

PLANNING COMMITTEE:	21 st November 2017
DIRECTORATE:	Regeneration, Enterprise and Planning
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2017/1213
LOCATION:	Land at Brampton Lane, Boughton
DESCRIPTION:	Mixed use development of up to 1,050 dwellings (Class C3), employment (Class B1), residential care home (Class C2), park and ride facility of up to 500 spaces, local centre (Classes A1/A2/A3/A5), primary school, public open space and associated highways and drainage infrastructure, all matters reserved except access
WARD:	Other Authority
APPLICANT:	Ensign Group Limited
AGENT:	Pegasus
REFERRED BY:	Head of Planning
REASON:	Major Fringe Application
DEPARTURE:	No

APPLICATION FOR CONSULTATION BY DAVENTRY DISTRICT COUNCIL:

1. RECOMMENDATION

- 1.1 That Northampton Borough Council has **NO OBJECTIONS** to the principle of the development as proposed subject to the issues outlined below being addressed by Daventry District Council:
- further information is sought regarding air quality and the development should provide a definitive way of mitigating the impact on the Harborough Road AQMA.
 - in addition to the Head of Terms in paragraph 6.18 below, the S106 agreement should seek financial contributions to provide a bus service provision to the site, adequate highway mitigation, incentives to encourage residents to use the park and ride scheme and other initiatives and forms of monitoring and mitigation to address air quality issues.

2. THE PROPOSAL AND BACKGROUND

- 2.1 An outline planning application for the development of up to 1,050 dwellings (Class C3), employment and general industrial uses (Classes B1 and B2), residential care home accommodating 70 beds (Class C2), park and ride facility of up to 500 spaces, local facilities including a primary school, public open space and associated community infrastructure, with main access to be via A5199 Welford Road and off Brampton Lane was reported to Planning Committee on 21 June 2011. Although the report recommended that no objection was raised to the proposal, Members resolved to object for the following reasons:

- The proposed highways mitigations will not deal with current congestion problems in Kingsthorpe and at the Cock Hotel junction or adequately deal with traffic generated from the site;
 - The issue of secondary school places is not adequately dealt with given the existing over subscription of them in Kingsthorpe;
 - The concerns raised as to the timely delivery of the NW Bypass.
- 2.2 Daventry District Council (DDC) subsequently resolved to grant consent for the development, but this was subject to the satisfactory completion of a S106 agreement. This has not been completed to date but the application is still outstanding.
- 2.3 Since that time the planning circumstances have somewhat changed. First of all, the principle for the development of the site has been established through the adopted West Northamptonshire Joint Core Strategy (JCS). Policy N8 of the JCS has identified the site, known as Northampton North of Whitehills SUE, to be suitable for a mixed use development of up to 1,000 dwellings.
- 2.4 In addition, an outline planning application has been approved by DDC for the development of 367 dwellings to the eastern part of this site in 2008, which was the subject of a reserved matters application in 2013. The development commenced in 2015. A subsequent application for two access roads connecting Buckton Field East and Buckton Fields West is currently being considered by DDC.
- 2.5 A new secondary school Northampton International Academy will be provided in Northampton at the former Royal Mail building and building works are currently underway.
- 2.6 The applicant has now proposed to pursue the outline application that was never determined. Given the time period that has passed since the original resolution to grant planning permission in principle, the applicant has now submitted an addendum to the Environmental Statement to review matters such as:
- Site description and proposed development
 - Planning policy
 - Landscape and visual issues
 - Ecology
 - Archaeology
 - Transport
 - Drainage
- 2.7 The description of the application has now been amended to “the development of up to 1,050 dwellings (Class C3), employment (Class B1), residential care home (Class C2), park and ride facility of up to 500 spaces, local centre (Classes A1/A2/A3/A5), primary school, public open space and associated highways and drainage infrastructure, all matters reserved except access”. An updated draft S106 agreement has also been submitted.
- 2.8 An illustrative master plan submitted with the application includes up to 674 dwellings, a park and ride, employment area, local centre, primary school, residential care home, open space, sports fields, landscaping and balancing pond.
- 2.9 The illustrative master plan places a 500 space park and ride facility on the western side of the development, off the Welford Road. To the north of this is the proposed employment area. Further north is a growing area for the Smith’s Farm shop, whilst it is proposed that the farm shop and associated buildings will stay in its current location. A main street containing the public

transport route through the site for the most part travels in an east west direction, from a new junction on Welford Road through to a new junction on Brampton Lane. The local centre is located within the centre of the development, with the primary school adjacent to it, but further north towards to Brampton Lane. The main area of open space within the development is located to the north of the site, with other smaller areas to the west on Welford Road and at other points throughout the proposed residential areas.

