

# Public Document Pack



**Meeting:** North Northamptonshire Strategic Planning Committee  
**Date:** Monday 24<sup>th</sup> April 2023  
**Time:** 7:00 pm  
**Venue:** Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

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To members of the North Northamptonshire Strategic Planning Committee

Councillors North (Chair), Bell (Vice Chair), Best, Dalziel, Dearing, Marks, McEwan, Powell, Rielly, Smyth, Tebbutt, Waters

Substitute Members: Councillors, Jackson, Carter, O'Hara, Prentice, Keane, Fedorowycz, Lyn Buckingham and Anslow

<b>Agenda</b>			
<b>Item</b>	<b>Subject</b>	<b>Officer Presenting Report</b>	<b>Page No</b>
01	Apologies for non-attendance		-
02	Members' Declarations of Interests		-
03	Minutes of the meeting held on 20 <sup>th</sup> February 2023		5 - 18
<b>Items requiring a decision</b>			
04	Applications for planning permission, listed building consent and appeal information*  i) <b>NK/2021/0372</b> <b>Desborough (land to south of), Rothwell Road, Sycamore Drive, Desborough</b> Approval of Reserved Matters: All details in respect of KET/2016/0044 for up to 304 dwellings	Development Services	19 - 164

Items to note			
05	<u>Delegated Officers Report</u>		
	None		
Exempt Items			
06	None Notified		
07	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p><b>Proper Officer</b> <b>14<sup>th</sup> April 2023</b></p>		

\*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

**Committee Officer:** Callum Galluzzo

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ITEM	NARRATIVE	DEADLINE
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Member Agenda Statements	Other Members may make statements at meetings in relation to reports on the agenda. A request to address the committee must be received 2 clear working days prior to the meeting. The Member has a maximum of 3 minutes to address the committee. A period of 30 minutes (Chair's Discretion) is allocated for Member Statements.	12 Noon Friday 21 <sup>st</sup> April 2023

If you wish to register to speak, please contact the committee administrator

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not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

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## Minutes of a meeting of the Strategic Planning Committee

At 7.00 pm on Wednesday 5th April, 2023 in the  
Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

### Present:-

#### Members

Councillor Paul Bell (Chair)  
Councillor Mark Dearing  
Councillor Alison Dalziel  
Councillor Paul Marks  
Councillor Roger Powell

Councillor Joseph John Smyth  
Councillor Mike Tebbutt  
Councillor Charlie Best

#### Officers

Fidel Miller            Development Services  
Jasbir Sandhu        Development Services  
Simon Aley            Legal Representative  
Callum Galluzzo     Democratic Services

### 87    **Apologies for non-attendance**

Apologies for non-attendance were received from Councillors Steven North, , Simon Rielly, Peter McEwan and Malcolm Waters

### 88    **Minutes of the meeting held on 20th February 2023**

**RESOLVED**            that the minutes of the meeting of the Strategic Planning Committee held on 20<sup>th</sup> February 2023 be approved as a correct record.

### 89    **Members' Declarations of Interests**

The chair asked members to declare any interests on items present on the agenda.

No declarations were made.

### 90    **Applications for planning permission, listed building consent and appeal information\***

The Committee considered the following application for planning permission, which were set out in the Development Control Officers Report and supplemented verbally and in writing at the meeting. Five speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.1 Erection of logistics warehouse with associated offices, car parking, landscaping, engineering, drainage and infrastructure works, including creation of new access onto Corby North Orbital Road at Land North of Gretton Road, Corby, Northamptonshire, NN17 3AS for Mulberry Commercial Developments (Midlands) Limited</p> <p style="text-align: right;">Application No:NC/22/00294/DPA</p> <p><u>Speaker:</u></p> <p>Graham Stray attended the meeting and addressed the meeting as a third party objector to the proposed development stating that as a resident and secretary for the Priors Hall Park Neighbourhood Association they supported the creation of jobs and investment however raised further concerns regarding the unacceptable building height of the proposed development and detrimental impact the development would have on neighbouring properties.</p> <p>Jo Turner attended the meeting and addressed the committee as a third party objector to the proposed development raising objections due to the height and scale of the development next to residential housing. Concerns regarding noise and light pollution were also raised as well as overshadowing concerns to neighbouring residents.</p> <p>Dr Lucinda Sweet attended the meeting and addressed the committee in support of the proposed development. Dr Sweet, addressed concerns regarding the biodiversity and environmental impact of the proposed</p>	<p>Members received a report about a proposal for which full planning approval was being sought for the erection of logistics warehouse with associated offices, car parking, landscaping, engineering, drainage and infrastructure works, including creation of new access onto Corby North Orbital Road.</p> <p>The planning officer addressed the committee and provided an update which stated The application was brought back to committee following a resolution to defer at the meeting on the 20th February 2023.</p> <p>Members heard following the deferral, the applicants had submitted a set of documents including a supporting statement along with a number of drawings. The proposed amendments were presented as follows:</p> <ul style="list-style-type: none"> <li>- The footprint of the main building was to be repositioned 3m to the west.</li> <li>- 13 HGV trailer bays to be removed from the southwestern corner of the hard landscaped area which increases the area of soft landscaping.</li> <li>- Increased bunding to the eastern and south-eastern boundaries.</li> <li>- Introduction of an acoustic fence adjacent to the eastern and south-eastern boundaries.</li> <li>- Introduction of a further 1365 sapling, semi-mature and mature trees (circa 70% increase).</li> <li>- Biodiversity Net Gain improvements: Total net unit change from -6.53 to -5.03 Total on-site net % change plus -21.12% to -16.28% Results with offsetting from land</li> </ul>

<p>development.</p> <p>Cllr Michael Page attended the meeting and addressed the committee as a representative of Weldon Parish Council. Cllr Page stated that meetings had taken place with the developers and stated concerns regarding the overshadowing and inappropriate height of the development.</p> <p>Tom Burn attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the applicant had taken on board comments and liaised with Weldon Parish Council. Mr Burn stated that the revised plans would introduce 1300 new trees and would result in a 20% difference in the Biodiversity Net Loss since the last meeting. £30,000 green infrastructure enhancement was now also being provided as part of the development.</p>	<p>bank</p> <p>Net gain of + 0.6 habitat units</p> <p>Total on-site net change % plus off-site surplus +1.95%.</p> <p>It was also heard that the proposed amendments provided additional screening and an improved level of visual protection in relation to zone 1 of Priors Hall.</p> <p>Members raised further objections due to the close proximity and detrimental impact the proposed development may impose on the neighbouring residential development.</p> <p>Questions were raised by members in relation to the Rockingham Enterprise Framework and any building limitations associated with the area.</p> <p>It was confirmed to members that the document stated was not an adopted policy and so there were no confirmed limitations on buildings within the area.</p> <p>Following debate it was proposed by Councillor Smyth and seconded by Councillor Powell that the application be approved in line with the officers recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>
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### Compliance

1. Time limited permission

The development hereby permitted shall be begun not later than three years from the date of this permission.

2. Approved drawings and documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, unless variations are agreed by the Local Planning Authority in order to discharge conditions attached to this permission:

- See approved schedule of drawings and documents

3. Unexpected contamination

In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease in the area affected by the contamination and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Informative: This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management' (or any guidance revoking and replacing this guidance with or without modification). Further guidance on Contaminated Land investigations can be found in the Northants Contaminated Land Group Developers Guide.

#### 4. Removal of permitted development rights

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) and/or the provisions The Town and Country Planning (Use Classes) Order 1987 (as amended from time to time):

- A. The development and no part of the development shall be used for any use other than the uses hereby approved (warehousing/logistics uses within Use Class B8 with ancillary office accommodation)
- B. No extensions, new buildings or structures or additional hard surfaced areas shall be constructed or erected without express planning permission.

#### 5. Tree replanting

In respect to the selective removal and replanting of trees in Group (G9) these works shall be carried out in accordance with paragraph 4.4.3 arboricultural Report.

#### 6. TOTAL FLOORSPACE MAXIMA

The total floor space shall not exceed 500,000 square feet including ancillary office accommodation.

#### 7. Building heights

No building shall exceed heights of 18m to the underside of the haunch and 21m maximum above finished floor levels.

#### 8. No additional external illumination

No external lighting, other than that specified in the approved External LED Lighting Assessment Report (Ref: 21-295 Rev.2 dated 27.10.22), shall be erected on the site or building.

## 9. Infiltration:

No infiltration of surface water drainage into the ground is permitted other than in accordance with details that have been approved in advance by the Local Planning Authority, and such details will have to demonstrate that there will be no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details and a timetable for implementation.

Prior to above groundwork

## 10. Boundary treatment

Prior to the commencement of construction of any building, a scheme detailing the position, design, materials, and type of boundary treatment and fencing to be erected, shall be submitted to and approved by the Local Planning Authority. The boundary treatment and fencing shall then be implemented in accordance with the approved scheme prior to the first occupation of the development and shall, thereafter, be retained as such.

Prior to construction above slab level

## 11. Foul water drainage

Prior to the construction above slab level, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved by the Local Planning Authority. The drainage infrastructure shall then be provided in accordance with the approved scheme prior to the occupation of the development hereby permitted.

Prior to occupation

## 12. Biodiversity net gain

Prior to occupation of any development a biodiversity net gain plan that includes the details of the provider, the legal agreement that is in place and receipt of purchase of the units shall be submitted to the Council and approved in writing. Once approved the biodiversity net gain plan shall be implemented in perpetuity.

## 13. Stub arm of roundabout

Prior to the occupation of the development hereby permitted the northern stub arm of the roundabout to the immediate south of the application site shall be removed and the land reinstated and landscaped in with accordance drawing no. 2201-086 PL03 Rev A.

Informative: In the event that Halley Road and the associated roundabout are adopted highway prior to the implementation of the works, then it should be noted that no works within or affecting the existing highway may commence without the express written permission of the Local Highway Authority. Such consent would be subject to the completion of a legal agreement under Section 278 of the Highways Act 1980 for which full engineering drainage, street lighting and constructional details are required.

Such details would be subject to technical and safety audits which may result in changes to any indicative scheme.

#### 14. Refuse and Recycling

Prior to the first occupation of any part of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection arising from the building in accordance with details which shall previously have been approved by the Local Planning Authority.

