level of provision should be 29% with a 70/30 split in favour of rented accommodation. The preference is to split the rented accommodation 50/50 between 'affordable rent' and 'social rent'.

Education Provision

- 6.12 At the time of writing, no agreement has been reached between the developer and NCC with regards to the education contribution from the development. NCC is not requesting a contribution towards secondary education on the basis that there is currently a surplus of secondary education places. Their immediate need is focussed on primary education. Whilst 2 primary schools would be required to serve the wider development these are not anticipated to be developed within a timescale that would serve the needs of the gateway site. Consequently, NCC has requested a contribution towards additional primary places within the Duston catchment. As yet, this contribution has not been accepted by the applicant and further discussions are expected. It is considered essential that the development makes adequate provision for education provision, commensurate with its scale and impact. Until such time as the arrangements have been agreed with NCC officers it is recommended that no decision should be issued.

Transport

- 6.13 As with education, NCC is responsible for setting out and negotiating requirements in terms of local transport provision. In order to gain access into the site the applicants are required to construct an extension to the relief road, which will be constructed as part of the North-West Bypass running from the Harlestone Road roundabout. This is agreed and provided for in the draft s106 heads of terms. In addition, the draft s106 identifies a contribution of £200,000 towards off-site junction works and public transport provision. It is not clear whether this is sufficient to mitigate the impact of the development and NCC has yet to publicly confirm its position in this respect.

- 6.14 In terms of public transport, it is considered to be essential to maintain and enhance services between the site and Northampton. It is poorly connected in terms of shopping and leisure facilities and, without public transport provision, those without use of a car would be isolated. As with education, it is expected to be a significant period of time before the retail facilities in the SUE are available. Consequently, officers recommend that the importance of public transport and access arrangements are stressed in NBC's response on the application.
- 6.15 In addition to local transport matters, members will be aware of the A45/M1 Access Management Strategy which identifies a number of interventions required on the strategic road network in order to facilitate growth in the town. A memorandum of understanding has been signed between the Highways Agency, NCC, NBC, DDC and SNC relating to the delivery of this strategy. The strategy anticipates contributions from each of the SUE's on a proportionate basis. No contribution has been sought by the HA from this planning application, despite the site being part of the Kings Heath SUE. Officers are of the opinion that the scheme should contribute on a proportionate basis as part of the SUE. At the least, the proportionate impact of the scheme should be recognised in future discussions relating to the remainder of the SUE. This needs to be resolved at this stage prior to determination.
- 6.16 Therefore, at the present time, officers are not satisfied that the s106 provisions are sufficient to mitigate the impact of the scheme. Without key contributions in relation to affordable housing, education and transport the development is considered to be unsustainable and unacceptable in planning terms. The proposal would not comply with the requirements of emerging policy N7 of the WNJCS which requires infrastructure provision to be phased alongside the delivery of development. If the scheme is to come forward in advance of the main site, appropriate s106 measures are essential to mitigate the impact and provide an acceptable scheme. Similarly, without this mitigation, the scheme is considered to be unsustainable and the presumption in favour of sustainable development within paragraph 14 of the NPPF does not apply.

Environmental Issues

- 6.17 The application is for large scale major development and the access road forms part of a much larger proposal for the Northampton North-West bypass. As such, NBC officers consider that an Environmental Impact Assessment should have been submitted with the application. Nevertheless, it is accepted that the screening of planning applications is a matter for the local authority concerned. Although no EIA was undertaken, a number of 'Environmental Reports' were submitted with the scheme.
- 6.18 Officers are concerned that the content of the noise assessment is inconsistent with that submitted in the EIA for the Dallington Grange application. The current noise assessment refers to the first phase of

the North-West bypass as 'a site access road' and no reference is made to the future status of the road as a bypass. Future noise assessments, projected at 2032 do not include the finished bypass as a scenario. This is considered to be a fundamental issue which could impact on future residential amenity of residents and have implications for any future planning application for the north-west bypass.

- 6.19 The noise assessment undertaken for the Dallington Grange application provided an analysis of the impact of the completed bypass. This assessment identified a strip of land either side of the bypass within Noise Exposure Category D (unsuitable for residential development) and a wider strip within NEC C where mitigation would be required. The proposed mitigation included bunding with acoustic fencing above. No such measures are put forward in the current application and officers strongly recommend that DDC consider this matter fully prior to determining the application to consider any implications for layout and mitigation requirements.

7. CONCLUSION

- 7.1 To conclude, officers consider that the principle of bringing forward the site in advance of the wider SUE would be appropriate, providing adequate provisions are made with regard to s106 to secure necessary affordable housing and infrastructure. Without these essential components the scheme would be unsustainable and unacceptable in planning terms. At the current time, the draft s106 agreement fails to make adequate provision for affordable housing, transport or education provision. No viability assessment has been submitted to demonstrate why the levels of provision fall below that required by local policy. NBC officers have requested that the Borough is fully involved in discussions relating to affordable housing given that the provision within the scheme is necessary to meet Northampton's needs.
- 7.2 In addition, there are concerns that the environmental reports carried out in relation to the scheme look at the proposal in isolation and do not take account of the future impact of the north-west bypass or the additional development at Dallington Grange. The lack of an Environmental Impact Assessment which examines the cumulative impact of the larger scheme is problematic, particularly in relation to future noise levels along the north-west bypass. Without a proper assessment officers do not feel that DDC are in a position to determine the scheme.
- 7.3 Consequently, it is recommended that Members raise objections to the proposal being determined at the present time until these matters have been satisfactorily resolved.

8. LEGAL IMPLICATIONS

- 8.1 There are no specific legal implications of this consultation response.

9. SUMMARY AND LINKS TO CORPORATE PLAN

- 9.1 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.