3. SITE DESCRIPTION

- 3.1 The site is located on the northern edge of the Borough. The housing areas known as Whitehills and Spring Park bound it on the south. To the east is the Harborough Road North, to the west is Welford Road and to the north is Brampton Lane. The land historically has primarily been used for agricultural. More recently this agricultural use has been for a limited amount of arable farming, whilst much of the land has lain fallow. Part of the site accommodates Smith's farm shop.
- 3.2 Since the previous application, the eastern area of the site, which was previously known as Phase 1 is being developed as Buckton Fields East and comprises 376 dwellings. This application site is now known as Buckton Field West.

4. PLANNING HISTORY

- 4.1 This application was originally submitted in 2011 under DA/2011/0666. DDC resolved to approve the application subject to the satisfactory completion of a S106 legal agreement.
- 4.2 Outline planning application has been approved by DDC for the development of 367 dwellings to the eastern part of this site in 2008, which was the subject of a reserved matters application in 2013. The development commenced in 2015.
- 4.3 A subsequent application for two access road connecting Buckton Field East and Buckton Fields West is currently being considered by DDC.

5. PLANNING POLICY

5.1 Statutory Duty

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 Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Daventry Local Plan.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 14 identifies the development plan as the starting point for decision making and enables development proposals that accord with an up-to-date Local Plan to be approved without delay.

Paragraphs 47-49 indicate the need for Local Planning Authorities to identify the ability to deliver a 5 year housing land supply, where this cannot be shown, the policies in Plans related to housing are considered out of date and there is a presumption in favour of sustainable development.

5.3 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy SA “Presumption in favour of Sustainable Development” requires local planning authorities to take a positive approach to determining development proposals.

Policy S1 “The Distribution of Development” requires that development be concentrated primarily in and adjoining the principal urban areas of Northampton.

Policy S4 makes provisions for 28,470 net additional dwellings within the NRDA and that Northampton’s housing needs will be met primarily within Northampton’s existing urban area and at the Sustainable Urban Extensions within the NRDA, whilst additional development would be supported if it meets the vision and objectives of the JCS.

Policy N8 refers to the Northampton North of Whitehills SUE and sets out how the allocation should be developed including infrastructure provision.

5.4 **Daventry Local Plan**

Policies GN1, GN2, EN42 and RC1 apply to this site, although the allocation of the site for development is considered through the WNJCS.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

6. **APPRAISAL**

Highways

- 6.1 Previously this Committee raised concerns regarding the highway proposals and their lack of traffic mitigation measures. Since that time the North West bypass has been progressed by the Local Highway Authority and is currently the subject of public consultation.
- 6.2 The Draft S106 agreement proposes a financial contribution towards the North West bypass on the basis of a contribution per dwelling, paid on a phased basis and a further contribution to the Northampton Growth Management Scheme (strategic highway network). Additional highway junction improvements are proposed on the Harborough Road/Holly Lodge Drive junction.
- 6.3 Further contributions are proposed towards bus services and a park and ride facility subject to agreement with Northamptonshire County Council (NCC).
- 6.4 At the time the application was considered by DDC, no objections were raised by the Local Highway Authority. Since that time further discussions have taken place in respect of the delivery of strategic highway improvements in the area. The S106 agreement will contribute to the delivery of the necessary highway infrastructure.

- 6.5 The amended details submitted as part of the application include an update Transport Assessment and chapter of the associated Environmental Statement, which has updated the baseline data including existing public transport provision. The scope of this update has been agreed with NCC.