#### 15. Photovoltaic panel details

Prior to first occupation details of the Photovoltaic system in terms of its design, size and location within the development hereby permitted, together with a timetable for its installation shall be submitted to and approved by the Local Planning Authority. The Photovoltaic system shall then be provided in accordance with the approved scheme and timetable.

#### 16. Noise

Prior to the first occupation of the development hereby permitted, an assessment demonstrating compliance for all fixed plant with the noise limits set out in the approved Noise Impact Assessment (ref: 22-0515.02 dated October 2022) shall be submitted to and approved by the Local Planning Authority. The assessment shall include details of any mitigation measures required to achieve the stated noise limits, together with a timetable for the implementation of any such mitigation. The development shall be built in accordance with the approved scheme and any mitigation installed in accordance with the approved timetable, and be retained and maintained thereafter in accordance with the agreed scheme.

#### 17. Electric Car Charging Points

Prior to first occupation of development hereby permitted, electric car charging points shall be installed in 10% of the allocated car parking spaces at the development, as indicated on the approved plans. The charging points shall be supplied to a minimum standard of an independent 32amp radial circuit and must comply with BS7671. Standard 3 pin, 13 amp external sockets will be required. The sockets shall comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason: In the interests of protecting and enhancing air quality through reducing and minimising emissions from vehicles.

#### 18. Drainage verification report

No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, document reference: 146959 R1.0 prepared by Fairhurst on the 1<sup>st</sup> April 2022 has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority.

The details shall include:

- a. Any departure from the agreed design is keeping with the approved principles
- b. Any As-Built Drawings and accompanying photos

- c. Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e. CCTV confirmation that the system is free from defects, damage and foreign objects.

## 19. BREEAM POST CONSTRUCTION REPORT

Prior to the occupation of the building hereby permitted, the following information shall be provided to the Local Planning Authority, unless otherwise agreed in writing:-

- a. a BREEAM post construction report to confirm that BREEAM very good (2018) (or the equivalent standard which replaces the British Research Establishment Environmental Assessment Method which is to be the assessment when the building(s) concerned are to be assessed) has been achieved;
- b. that the carbon emissions from regulated energy will be at least 20% better than that required by Part L2a 2021; and
- c. the approved low and zero carbon technologies have been installed.

## 20. Lighting design for light-sensitive biodiversity:

Prior to occupation, a “lighting design strategy for biodiversity” for the proposal shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a. Identify those areas/features on site that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

## 21. BREEAM FINAL CERTIFICATES

Within six months of completion of the building hereby approved, a copy of the Final BREEAM Certificate (or equivalent) shall be provided to the Local Planning Authority to demonstrate that the scheme has been completed in accordance with the approved Sustainability and Energy Statement.

Reason: In accordance with Policy 9 of North Northamptonshire Joint Core Strategy which aspires to BREEAM performance of at least 'very good'.

## 22. VEHICLE PARKING AND SERVICING ARRANGEMENTS

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Prior to the bringing into use of the building hereby approved, the car, HGV, motorcycle and cycle parking facilities and manoeuvring areas shall be provided in accordance with the approved plans and maintained as such available for use thereafter.

Prior to commencement

23. Protected species (excluding Great Crested Newts)

No works or activity affecting any protected species shall commence until the Local Planning Authority has been provided with either:

- a. a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (or any legislation modifying or replacing this provision) authorising the specified activity/development to go ahead; or
- b. written confirmation from Natural England that a licence is not required; or
- c. a statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

24. Great Crested Newts

No works or activity affecting Great crested newts (GCN) shall commence on this site until the Local Planning Authority has been provided with either:

- a. a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (or any legislation modifying or replacing this provision) authorising the specified activity/development to go ahead; or
- b. written confirmation from Natural England that a licence is not required; or
- c. a statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

25. Hard and soft landscaping Implementation

The approved landscaping scheme shall be carried out in the first planting and seeding season following the completion of that part of the development to which it relates and any trees or plants which, within a period of five years from occupation die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Due to the presence of habitats suitable to support nesting birds any works affecting trees and the site clearance of arable land shall be undertaken outside of the nesting bird season (March – August). Where works are required within this period all vegetation affected must first be checked by an ecologist prior to works.

26. Landscape ecological management plan

No development shall commence until a Landscape and Ecological Management Plan (LEMP) for the development (or phase, if applicable) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following information:

- a. Description and evaluation of features to be managed;
- b. Ecological trends and constraints on site that might influence management;



- c. Aims and objectives of management;
- d. Appropriate management options for achieving aims and objectives;
- e. Prescriptions for management actions;
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g. Details of the body or organisation responsible for implementation of the plan; and
- h. Ongoing monitoring and remedial measures and how these will be secured for the duration of the plan.

The LEMP shall be implemented as approved.

## 27. Biodiversity monitoring strategy

Prior to the commencement of any development (or phase, as applicable) (including for the avoidance of doubt, demolition, groundworks and vegetation clearance), a Biodiversity Monitoring Strategy (BMS) shall be submitted to and approved in writing by the Local Planning Authority. The BMS shall include the following:

- a. Identification of baseline conditions prior to the start of development;
- b. Aims and objectives of monitoring to match the stated purpose of the BMS;
- c. Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various biodiversity net gain measures being monitored can be judged;
- d. Methods for data gathering and analysis;
- e. Location of monitoring;
- f. A timetable for the submission of monitoring reports;
- g. Identification of responsible persons and lines of communication; and
- h. A timetable for review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that biodiversity net gain aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved BMS.

The BMS shall be implemented as approved.

## 28. CEMP (Biodiversity)

Prior to the commencement of any development (or phase, as applicable) (including for the avoidance of doubt, demolition, groundworks and vegetation clearance), a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall provide for:

- a. Risk assessment of potentially damaging construction activities;
- b. Identification of 'biodiversity protection zones';
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d. The location and timing of sensitive works to avoid harm to biodiversity features;
- e. The times during construction when specialist ecologists need to be present on site to oversee works;
- f. Responsible persons and lines of communication;

- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h. Use of protective fences, exclusion barriers and warning signs

The CEMP: Biodiversity shall be implemented as approved and adhered to throughout the construction period.

## 29. Construction Traffic Management Plan

Prior to the commencement of any development (or phase, as applicable) a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall provide for:

- a. Detailed work programme/timetable (by reference to the latest build programme);
- b. HGV delivery hours;
- c. Detailed routeing for demolition, excavation, construction and abnormal loads;
- d. Supply of pre-journey information on routing and site restrictions to contractors, deliveries and visitors;
- e. Detailed plan showing the location of on-site stores and facilities including the site compound, contractor and visitor parking and turning as well as un/loading point, turning and queuing for HGVs;
- f. Breakdown of number, type, size and weight of vehicles over demolition & construction period;
- g. Details of debris management including location of wheel wash, programme to control debris spill/tracking onto the highway to also include sheeting/sealing of vehicles and dust management;
- h. Details of public impact and protection to include road, footway, cycleway and PRoW;
- i. Details of any TROs and road/footway/cycleway/PRoW closures and rerouteing as well as signage and barriers;
- j. Public liaison position, name, contact details and details of public consultation/liaison;
- k. Route details, as required, covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays;
- l. Programme for pre- and post- works inspection of the highway to identify remediation works to be carried out by the developer (including removal of TROs, temporary signage, barriers and diversions, as applicable);
- m. Details of temporary construction accesses and their remediation post project;
- n. Provision for emergency vehicles.

The approved CTMP shall be adhered to throughout the construction period of development (or the phase to which it relates, as applicable) and the approved measures shall be retained for the duration of that construction period.

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

## 30. CEMP (Amenity)

Prior to the commencement of any development (or phase, as applicable), a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide for:

- a. Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- b. Arrangements for liaison with the Council's Pollution Control Team;

- c. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed by the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
- d. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- e. Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- f. Procedures for emergency deviation of the agreed working hours;
- g. Control measures for dust and other air-borne pollutants;
- h. Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The CEMP shall be implemented as approved and adhered to throughout the construction period.

### 31. Air Quality and Dust Management

The development shall be carried out in accordance with the recommendations and measures set out in the approved documents of the Air Quality Assessment Report (Ref: 22-0515.01 / 87514.544726 Issue 2 dated 21<sup>st</sup> October 2022), its accompanying Air Quality Mitigation Technical Note (ref: 87514.550345 dated 20<sup>th</sup> December 2022) and the Dust and Emissions Management Plan (ref: 87514.550345 Issue 1 dated 20<sup>th</sup> December 2022).

### 32. LIGHTING FOR CONSTRUCTION

Prior to the commencement of development, other than site preparation works, a construction period lighting strategy for the development (or phase, as applicable) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved strategy.

### 33. HIGHWAY WORKS AND ROAD SAFETY AUDIT

Prior to commencement of construction works for any building, full engineering, construction and drainage plans for improvements to the eastbound bus stop on the A6116 Steel Road shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The plans submitted under this condition shall be accompanied by a Road Safety Audit (RSA 1) where necessary.

The details approved under this condition shall then be implemented prior to the first occupation of the development.

Informative: The plans submitted to the Local Planning Authority under this condition will also need to be submitted to the Local Highway Authority at a level facilitating full technical details approval to the satisfaction of the Local Highway Authority. The applicant is advised not to seek the discharge of this condition with details which have not first received technical approval from the Local Highway Authority as this may delay the discharge of the condition or result in the rejection of such a submission.

Informative: No works within the highway may commence without the express written permission of the Local Highway Authority. Such consent would be subject to the completion of a legal agreement under Section 278 of the Highways Act 1980 for

which full engineering drainage, street lighting and constructional details are required. Such details would be subject to technical and safety audits which may result in changes to any indicative scheme.

#### 34. Site Access

Prior to the commencement of construction works for any building, full engineering, drainage, street lighting and constructional details of the proposed site access and works to the dual carriageway and roundabout exit from Halley Road including signing and lining works to highlight the private nature of the access road serving the development and improve highway safety shall be submitted to and approved by Local Planning Authority. The site access and works shall be submitted to and approved by the Local Planning Authority. The access shall be provided in accordance with approved details prior to the first occupation of the development.