Air Quality

- 6.6 Following consultation with the Council's Public Protection Team, the Environmental Health Officer has provided comments regarding the air quality implications of the scheme.
- 6.7 NBC have developed a Low Emissions Strategy (LES) and ancillary Air Quality Technical Planning Guidance based on the EPUK/IAQM best practice guidance 'Land-Use Planning & Development Control: Planning For Air Quality' published in 2017. The LES and air quality planning guidance is due to be put to full cabinet for formal adoption in December 2017. It is considered that the revised Air Quality assessment to be submitted should take into account guidance contained within NBC's technical guidance note and use of DEFRA's emissions factor tool kit (EFT) should be used to determine the calculation of emissions costs from the entire development of Buckton Fields as a whole.
- 6.8 From the monetary cost value determined from the EFT calculation, the developer should provide a definitive way of mitigating the impact on the Harborough Road AQMA. Consideration of offsetting the cost should be considered via contribution of S106 to NBC's air quality diffusion tube network to monitor the impact to determine potential other areas of relevant exposure attributable to the cumulative impact of this development on NBC residents or other initiatives, such as installation of fast charging electric vehicle infrastructure points, strategically located in the Borough.
- 6.9 Whilst the amended details have included an updated Transport Assessment and associated chapter of the Environmental Statement, an updated assessment of impact on air quality has not been submitted. It is recommended that a request is made for the air quality assessment to be updated with the most recent traffic flow data to determine operational impacts associated with increased road traffic emissions from the development within the Harborough Road AQMA. A comparison can then be made against the conclusions of the 2011 assessment to establish if they are still representative and if a revised mitigation scheme is required.
- 6.10 This Council would wish to be consulted on the methodology, scope and any mitigation measures proposed, which should include a monitoring strategy. The monitoring strategy and mitigation measures should be funded by the developer.

Flooding and Drainage

- 6.11 The amended Environmental Statement has considered the changes in methodology relating to surface water drainage strategies and a subsequent new Flood Risk Assessment.
- 6.12 The site lies in a Flood Zone 1 (little or no risk of flooding from a watercourse) although some areas of the site are known to have localised surface water pooling. The application incorporates a scheme of sustainable drainage system (SuDS) to a level of 1 in 200 annual probability flood event including an allowance for climate change. This will be assessed by the Local Lead Flood Authority as part of the consultation process.
- 6.13 Water quality has also been assessed. The impacts have been assessed and following implementation of the proposed mitigation indicates that the effect on water quality will be negligible.

Landscape and Visual Issues

- 6.14 A reassessment of the baseline conditions for Landscape and Visual Assessment has been updated to take account of other developments in the area, including Buckton Fields East following consultation with DDC's Landscape Officer. This identified that there was the likelihood of change at a local level but not significant.
- 6.15 It is stated that the proposals for green infrastructure and landscaping around the development is considered acceptable.
- 6.16 For note, the masterplan indicates a green edge between the proposed development and the existing Whitehills and Spring Park developments.

Infrastructure

- 6.17 Since the original submission, the developers have been in negotiation with relevant Statutory Undertakers to ensure necessary infrastructure can be delivered. These include electricity, gas, telecommunications, water supply and foul drainage provision can be met from either existing or enhanced capacity.

Draft Head of Terms

- 6.18 The revised draft Head of Terms submitted by the applicant now include;

- 35% affordable housing
- A 2 hectare site for the provision of a primary school
- Financial contribution towards education
- Open space and recreation contribution, including equipped play areas
- Offsite highway contributions (set out above)
- New bus services (financial contribution per dwelling)
- Park and ride site
- Local centre
- Healthcare facilities
- Strategic highway contribution
- Air quality monitoring
- Construction training

- 6.19 Any future S106 agreement will be negotiated between DDC, NCC and the applicant/landowner(s). Whilst NBC will not be involved in these negotiations, this is this Council's opportunity to influence the content of the S106. However, as with all such agreements, the obligations within the Legal Agreement are intended to mitigate the impacts of the development, in order to make it acceptable in planning terms. The obligations cannot address deficits that already exist in the area around the development.

7. CONCLUSION

- 7.1 As the principle of the development has been established through the JCS, it is recommended that representations are made to DDC to ensure that prior to determination, further information is sought regarding air quality and it should be emphasised that the development should provide a definitive way of mitigating the impact on the Harborough Road AQMA. In addition to the Head of Terms above, the S106 agreement should seek financial contributions to provide a bus service provision to the site, adequate highway mitigation, incentives to encourage residents to use the park and ride scheme and other initiatives and forms of monitoring and mitigation to address air quality issues.

8. BACKGROUND PAPERS

8.1 N/2017/1213.

9. LEGAL IMPLICATIONS

9.1 None. NBC will not be a party to the S106 agreement.

10. SUMMARY AND LINKS TO CORPORATE PLAN

10.1 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.



Key
 Application site (50.04 Ha)