Informative: The plans submitted to the Local Planning Authority under this condition will also need to be submitted to the Local Highway Authority at a level facilitating full technical details approval to the satisfaction of the Local Highway Authority. The applicant is advised not to seek the discharge of this condition with details which have not first received technical approval from the Local Highway Authority as this may delay the discharge of the condition or result in the rejection of such a submission.

Informative: In the event that Halley Road and the associated roundabout are adopted highway prior to the implementation of the works, then it should be noted that no works within or affecting the existing highway may commence without the express written permission of the Local Highway Authority. Such consent would be subject to the completion of a legal agreement under Section 278 of the Highways Act 1980 for which full engineering drainage, street lighting and constructional details are required. Such details would be subject to technical and safety audits which may result in changes to any indicative scheme.

#### 35. Fire hydrants and sprinklers

Prior to the commencement of construction works of any building, a scheme detailing the location, specification and timetable for implementation of the fire hydrants, sprinkler systems (if required) and associated infrastructure for that phase has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall then be provided and retained in accordance with the approved scheme and timetable.

Informative: The developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.

### **Informatives**

#### 1. Investigation and site risk assessment

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination: Risk Management' (or any guidance revoking and replacing this guidance with or without modification)'.

#### 2. Anglian water

1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water,

under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

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

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

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

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

### 3. Superfast Broadband

The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure) by partnering with a telecommunications provider or providing on site infrastructure to enable the premises to be directly served – this should be gigabit capable and where possible, full fibre connectivity. This supports the government's Gigabit programme and local targets to see 80% full fibre and 90% gigabit coverage by the end of 2028. Developers should approach telecoms providers at the earliest opportunity to agree gigabit-ready infrastructure and connectivity plans. The network capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations. Efficiencies can be secured if ducting works and other network infrastructure is planned early and carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 - I Series Underground Cable Ducts. These documents can be found at: <http://www.standardsforhighways.co.uk/ha/standards/mchw/index.htm>. Streetworks UK Guidelines on the Positioning and Colour Coding of Underground Utilities' Apparatus can be found here National Joint Utilities Group ([streetworks.org.uk](http://streetworks.org.uk)). Proposals should also be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R. Some telecoms network providers have dedicated online portals providing advice for developers, including: Openreach Developer Portal ([openreach.co.uk](http://openreach.co.uk)) Virgin Media <http://www.virginmedia.com/lightning/network-expansion/property-developers>

Gigaclear networkbuildcare@gigaclear.com (rural areas and some market towns)  
OFNL (GTC) <http://www.ofnl.co.uk/developers> CityFibre <http://cityfibre.com/property-developers> Details of other fibre network providers operating locally can be found here <http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecomsproviders.aspx>.

For help and advice on broadband connectivity in North Northamptonshire email the Superfast Northamptonshire team at [bigidea.ncc@northnorthants.gov.uk](mailto:bigidea.ncc@northnorthants.gov.uk) Please note that the guidance contained above may be subject to change as a result of changes to planning policy and guidance at national and/or local level as applicable. Amendments are expected to be made to the Building Regulations 2010 in support of gigabit connectivity and therefore continued consultation with the Development Management team is recommended to ensure that the introduction of any such amendments can be taken into consideration at each stage of the planning process.

*(Members voted on officers' recommendation to approve the application)*

*(Voting: For 5, Against 2)*

*The application was therefore*  
**APPROVED**

**91 Delegated Officers Report**

None

**92 Exempt Items**

None

**93 Close of Meeting**

The meeting closed at 9.00 pm

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Chair

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Date

## North Northamptonshire Strategic Planning Committee 24<sup>th</sup> April 2023

<b>Application Reference</b>	NK/2021/0372
<b>Case Officer</b>	Theresa Nicholl
<b>Location</b>	Desborough (land to south of), Rothwell Road, Sycamore Drive, Desborough
<b>Development</b>	Approval of Reserved Matters: All details in respect of KET/2016/0044 for up to 304 dwellings
<b>Applicant</b>	Bellway Homes Ltd
<b>Agent</b>	Mr Sav Patel Strutt & Parker
<b>Ward</b>	Desborough St. Giles
<b>Overall Expiry Date</b>	20/07/2021
<b>Agreed Extension of Time</b>	27/05/2022

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### List of Appendices

**Appendix A – Outline appeal decision**

**Appendix B – Approved Design Code Regulating Plan**

**Appendix C - Arboricultural Impact Assessment Rev A dated 02-03-23**

### Scheme of Delegation

This application is brought to committee because

- the relevant town council has a material written objection.
- there are unresolved, material objections to the proposal.
- the Council is the landowner of part of the site.
- the application has been the subject of more than ten (Strategic) written material planning objections.
- a serving NNC councillor has submitted a written objection.

## 1. Recommendation

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- 1.1 That the reserved matters be APPROVED

## 2. The Proposal

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- 2.1 Approval of Reserved Matters: All details in respect of KET/2016/0044 for up to 304 dwellings. Planning permission was granted on 22 December 2017 when the appeal against refusal of the outline planning application (by Kettering Borough Council) was allowed following a Public Inquiry. Details of the two proposed vehicular access points – one off Rothwell Road B576 and one off Sycamore Drive were approved as part of the appeal decision. This application concerns the submission of the details relating to layout, appearance, scale and landscaping as well as internal road and access arrangements and other details, some of which are requirements of conditions attached to the outline permission.
- 2.2 The application proposes the construction of 255 dwellings, which will be a mix of two, three and four bedroomed as shown in the table below. The majority of the dwellings are two-storey, however 17 two-bed bungalows are also proposed. 178 of the dwellings will be available on the open market, and the remaining 77 will be affordable dwellings (i.e. 30% affordable on-site provision).

	<b>2-bed</b>	<b>2-bed bungalows</b>	<b>3-bed</b>	<b>4 bed</b>	<b>Total</b>
<b>Market Dwellings</b>	8	9	129	32	178
<b>Affordable Dwellings</b>	26	8	37	6	77
<b>Total</b>	34	17	166	38	255

- 2.3 Two accesses are proposed for the site which were approved when the outline planning permission was granted on appeal. The main access is from the west off the B576 Rothwell Road and serves 226 dwellings. The remaining 29 dwellings are to be served off Sycamore Drive. The development will not create a public vehicular link through the site from B576 Rothwell Road to Sycamore Drive, although emergency vehicles will be able to do this if necessary.

## 3. Site Description

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- 3.1 The application site lies to the south of Desborough, adjacent to existing residential properties, and inside the town boundary and the Nene Valley Nature Improvement Area (NIA). The site consists of a number of agricultural fields and previously used playing fields and land associated with the demolished Hawthorns Leisure Centre. A spur of land runs from the main body of the site in a northerly direction towards the centre of Desborough. This area is known as 'The Damms' and is designated as Historically and Visually Important Local Green Space (HVI) in the Kettering Site Specific Part 2 Local Plan (P2LP). The ground levels within the site generally slope down towards the River Ise – north to south, however, the land is undulating and does rise on the other side of the Ise River. The site lies within Flood Zone 1 (adjacent to Zones 2/3).



- 3.2 The proposed site measures approximately 13.29 hectares. The site currently has vehicular access from Valley Rise (to the sewerage pumping station) and the former Hawthorns entrance. Formal pedestrian access is gained via a number of public footpaths that cross the site. Public footpath UC001 leads from Lower Street past St. Giles Church, onto the application site, and then runs in a southerly direction leading to Rothwell Road. Footpath UC017 branches off UC001, roughly following the line of built development past Kenmore Drive, Lower Steeping, Foxlands, and Valley Drive, continuing broadly parallel with the field boundary before passing into Tailby Meadow. A further path, UC018 branches off from UC017 towards Valley Drive (which is reached via UC019 a small path of approx. 13 m) and then leads in to Tailby Meadow, at the same point as path UC017. Another adopted footpath (UC012) runs north/south along the eastern side of the site through Tailby and Shotwell Mill Meadows and down towards Rothwell. There are also informal pedestrian accesses to and routes across the site.
- 3.3 High, sometimes dense hedgerows form field boundaries within and on the boundaries of the site, in particular along the western boundary with the B576. A mix of trees are scattered across the site.
- 3.4 To the north and east of the application site are dwellings located on Kenmore Drive, Lower Steeping, Foxlands, Brookside, Valley Rise, Pine Close, Cedar Close, Broadlands, The Hawthorns, Redwood Close and Sycamore Drive. The properties are relatively modern and constructed in various materials and designs. The properties include detached, semi-detached properties and some single storey dwellings. Materials largely consist of red and buff bricks but with variations in colour. In addition to the public footpaths which access the site (as mentioned in paragraph 3.2 above) there are a number of cul-de-sacs with informal pedestrian cut-throughs on to the site.
- 3.5 To the south the site abuts agricultural fields and a pumping station. To the south and south-east the site is adjacent to Tailby Meadows, a County Wildlife site and Local Nature Reserve. To the south of the fields and Tailby Meadows lies the River Ise, beyond which is Shotwell Mill Meadow (a local Wildlife Site). To the west of the site is the B576/Rothwell/Desborough Road, which connects Rothwell and Desborough.
- 3.6 A spur runs from the body of the site in a northerly direction towards the centre of Desborough. At the northern most tip of this spur is St. Giles Church a Grade I Listed Building. The Church Spire of St Giles Church is visible along parts of the western side of the site, as ground levels rise along the public footpath (UC001) up to the town. This part of the application site lies between the rear garden of dwellings on Rothwell Road, Brooke Close and Beech Close to the west and dwellings on Kenmore Drive, Roman Way and Wilton Close to the east. This is the area known as 'The Damms' and is designated as Historically and Visually Important Open Space in the Kettering Site Specific Part 2 Local Plan.
- 3.7 The majority of the site is allocated for residential development in the Kettering Site Specific Part 2 Local Plan.

## 4. Relevant Planning History

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### 4.1 **Former Leisure Site**

DU/1973/0085 – Erection of Sports Hall and associated facilities

KET/97/0748 – Extension to existing Leisure Centre for fitness training – APPROVED – 02.02.1998

KET/1999/0239 – Skate board park within the grounds of Desborough Leisure Centre – APPROVED – 29.06.1999

KET/1999/0485 – Extension to approved skate park within the grounds of Desborough Leisure Centre – APPROVED – 24.08.1999

KET/2012/0557 – Prior Approval for Demolition of former leisure centre – Prior Approval NOT REQUIRED – 25.09.2012

### **Entire Site**

KET/2015/0986 – Environmental Screening Opinion for Proposed residential development – Environmental Statement NOT REQUIRED – 21.12.2015

KET/2016/0044 - Residential development of up to 304 dwellings with associated access, infrastructure, public open space, nature areas and surface water management measures – REFUSED 18.05.2016 - APPROVED AT APPEAL - 22.12.2017

AOC/0044/1601 - Condition 24 (off site highway works) of KET/2016/0044 – APPROVED - 02/11/2018

AOC/0044/1602 - Condition Nos. 5 (contamination investigation – parts A and B of condition 5), 6 (design code requirements), 19 (Outline Construction Ecological Plan and Strategic Ecological Management Plan, GI and SUDS), 20 (bat surveys) and 24 (off site highway works) of KET/2016/0044 – APPROVED – 28.02.2019

AOC/0044/1603 - Condition No. 25 (Tree and hedgerow retention) of KET/2016/0044 – PENDING

AOC/0044/1604 – Condition 11 (Archaeology) – APPROVED 24.08.22

AOC/0044/1605 – Condition 18 (Noise) – PENDING

AOC/0044/1606 – Condition C17 (Construction Method Statement) and C28 (Construction Employment Statement) – PENDING

AOC/0044/1607 – Condition 9 (Access Management Plan Tailby Meadow) and partial discharge of C24 (off site highway works and junction improvements) - PENDING

NK/2021/0262 – NMA to KET/2016/0044 (Residential development of up to 304 dwellings with associated access, infrastructure, public open space, nature areas and surface water management measures): Amendments to the timescale triggers for submitting information relating to conditions 9 (access management plan) and 24 (off-site highway work details) – APPROVED – 14.04.2021

DEED/0044/1601 - Changes to obligations in Unilateral Undertaking relating to allotments, MUGA, open space and public open space, changing facility at Dunkirk Avenue Recreation Ground, pitch quality improvement works and pitch quality report, town centre regeneration contribution – Signed and sealed March 2023.

## **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

### **5.1 Desborough Town Council (02.06.21)**

Desborough Town Council objects to the proposals for the reasons set out below;

The Council is not against the development at all costs, but all development should be respectful of the location and history, in keeping with local vernacular style and most of all should be sustainable, safe and designed to meet the highest standards of living.

The Town Council questions the need for this development as the five-year supply of sites in the area is already exceeded and on the grounds of over provision alone the application should be refused.

It is disappointing the proposals do not even meet the basic requirements of the local highway authority which are wholly endorsed by the Town Council. Consent should therefore be withheld until a new layout is submitted for consideration.

The proposed development does not meet Secured by Design Standards and is inviting crime and anti-social behaviour. The proposal does not meet Policy 8 of the Joint Core Strategy.

No details of the lighting have been seen and consent should be withheld until details are provided.

The property tenure and mix are noted but the mix on the plans does not comply with accepted NPPF standards in relation to making affordable properties blend into the development. The properties are in cul de sacs leading to a real risk of ghettoism.

Footpaths and cycling provision should meet modern standards and be clear and provided to link to provision or planned provision off site.

The application should be deferred pending review of the Kettering Site Specific Part 2 Local Plan review.

Changes to public rights of way should be sympathetically treated and commodious for walkers not just expedient for developers. The internal road layout is ill thought out and the TC strenuously objects to an east west through route. This would create a rat run and increase road safety dangers.

There are few recreational facilities on this side of the town and damage to Tailby Meadow by the proposals would remove one of the few remaining facilities.

The TC is concerned about the impact of noise from the MUGA/play areas to the houses. Insufficient details about several aspects in this regard.

The TC is concerned at the potential for significant flood damage and water run off to ecosystems, flora and fauna and the FRA provides insufficient information. In the absence of crucial information, the application should be refused. The Council has grave concerns the development will damage views of the Ise Valley, its flora and fauna and there is information missing from the Ecological Assessment.

The TC notes that with regard to the Joint Core Strategy, the proposal fails to comply with policy 3 re landscape character and being sensitive to landscape setting; Policy 5 re flooding; Policy 8 re Place Shaping Principles due to poor layout and highway safety concerns, quality of life and peoples' health and wellbeing, damage to biodiversity, lack of Secure by Design; Policy 11 re the Network of Urban and Rural Areas due to exceedance of five years supply of housing; Policy 19 re Delivery of Green Infrastructure as the development will destroy local GI rather than add to it; and Policy 20 re The Nene and Ise Valleys as it will destroy biodiversity and GI and reverses many years' work towards the protection and enhancement of the countryside.

The proposal does not comply with the NPPF for the following reasons;

Policy 2 – Achieving Sustainable Development – the proposal will not contribute to social well being or the natural environment

Policy 8 – Promoting Healthy and Safe Communities – the proposals are not Secure by Design and remove safe access to accessible green infrastructure, will result in the loss of a highly valued valley removing the ability of residents to meet day to day wellbeing needs and the proposal will impact on the Public Footpaths crossing the site.

Policy 12 – Achieving well-designed places – the proposal is clearly poor design, and the application should be refused.

Policy 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change – The TC is convinced flood risks are being underestimated and the absence of empirical data does not mean that there is an absence of flooding, the development is not necessary, and water run-off will find its way to land and water courses outside the development leading to loss of flora and fauna

Policy 15 – Conserving and Enhancing the Natural Environment – the development does not protect or conserve the natural historic vista of the valley.

The application should be refused for the above reasons.

If consent is granted construction traffic should use the B576 to access the site and through traffic between the B576 and Rushton Road should be prevented for any and all vehicles during construction and occupation phases by physical barriers. Any temporary accesses should be effectively closed following construction of properties to be accessed off Sycamore Drive.

A similar scheme for construction traffic should be enforced as per Rothwell North whereby a condition requiring ANPR monitoring and reporting noncompliance to the

Town Council with a legally binding system of fines for construction related vehicles not following the approved route into and out of the site. A detailed Construction Management Plan should be approved before granting reserved matters approval.

*(Note: The Town Council has not responded to later consultations on changes to the plans)*

Cllr Dearing (25.05.21)

The proposal suggests only a right hand filter in needed for the turn into the site off the B576. The entrance is only yards from the bridge over the river which cannot be altered which would leave a very small filter lane for traffic wanting to turn right and would undoubtedly have traffic queuing up Rothwell Hill which is already happening due to roadworks at the top of the hill.

Traffic turning right out of the site towards Desborough will be more hazardous as there is so much traffic at peak times on the B576. A promise of a roundabout has not materialised which whilst costing more would help traffic in and out of the site.

Given the length of the site road and amount of housing, having only one entrance at each end is clearly inadequate. Highways suggest 7-10 car movements per day per house which will put huge strain on these junctions at peak times.

Better though to traffic movement if this is to go ahead.

Cllr Fedorowycz (on behalf of North Northants Green Party) (30.05.21)

To build here goes against the previous Borough and County Council's declaration of climate emergency and will impact biodiversity and ecological loss.

The susceptibility to cause more flooding should be enough to refuse this application.

The decision should be deferred until up-to-date ecological information is available.

Northamptonshire is in a very different place to when the application was approved on appeal in 2017.

*Note: The letter from Cllr Fedorowycz then goes on to include the letter submitted by the Protect the Ise Valley Group, the issues contained therein are reported/summarised within the neighbour responses section.*

Cllr Helen Woods (29.05.21)

There seems to be no analysis of traffic flow between the sites and through Desborough both during construction and following this. This information is vital in any decisions on the plans. A lengthy campaign was undertaken previously regarding excess traffic using Dunkirk Avenue which had resulted from another construction project which led to damage to roads and this one may result in the same and disruption to residents.

I would also like to echo the objections of other residents re the loss of amenity of the Ise Valley.

Cllr Howes (27.05.21 and 16.06.22)

I have known and enjoyed this area since I was a young boy and have received many emails as one of the local ward councillors expressing heartfelt concern about the development of this area and why this is unsuitable in planning terms.

The former KBC declared a climate emergency and we are now looking at everything we are doing from a green agenda. Personally, I would like to object to the application as the views will be destroyed and also the wildlife and trees if this development goes ahead.

If the hedgerows and trees and open grassland are affected by this development this could adversely affect their ecological functions as a wildlife corridor, holding as they do opportunities for nesting birds.

The detriment to the landscape is not outweighed by the provision of new homes in Desborough. Reference is made to JCS policies 3 and 19.

I would also like to highlight the following planning reasons for refusal;

Kettering Local Plan Part 2 –

Purpose of the plan set out in 1.1 re sustainable development and the strategy set out in the JCS and NPPF.

There is conflict with the Local Plan Part 2 on point 1.8 which states that the SSP must be consistent with national policy and with the objective of contributing towards sustainable development. Only a few dwellings are proposed to have solar panels, the remainder being normal rooftops and gas boilers. In 2022 new builds should be built with heat pumps and alternative energies and the loss of such a large carbon sink area is not off set by a few solar panels. The Council is committed to reducing carbon emissions and improving its resilience to the anticipated climate change making the area carbon neutral by 2030.

I ask you to consider all the many objections you are receiving from many members of the community and refuse the application.

Highway Authority (NNC) (29.11.22)

Subject to the following, the LHA has no objections in principle;

1. Site Layout Plan (ROTRD-MCB-ZZ-ZZ-DR-A-0230A-D5-P5) is noted. Provided the Fire Chief is accepting of the proposed fire tender links between adjacent shared drives including their materials and nature of bollards and their management, the LHA have no significant concerns. The LPA must satisfy itself with this.
2. Vehicle tracking plans are noted and appear acceptable.
3. Boundary Treatments Plan (RPTRD-MCB-ZZ-ZZ-DR-A-D5-P4) is noted. There remain instances of boundary treatments over 0.6m in height along pedestrian visibility splays (e.g. plots 91, 101-104/113-130 etc, where 1m treatments are proposed). The LPA must take a view on this.

4. The applicant/LPA are strongly advised to seek the views of the ROW team for agreement on the various Public Rights of Way affected by this site as previous comments to not appear to be addressed/considered. The site is affected by PROW's UC1, UC17, UC18, UC19. Planning permission does not give or imply permission for adoption of new highway or to implement works within the highway and/or a Public Right of Way.

Community Fire and Rescue Department Fire and Rescue Service (31.01.23)

3.1 metres is the minimum width of a "gate" for a fire vehicle to pass through. If the bollards are wider, then access is achievable. If the bollards are closer to restrict unwanted vehicle access, then as long as the bollards are collapsible i.e. padlocked in upright position, we are able to bolt crop the padlocks to lower the bollards and pass over them. I see no issue with the links between the private drives.

Crime Prevention Design Advisor (06.10.22)

The applicants have addressed our previous concerns as such Northamptonshire Police has no formal objection to the application in its current form.

Natural England (10.06.22)

Natural England has no comments on this reserved matters application. Natural England has published standing advice which can be used to assess impacts on protected species, or you can use your own ecology services for advice. Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess impacts on ancient woodland or trees.

NNC Nature (18.10.22)

I note the Wildlife Trust still has a couple of concerns about the Tailby Meadow access plan. While the plan is to be produced to discharge condition 9 of the outline and is therefore not technically related to the reserved matters, I would like to point out at this stage that I very much support the Trust's recommendations regarding fencing and hope to see them addressed when the AOC application is submitted.

The soft landscaping plans provided do not provide enough detail to determine their ecological suitability for this location. Given the proximity to Tailby Meadows LWS it is important that the seed mixes reflect local flora. Therefore, I would recommend that soft landscaping plans are conditioned.

I would also recommend that the four Ecological Enhancement Location Plans (SES September 2022) are conditioned for compliance, with specifications of the boxes and bricks to be provided pre-commencement.

NNC Nature (05/04/23)

Ecology Impact Assessment:

This report in the first instance does seem to cover notable and protected species and follows best practice guidance for said EPS to highlight the baseline

ecological conditions, as well as highlighting impacts, mitigation and enhancement. Associated Documents (Reptile Strategy, CEMP and LMP) do highlight recommended measures. My view is that through these potential mitigation measures, loss of biodiversity would be minimised.

**Reptile Survey Strategy:**

Carried out in accordance with best practice guidelines. Results show low populations of both common lizard and grass snake, therefore appropriate mitigation identified and working under the Precautionary Principle would be fully mitigated for under the WCA 1981 (as amended). The addition of receptor sites and enhancement I agree with.

Agree with the recommended conditions and the Wildlife Trust suggested two CEMP and LEMP conditions.

**Ecological Enhancements (Bat and Bird boxes):**

In relation to the proposed number and location and bearing in mind the results for Bat Activity hotspots (as outlined in Appendix 9e, pp114 of the EIA), I would like to see an increase in the NW linear sector of tree bat boxes.

Wildlife Trust

Officer comment: The WLT has been commenting on the Tailby Meadow Access Management Plan which is submitted as a discharge of condition application outside of the reserved matters application. The WLT has commented that it is happy with the proposed fencing in the latest version of the plan and sought clarification about the future maintenance of the fencing. This has been clarified in the most recent version of the plan which at the time of writing this report is under formal consultation with the WLT. This will be dealt with under the discharge of condition application (AOC/0044/1607)

Environment Agency (12.12.22)

We have no further comments to make in respect of the proposed development, please see our response dated 04 July 2022 for our latest comments.

EA comments dated 04/07/22:

We are satisfied that the flood risk assessment compliance note (ref: 18883/FRA-C Rev A) dated 23 May 2022 is in accordance with condition 12 of the outline permission, as set out in the Appeal Decision ref: APP/L2820/W16/3162430 (above ordinance datum (*as stated in the condition*) is an error – the requirement should have been “above existing ground level” as reflected in the update FRA).

As such the Environment Agency have no objections to the reserved matters and the condition should be implemented accordingly.

Please note our comments relate to fluvial flood risk only. We have not considered surface water flooding or the proposed surface water scheme as this is not within our remit.



## Lead Local Flood Authority (LLFA) (06.02.23)

Having reviewed the following;

1. FRA Compliance Note B, Woods Hardwick (Oct 2022)
2. Site Location Plan Rev P1, McBains (Nov 2022)
3. Site Location Plan Combined Rev P5 (Nov 2022)

We would advise there is sufficient information available to comment on the acceptability of the surface water drainage scheme for the proposed development.

Our response dated August 2022 requested a number of pieces of additional information. Since our previous response, a revised FRA has been provided.

With regard to the outfalls being identified outside the site boundary, the applicant has confirmed that;

“The surface water connections shown to run outside the red line are within land owned by North Northamptonshire Council and Main. These two landowners are land Bellway are acquiring within the red line. As part of the land acquisition of the red lined land Bellway will obtain rights within the transfer that permits surface water drains through to the watercourse, including necessary rights over the land, signing of agreements etc.”

Appendix K of the FRA contains the relevant Land Transfer Agreements.

Anglian Water have confirmed a discharge rate of 10 l/s into their sewer within the site is acceptable.

Calculations have been provided which demonstrate that the proposed surface water drainage system manages surface water flows up to the 1 in 100 year plus 30 percent climate change event, with an additional 10 percent urban creep. An impermeable area plan has also been provided to support this.

The applicant has confirmed that the half drain time of all the basins is less than 24 hours.

An overland flow route plan has been provided which demonstrates overland flows are directed along strategic highways and green corridors towards the south of the site, beyond which is an existing watercourse.

Proposed access points for each attenuation basin to ensure it can be maintained have been provided as shown on Levels and Drainage Strategy Drawings provided in Appendix L.

The proposed reserved matters are therefore considered acceptable to the LLFA. The application is still subject to discharge of all the relevant drainage conditions, which should be approved by the LPA prior to commencement on site.

Our comments only cover the surface water drainage implications of the proposed development.

### Anglian Water (23/02/23)

#### Foul Water;

We have reviewed the applicant's submitted foul drainage strategy and consider that the impact on the public foul sewerage network are acceptable to Anglian Water. We should be consulted on any forthcoming application to discharge condition 16 (details of foul drainage) of the outline application KET/2016/0044 to which this reserved matters relates.

#### Surface Water;

We have reviewed the applicant's submitted surface water drainage information, Flood Risk Assessment – compliance Note Rev B Oct 22, and consider the impacts on the public surface water sewerage network have not been adequately addressed at this stage and may result in increased flooding in the public surface water network. Discharge of site sub-catchment 5, at 10 l/s to Anglian Water manhole MH1753, is proposed in October 22 FRA, but this does not align with drawings from April 22 included at appendix L referenced in the surface water strategy, which propose discharge to a surface water sewer to the east of MH1753, which is not owned by Anglian Water. As such it is not possible to assess the contributing area for the portion of the site that will discharge to the Anglian Water surface water network and determine the greenfield run-off rate that is allowable to discharge to the sewer as per Anglian Water's surface water policy. We request that we are consulted on any forthcoming application to discharge condition 14 (surface water drainage details) of the outline application KET/2016/0044, to which this reserved matters application relates.

### NCC Archaeology (10.10.22)

All archaeological questions have been resolved and I have no further comments to make in respect of the application.

### NNC Environmental Health (20.10.22)

We are concerned that this application appears to have gone through several amendments but at no point have any constraints on site layout and building design that may be imposed by the noise environment and/or land contamination remediation proposals been considered.

### NNC Environmental Care (20.05.21)

The plans look like they should be suitable for the collection vehicle to navigate. For the developer's information, if any of the turning points are on private or block paved drives, we would need to be assured that these surfaces will withstand the weight of a 24 tonne plus vehicle. We will need this in writing and a disclaimer to the effect that we will not be responsible if any damage happens to the road surface from our vehicles driving on it.

Place Services Essex County Council (NNC consultant for Urban Design) (31.10.22)

We note the main changes to the layout include widening the spine road to 5.5 metres, revisions to plot 147 to 150 and the updated Quilter and Woodcarver house types. We do not have any major concern with the revisions and the proposed changes are generally considered acceptable on urban design grounds. We would request, if possible, the side elevations to plots 149 and 163 be designed to have some form of active residential element such as a window or corner turning design to ensure there is a good amount of natural surveillance to the street and that dwellings do not front onto blank side elevations.

We are pleased to see the revised Quilter and Woodcarver house types; this brings the proposals in line with the aspirations for the scheme. We note the applicant has provided justifications for the car parking frontage and use of visitor parking within the street. However, we still feel that the urban design quality of the scheme would be improved with a reduction in the prominence of car parking by removing cars from the front of dwellings as much as possible with the use of integrated on-plot parking.

Place Services Essex County Council (NNC consultant for landscaping) (31.10.22)

This letter sets out our consultation response on landscape matters, including the proposed landscape design and how the proposal relates to the landscape context. The application has been accompanied by revised Landscape Masterplan drawings (4 no. drawings) which have taken into consideration our previous recommendations. On this basis, if minded for approval we would recommend the following landscape conditions are considered;

*Summary of suggested conditions;*

1. Prior to commencement of landscape works submit further details for approval including specification of soft landscaping, paved or hard surfaced areas, existing and finished levels, means of enclosure and standard replacement landscape clause should plants die or become removed etc;
2. Prior to construction of dwellings submit details of SuDS for approval
3. Prior to any landscape works commencing submit details of children's play spaces for approval;
4. No development to take place prior to submission of a landscape management plan

Email from Principal Landscape Consultant dated 08/02/23 confirmed the following;

1. Confirmation that Place Services accepted the tree and hedge removal and retention as part of the proposed landscape scheme
2. Acceptance that boundary treatments can be a compliance condition but that soft and hard landscaping should still be conditioned (*for submission*)
3. With regards to play space, a compliance condition would be suitable, but I would include the need for a RoSPA post-installation inspection to help ensure that the playground meets modern standards and has been correctly installed

## NNC Grounds Services (Kettering) (28.06.22)

### Proposed BMX track on site -

The original application sought to deliver a full sized multi use games area at the southern end of the development to meet requirements for children and young people. With the development plans drawn up it is considered over development and would cause considerable damage to the visual amenity of the site considering its urban fringe location. However, and wishing to meet the development needs for onsite provision for young people we seek to transfer the MUGA for a low-level BMX pump track instead. This will stand no higher than 1.5m tall and will be landscaped into the environment with soft landscaping. We consider this to be a natural play activity which will provide good opportunities for sport and healthy activity in line with the attributes found within a MUGA requirement.

### Football at Dunkirk Ave off site –

Further to discussions with Northants FA an enhanced football facility is sought at Dunkirk Avenue but not as previously mentioned to FA League standards as such a development would be over development of this well used community facility (*note: discussions with Grounds Services revealed that pitches to league standards are not permitted to be used for many other uses and are as such restrictive*). However, we are seeking an offsite contribution of £50,000 towards the full cost of a new facility which will enable us to successfully apply for additional external grant funding.

### Contribution for allotment provision off site –

We have discussed moving on site provision off site with the development of a new allotment field just off the Grange estate. We would seek a contribution of £17,000. *Emails from Grounds Services (February 2023) confirm that further to local consultation which was overwhelmingly negative to the proposed allotment creation near the Grange, the contribution will be sought towards allotment provision and enhancement in Desborough.*

### Contribution towards Dunkirk Avenue Recreation Ground Play Area off site –

Despite the development including an on-site equipped play area it is felt that a development of this scale will increase the use of the town's main community play area at Dunkirk Avenue and accordingly we would seek a capital sum for play enhancements of £15,000.

## Chairman of Desborough Civic Society

Regarding the previous appeal decision and planning Inquiry reports and requirements there is much out of date. All the new policies and plans to protect the Ise Valley since 2016 should be considered. NNC now has plans to protect our green infrastructure in light of climate change to have effect in a few months' time in 2023. The Ise Valley Strategic Plan is to protect and enhance the natural environment of North Northamptonshire's Ise Valley. The stretch of river below our town needs particular protection. To suggest that picnic table should now go onto our green fields is a kick in the teeth for local environmentalists and the natural world. It is well known that houses bring destruction to wildlife areas in a variety of ways from cats to pesticides, weed killers or even car cleaning fluids.

Highway Issues; Entrance to this site from the B576 would be disastrous in many ways. This road is busy lying between the two settlements of Desborough and Rothwell. Current traffic is unbearable in noise, pollution and danger and this will only increase. The new Sainsburys will add shoppers' cars plus the overload of lorries ignoring the 7.5 load restrictions. There is known regular flooding in the valley fields and climate change.

The capacity of the local drainage system which is by the Ise Valley has been enlarged dangerously to take sewage from the present 1000 Grange properties and more. Piping across the Pipewell Road Bridge and down King Street being quite a horror. Has the increase in this been thoroughly investigated? A spokesman from the Environment Agency said Desborough should have no more building as its water courses are all wrong.

Established trees and hedges have already been damaged by Bellway Homes before their application has been granted. Other Bellway sites show their complete disregard for green and wildlife. Government wants us to preserve trees in addition to planting more. They hold wildlife and help to protect against climate change.

Adverse impact on nature conservation interests and biodiversity opportunities – Tailby Meadows is an important nature reserve, one of the three percent remaining water meadows in the UK. It has seen much investment. We are glad surveys are concerned with bats and birds etc all along the Ise. White clawed crayfish just a few metres beyond Tailby Meadow would be destroyed by this housing build. We know there is much wildlife there. Our Ise should be protected and not threatened and knocked about.

## 5.2 Neighbours / Responses to Publicity

A total of 158 representations (objections) were received following the first consultation i.e. before May 2022; 50 representations were received following the second round of consultation i.e. May 2022 onwards and 15 responses were received following the third round of consultation in September 2022. In total objections have been received from 182 different households, the vast majority of which are from areas close to the site. The objections raised are summarised as follows;

### Comments made prior to May 2022 (response to original submitted plans)

- The proposal does not protect and enhance the natural, built and historic environment but will cause loss/destruction of species
- The proposed site has existed as a green space since the formation of Desborough settlement and one of the reasons for keeping it as such is the prevention of urban sprawl. KBC recognised the beauty of the Damms and designated it a Greenway in the 1990s. It was protected in the 1995 Local Plan under policy 94 and in subsequent planning appeals. The Inspector in 2017 recognised that the Damms was to be protected as a HVIOS in the Desborough Neighbourhood Plan and noted that the area was largely excluded from development in the masterplan for the proposal and is intended to be designated as public open space by the appellants.

- The site is special to local people and is a tranquil space rich in biodiversity as opposed to Northamptonshire's position of having a poor biodiversity rating overall. The site contains a variety of habitats and species (*several different bird and other species referred to by many residents*). It is a key location in the green infrastructure landscape and at the core of the regional corridor and will have significant impact on the environmental and amenity value of the area contrary to the NPPF and policy 19 of the JCS. It will cause a net loss in biodiversity. It will have a significant impact on Tailby Meadow. (officer comment: there are detailed comments about impacts on species). The proposed site currently acts as a buffer between existing housing and Tailby meadow.
- The proposed site is adjacent to a floodplain and the Ise is a receptor for all the runoff from Desborough town. The land has three streams and wild springs and floods frequently during light to moderate rain events. The river burst its banks in March 2016 causing flooding along the valley at the site from east to west. Both Rothwell Road and Sycamore Road flood at the proposed access points and of all the sites for proposed allocation, this has the highest risk of flooding. There does not seem to be adequate mitigation of this risk as part of this application. Although the site is in flood zone 1 local people know and have evidence of the site flooding contrary to policy 5 of the JCS. The Surface Water Management Plan 2018 outlines predicted risks from surface water and identifies critical drainage catchments of which the Ise Valley is one. Reference is made to the increased flooding caused by the Christopher Close development. The Council and the developers will be responsible if my house floods.
- The proposal will not help build a prosperous economy as it is too far from the town centre and there are limited employment opportunities north of Desborough which are not easily accessible on foot. Developments in the north of the town are better placed to access the town centre. The distances to facilities are inaccurate and seem to be based on a desk top assessment. Desborough is essentially a dormitory town with insufficient facilities. Road infrastructure in the town centre especially the High Street is poor and the additional traffic will make this worse.
- I am concerned about the safety of the proposal especially along the A6 Rothwell Road and Pioneer Avenue where I regularly ride my bike.
- The Desborough Neighbourhood Plan (draft 2017) includes sites where planning permission is already granted and expresses widespread concern about housing that is poorly located damaging valued amenity and landscape assets. It states no further development in the Ise Valley should be permitted.
- Havelock Infant School is close to the development being approximately 20-25 minutes walking distance away. Most children in south Desborough are taken to school by car. It is unlikely Havelock school has land on which to expand. There are limited places available. Montsaye School is at full capacity. There are no adult education facilities in Desborough.
- Until recently, the site was historic and visual open space (HVI). The consultation carried out by Desborough Town Council in 2015 regarding designating this land as HVI was flawed in that it only included town and parish councils and landowners. The proposed site is within the countryside and lies within the Nene Valley Nature Improvement Area, a strategic sub regional green infrastructure corridor.
- The destruction of this land will have a detrimental impact on peoples mental and physical health and wellbeing

- The towns of Desborough and Rothwell both have unique characters and building on sites that would eventually mean they would join up will destroy the characters of both
- The proposal will increase the risk of accidents as the proposed access roads to the east and west are unsuitable and Sycamore Drive is a quiet cul-de-sac not intended for the increase in traffic. The site is on steep terrain and use of the proposed footpath/cycleway will be minimal. Contrary to NPPF 32 and JCS policy 8.
- There appears to be no provision to slow traffic at the western end via a junction with the B576 at the approach to the junction and as a result the junction will become an accident black spot. The relocation of the gateway feature should be agreed before approval is given. Speed surveys at Rothwell Road indicate that the average speed is 36mph with a consistent 85% speed of 45mph and have been recorded inside the 30mph zone.
- The proposal goes against the Council's commitment to reducing carbon emissions and improving resilience to climate change. The Council declared a Climate Change Emergency in 2019.
- Questions are raised over the efficacy of the ecological surveys carried out, reference to Rothwell North ecological surveys and lack of otter and water vole surveys (as of May 2021). The public have seen evidence of otter presence at several locations.
- If the JCS policies and site-specific part 2 local plan had been in place at the time of the appeal it is difficult to see how this would have been granted permission. The outline and reserved matters should be reviewed once the Local Plan Part 2 is adopted. The policies support a refusal of the permissions, and this should have been the outcome in 2017.
- The Grange 2 incorporates a new primary school that is not there to date and there is mistrust in developers actually completing S106 arrangements.
- The town centre is unable to accommodate the retail needs of new developments. Generally, the towns infrastructure and facilities have not kept pace with new developments.
- Noise from the development will impact on quality of life for those who live close by and who purchased their properties when the site was designated as public open space. Walking through a housing estate would bear no resemblance in experience and enjoyment to the peaceful Ise Valley.
- This development will mean that substantial public money that was used to protect the valley will have been wasted.
- The NPPF paragraph 109 says the planning system should protect and enhance valued landscapes
- Since the 2017 hearing, Desborough has been able to show a 5-year housing land supply. Desborough has enough housing.
- There is a sewerage site in part of these fields which frequently gives out an almighty unpleasant odour. Will prospective new owners be told about this?
- In the original application it was recognised by the highway authority that Sycamore Drive is only capable of accommodating another approximately 30 dwellings. The proposed through route will become a rat run. Vehicles already parked on Sycamore Drive will prove difficult for the additional traffic. Sycamore Drive is not wide enough for the construction traffic. The roads in the area are generally not suitable to serve the site. We are concerned about the dimensions

of the roads and facilitation for emergency and essential utility vehicles. Is there provision for further access points along the northern boundary of the plan?

- The development is not sustainable with regards to car sharing or bus services
- All the construction traffic should enter and leave via the B576.
- I can't believe the architect visited Sycamore Drive in the evening when everyone is at home.
- The additional traffic will increase pollution including surface water run-off from tarmac, vehicles.
- The proposal contravenes NPPF 69 because despite there being evidence of community engagement, planning decisions have largely ignored the wishes of the community.
- There are other well-worn paths in the site that are not formal rights of way but could be evidenced of use over the past 40 years by local people.
- I feel that the happy memories I had of walks with my late husband will be taken away from me.
- The actual construction will be a huge nightmare for many people.
- The land is used for play and activities.
- Sites available to develop in the town centre e.g. Lawrences should come first.
- This proposal is purely based on financial and asset management needs of Kettering Borough Council and the Co-op. There is a conflict of interest between the Council being a landowner and the planning officers working for the Council.
- This will destroy views for families who have created homes.
- Those who do not live near the Ise Valley are not best placed to make a decision.
- The plans have changed substantially since the approving of the outline on appeal.
- The appeal decision was flawed as it just focussed on narrow issue of landscape.
- A substantial amount of trees and hedges will be removed and it will be several years before the landscape is softened and habitat to recover.
- Pollution will not only be confined to the development but will impact on people and wildlife beyond its boundaries.
- The areas for the recreation/play are unsuitable due to proximity to the smells emitted from the sewerage system and pumping station.
- The archaeological report has not been placed on either the outline or reserved matters application.
- There are high levels of radon present.
- Reference made to a lack of planning enforcement at Christopher Close which allows developers to remove trees without replacing them.
- The site is typical of any Bellway new development across the country in style and layout.
- The visual gateway will be dominated by the vehicular access and will detract from the current green avenue from the B576 up to the grade 1 listed St Giles Church and the Damms area which is a historic and visual open space. Permission was granted on the basis that the Damms would be kept as open space.
- Comparisons made with the views of the outline appeal inspector for this site and the appeal decision relating to Willowbrook Stud Farm.
- The development does not integrate well with the existing adjoining built environment. It is still a greater density that the surrounding development. Modern buildings rarely look attractive or are in keeping with the local area.



- The majority of the development will affect the privacy of existing residents
- The entrance off the B576 is completely dominated by a mix of modern type dwellings that are contrary to the impression gained at the public inquiry where it was noted that existing development adhered to existing field patterns.
- The application has not taken crime or fear of crime into account.
- We consider that conditions 19 and 20 have not been complied with and that even with the government's 6 month extension, the applicant is out of time to meet this conditional requirement. The reserved matters should not be determined until the ecological reports are updated.
- Biodiversity was removed as a reason for refusal to defend at the appeal. It provided a much stronger argument as it was fact based rather than subjective as is landscape.
- There is a covenant on the land to be used as access off Sycamore Drive which may prevent the erection of buildings.
- I will be affected by noise, car pollution, headlights and loss of privacy (7 Kenmore).
- The proposal does not comply with the Building for a Healthy Life policy.
- The new occupiers will be totally overlooked by the existing residents – unpleasant for both.
- The area at the back of Kenmore Drive was part of the original stagecoach route into Desborough and should be preserved.
- Bellway do not have a good reputation as house builders.
- As I am now old, disabled and isolated from the community, this development will deprive me of limited opportunities I have to watch others enjoying this valuable amenity.
- It's not clear what will happen at the boundary where the existing dwellings join the new. Many have wicket gates to allow them to maintain their fences
- The plans show a house directly overlooking my back garden which is an unacceptable loss of privacy and light. My back gate opens directly onto the meadow and this has kept me sane during the pandemic. I will have to drive to find somewhere to walk. (15 Cedar Close).
- We bought our house in 1975 specifically because of the open fields and view and not being overlooked and have enjoyed the wildlife ever since (17 Wilton Close).
- The development will impact on the dogs and dog walkers who enjoy walking on this land.
- We object to the layout of plots 76 and 77. These plots are further back than any other plots including 66 and 67 which are also opposite a cul de sac. We are confused as to why they need to be further back.
- You should spend time improving what we have like slowing traffic on Dunkirk Avenue and banning the rubble lorry.
- What happened to the proposed bridge over the railway from the Co-op to the Grange? We were told at the time the increase in local Council Tax was to pay for this.
- It is not clear if the access road to the sewerage pumping station off Valley Rise will link up to the main roadway which would create a rat run.
- In the House of Commons today (20.05.21), the Prime Minister clearly stated all new building of houses were to be built on brownfield land. Does no one in our Council take any notice of what the Government state.

- When we purchased our home we paid extra for the view and the fact that we could exit on the fields by a gate. We will be seeking compensation if this building continues.
- The access to the old leisure centre opposite us (via The Hawthorns) has seen reduction in traffic since the sports centre closed. Although not planned to have this as an access I feel the use by pedestrians and cyclists to access bus route and local store would create problems as Broadlands is already used as an alternative route to Dunkirk Avenue.
- The development does not accord with the masterplan approved by the Inspector at the appeal.
- I am concerned I will lose sunlight to my property (68 Broadlands) as my back garden which is south facing backs onto the land. I will lose the view and this will likely reduce the value of my home considerably. I also worry about being overlooked and the noise from the development.
- I live in a bungalow (70 Broadlands) and fear this will affect my living conditions and my mother's health.
- A small development off the Hawthorns is possible on the site of the old leisure centre without seriously disturbing wildlife as long as it is kept to the hardstanding areas.
- Can the Government Inspectors decision be overturned at this stage or is it a foregone conclusion that one man can overrule the democratic wishes of everyone?
- The resignation of Conservative Town Councillors in 2018 and the struggles associated with the restructure of Northants County Council lead me to believe that there has been improper planning and governance of this case. The development should not be allowed to go ahead until a Neighbourhood Plan is in place.
- Please ensure footpaths and accesses are made available both during and after construction to enable the local community to continue to walk dogs there.
- The area all the way down The Damms in the Part 2 Local Plan shows this area as designated Historic and Visually Important Open Space. We are dismayed to see that this application proposes allotments and approximately 9 properties in the lower section which would fundamentally and detrimentally change this site forever.
- Insufficient greenery/trees through the main drag of the site. Virtually no front gardens and where there are trees these will soon block light to the new houses
- Stones from the original pack horse bridge are still visible and must not be discarded as building debris during construction of proposed new bridge.
- The house designs are woefully inadequate and those at the Rothwell Road end are jarring completely with the existing housing offer.
- The proposed development does nothing to build a community when the plan is entirely for housing without communal facilities such as a community centre or even a pub.

Comments received after May 2022 which are different from those set out above

- The need for any amendment (re flood risk) only persuades me this development should not go ahead.
- If the new planning reforms as part of the levelling up plan announced in Queens Speech which would include “street votes”, this development would not be going ahead
- These houses will be overlooking our house (3 Kenmore Drive).
- The Council has a duty under the NERC Act to consider the conservation of biodiversity in exercising their functions.
- The Ise Catchment between Rushton and Naseby is only one of 2 sub catchments of the Nene that passes the water quality requirements of the Water Framework Directive which means our ecosystem to the south of Desborough is one of the best in England.
- Much has changed since the application was approved to build houses on the Ise Valley and more developments which makes this development seem even more outrageous.
- There are some very old trees and hedges behind me (4 Kenmore Dr) which were going to be saved but now seem to all being destroyed.
- There is conflict between the application and the Part 2 Local Plan.
- There is conflict between the outcomes of JCS outcome 2 which seeks low carbon growth delivered through the highest standards for energy. The Bellway homes are not being built for sustainability. There are no plans for EV charging points. There will be 200 gas boilers. In 2022 all new builds should be built with heat pumps and sources of alternative energy. Only a few properties have solar panels.
- The Protect the Ise Valley Campaign Committee objects to the siting of the low-level BMX track on the proposed MUGA as proposed by the NNC Grounds Department letter of 28 June 2022. It is contrary to the aims of the River Ise Partnership as it fails to consider the ecological and biological sensitivity of this section of the Ise Valley at Desborough. It could also be said that NNC services are not joined up and appear to work in silos with little or no consideration for the context within which the proposal sits or the stated vision and aims of the River Ise Partnership (of which NCC is a key partner). There is already a skate park and BMX pump track at Desborough Leisure centre to the north of the town. It will introduce a significant amount of noise from children and young people. It will be open to abuse by older unsupervised young people increasing the threat of criminal activity and increasing pressure on Northants Police.
- The leisure centre to the north of the town is not within walking distance (PIV Committee).
- Little financial contribution under S106 for the town from the developer (PIV Committee) and no financial contribution towards the existing leisure centre and loss of pitches in the south of the town. The moving of allotment provision to just off the Grange estate will provide no community allotment provision for Desborough South. Contribution of 15K towards Dunkirk Avenue Recreation Ground is insufficient to make any significant enhancements deriving increased use from occupiers of 255 dwellings.
- Desborough Heritage Centre is a key cultural asset to the community as a whole and it is requested that the developer be asked to make a S106 contribution a gesture of goodwill for the loss of the Ise Valley green space which has been

accessed by Desborough people as of right through permissive footpaths and designated public rights of way.

- Plots 28 to 35 have been moved forward considerably thus reducing the vista to the church with was originally to be protected.
- We may lose light and privacy now particularly in the change of buildings on our boundary (9 Lower Steeping). At the end of Lower Steeping a Wildlife Haven has been created. The Bellway contractors who installed the fence here smashed through a wild beehive (wooden post left on the ground and not replaced). (*comments raised about attempts to purchase some of the land from the Council*). Anglian Water surveyed the valley from our garden but it did appear that the developers were making arrangements as if permission was already granted.
- We have observed the flooded areas of the proposed development since the initial planning application and with the effects of climate change there is now a greater risk that previously explained.
- The revised plans still do not match the Secretary of States approval. The basis of the appeal was made on the understanding that the Damms a HVIOS would be left as open space. Allotments have been removed which is a positive but additional housing now encroaches into this open space. There is also a proposed orchard.
- Overshadowing and loss of light. Due to the rear of my property facing north, I get my light from across the applicant's land and although an orchard is nice and appealing the height of the trees could restrict light entering my property. Future tree management is also a consideration. (11 Kenmore Drive)
- Plots 147 to 150 have changed which will result in the position and proximity of these bungalows (*reference especially made to plots 148 and 149*) will impinge on my privacy and contravene my right to light through the winter months when the sun is at a lower angle. Plot 149 will overshadow my garden, summerhouse and main house patio door and window glass. (14 Pine Close)
- The security fencing has been placed against the back gate of my father's property (18 Redwood Cl) so that he cannot gain access to the field by the back gate. Are there any plans to allow a footpath or vehicle access to the rear of the property?
- One of the reasons there are poor facilities in the town centre is due to the covenant the Co-op has. As they sold the land for this project it would be a good time to renegotiate this covenant so new businesses can revive the dying town centre.
- Another idea that could help the town is to reopen the train station as this would benefit all of the town.
- My son has autism and this is a calm and beautiful safe place for him outside.
- There should not be a through route nor more than 30 dwellings served off Sycamore Drive as this goes against the local highway authority response.
- There should be no more than 12 affordable housing units grouped together. This issue was raised in the response from Northamptonshire Police of 11 May 2021. This contradicts Bellway's own document which states that affordable dwellings will be evenly distributed around the site.
- It is not acceptable the developers have disregarded the public rights of way running through the site.
- My wife and I live in the only bungalow on Sycamore Drive and this increase in traffic entering and leaving the site will disturb our sleep and our lounge window is directly opposite the site entrance. We request all construction traffic use the

B576 and that any temporary through route is permanently closed off and that no construction traffic is parked in Sycamore Drive.

- I believe Bellway have been wrong to put up fencing to enclose the fields as I believe people have an established right to walk on those fields.
- The proposal will affect the level of sun/daylight, privacy, overshadowing, loss of outlook due to the housing being directly behind us (57 Sycamore Dr) and the updated plans have added an extra house to the rear of our house so now there are 5 houses on the same footprint where there were four.
- I am concerned by the change to the Damms footpath from Upper Damms Field down from the church to the stream. The change removes the need for hard surfacing and requires the existing informal grass path to be retained. This appears to be a requirement of the planning officers and I do not think it is wise as this path is steep and uneven and awkward for most people especially disable and elderly people. I suggest a path of compressed gravel, shale or slate chippings would be much more sensible. There seems little point in improving the footpath in the Lower Damms Field if the link to the churchyard is inaccessible. The footpath is already a Public Right of Way (UC1) so there is already a legal requirement to ensure it is properly accessible.
- Details relating to condition 9 (visitor survey and access management plan for Tailby meadow; outline Construction and Ecological Management Plan, Strategic Landscape and Ecological Management Plan and a GI Strategy and update assessments for crayfish and otters (C19); update bat survey (C20) and a tree and hedgerow retention plan (C25) were not submitted prior to reserved matters and were not available to inform the masterplan.
- Reference made to Weekley Wood Avenue decision (KET/2020/0303) and minute of Planning Committee 5 May 2022 which states the provisions of the Environment Act 2021 requiring 10 percent biodiversity net gain do not come into force until late 2023 are not applicable to applications and appeals. We think this is irrelevant in light of the Council declaring a climate change emergency.
- There was a lack of update provided between August 2021 to May 2022 on the planning portal so the public were unable to track progress of this application leading to mistrust in the Council and planning process.
- It can only be assumed that this was a rushed reserved matters application to take advantage of the 6 month covid extension for submissions. There has been no reason given for the failure to reach a decision by the September 2021 target.
- The site has been designed using a standard template layout for Bellway Homes with little respect for the countryside.
- Removal of trees and lack of alternative energy provision at the site will affect peoples' health and adversely impact the environment (Reference made to other appeal decisions in the country where decisions have been influenced by climate change issues.
- Object to the number of mature trees and hedgerows being removed and that a hedgerow retention plan was not submitted prior to the reserved matters as required by C25 on the outline decision. The submitted tree and hedgerow plan is inaccurate and assumed it is based on a desk top survey. At the appeal hearing the appellants stated that sections of hedgerow removed by residents would be replaced by the developer. This is significant as it relates to the protection of visual amenity and the setting of the grade 1 listed church. The removal of mature trees and hedgerows cannot be justified by just replacing them with young trees which will take a long time to grow and provide biodiversity value. The revised

site masterplan appears to show significantly less trees and hedgerows from east to west than the original plan.

- Objection to the fencing in of Tailby Meadow (as per Desborough Town Council).
- Concern that the conditional requirements of the Inspector's decision in 2017 regarding flood risk may now be inadequate.
- The removal of trees, permeable land and natural drainage from medieval ridge and furrow will increase flood risk

*(Officer note: Full objection from Protect the Ise Valley Campaign Committee as well as individual letters of objection are available to view on the Council's website)*

Comments received September 2022 onwards which raise different issues from those already set out above

- Why have the planners decided to remove a fairly large area of mature trees and natural hedging behind 5 – 7 Kenmore Drive? Houses are not planned for this area so why not leave the existing trees and hedges which are more natural rather than replacing with regimentally placed unnatural fruit trees.
- Desborough Greenspace is now on The Plens where new trees are being planted whilst veteran trees on this site will be removed to make way for a new housing development. Does this make sense?
- Kettering General Hospital cannot cope with the current demands placed on it.
- At each subsequent revision more trees and hedgerows are lost, moving away from the principles of the Inspector's decision. T51 and H52 are not shown on the landscape masterplan when they were shown on the first site plan to be retained. (The applicant's own landscape expert referred to their importance at the Inquiry).
- It is disturbing that responses from Anglian Water and the Flood Authority placed on the portal by the planning authority appear to have been removed.
- It is unbelievable that as late as the beginning of October 2022, almost 18 months after the submission of the reserved matters, Anglian Water specialists were still searching for sewage outlets especially at the lower part of the field behind the church. Consequently, all the plans have been designed with insufficient information about the location of sewer and water discharge pipes resulting in inadequate surface water mitigation and potential sewer issues.
- The SuDS strategy required by C19 should have been submitted and discharged prior to the reserved matters
- We note that the two archaeological surveys undertaken have not been published which gives rise to a lack of transparency

## **6. Relevant Planning Policies and Considerations**

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### **6.1 Statutory Duty**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. However, note that this is an application for approval of reserved matters and not in itself an application for planning permission.

### **6.2 National Policy**

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 – Presumption in Favour of Sustainable Development  
Policy 2 – Historic Environment  
Policy 3 – Landscape Character  
Policy 5 – Water Environment, Resources and Flood Risk Management  
Policy 8 – North Northamptonshire Place Shaping Principles  
Policy 15 – Well connected towns, villages and neighbourhoods  
Policy 19 – The delivery of Green Infrastructure  
Policy 30 – Housing mix and tenure

6.4 Kettering Site Specific Part 2 Local Plan

Policy HWC 3 – Sport, Recreation and Physical Activity  
Policy NEH 1 – Local Flood Risk Management  
Policy NE 2 – Borough Level Green Infrastructure Network  
Policy NEH 3 – Historic and Visually Important Local Green Space  
NEH 4 – Open Spaces  
DES 5 – Land to the south of Desborough

6.5 Draft Desborough Neighbourhood Plan

6.6 Other Relevant Documents

Approved Design Code Rev B for the site (discharged under C6 of the outline planning permission KET/2016/0044)

6.7 Ise Valley Strategic Plan April 2022 – an initiative of the River Ise Partnership. The aims of the plan are to bring together the background information on the Ise Valley and links to the large body of relevant studies and policies and secondly to identify and enhance the quality of the Ise Valley natural capital and promote access to it, mitigate against climate change and ensure the Ise Valley plays a central role in North Northamptonshire's sustainable and economic growth while enhancing the landscape character and sense of place.

*Officer comment: The Ise Valley Strategic Plan (IVSP) does not form part of the Development Plan for North Northamptonshire but is a material planning consideration. It must be noted, however, that the plan was approved after the planning permission for the site was granted on appeal. Also, the site is now adopted as a development site within the Part 2 Local Plan. The IVSP recognises the fact that the Ise Valley sits within a growth area and as such will come under increasing pressure through demand for recreation and ecosystem services.*

## 7. Evaluation

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The key issues for consideration are:

- Background/In principle issues
- Layout
- Appearance
- Scale
- Landscaping
- Other Issues

### 7.1 Principle of Development

7.1.1 Planning permission is granted for residential development for up to 304 dwellings as allowed on appeal following refusal of the application by Kettering Borough Council. The appeal decision of the Planning Inspectorate dated 22 December 2017 followed a Public Inquiry. This decision (**Appendix A**) was subject to conditions and a unilateral undertaking (legal agreement under S106 of the Town and Country Planning Act) which commits the applicants and any successors in title to the undertakings provided for in this legal agreement. This includes contributions, for example, towards education and health provision as well as certain on-site matters such as landscape provision and subsequent management. The time limit within which to submit reserved matters applications was extended by the Government to take into account the covid 19 pandemic which in short enabled the submission of reserved matters for this site up to 1<sup>st</sup> May 2021. The reserved matters were submitted in time and the planning permission granted remains extant (intact).

7.1.2 This application is for the consideration of the reserved matters only, namely;

Layout - this includes the way in which buildings, routes and open spaces within the site are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. (*This assessment includes internal road and other routes*)

Appearance – this includes the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Scale – this includes the height, width and length of each building proposed within the development in relation to its surroundings.

Landscaping – this includes the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.

7.1.3 The outline planning permission is subject to conditions, several of which require information to be submitted to the Council for approval prior to the commencement



of the development. Unless the condition specifically requires information to be submitted before or as part of the reserved matters, these conditions can be dealt with and discharged (if acceptable detail is submitted) separately from the consideration of this application for reserved matters approval.

- 7.1.4 In order to inform the overall design parameters of the development, the appeal Inspector imposed condition 6 on the outline planning permission, which required a Design Code for the site to be submitted and approved by the local planning authority (LPA) prior to the submission of the reserved matters. A Design Code was submitted and approved and as such condition 6 was discharged on 20<sup>th</sup> November 2018. In effect this Design Code is part of the outline planning permission granted. Condition 7 requires that the reserved matters shall be in complete accordance with the Design Code and also requires a statement of conformity to be submitted with the reserved matters. The approved Design Code has integrated the place shaping principles set out in policy 8 of the Joint Core Strategy.
- 7.1.5 As part of the outline submission, access to the site in the form of the vehicular access points off Rothwell Road (B576) and Sycamore Drive were considered by the appeal Inspector and approved. As approved access points, these matters are not being reconsidered as part of this application for reserved matters as they were approved in detail in the outline decision.
- 7.1.6 The appeal was determined against the then saved policies of the Kettering Local Plan and the North Northamptonshire Joint Core Strategy. The Kettering Site Specific Part 2 Local Plan was adopted in December 2021 i.e., after the outline permission was granted and after the approval of the Design Code. The site is allocated under policy DES6 of the Part 2 Local Plan. The land known as The Damms is allocated as Historically and Visually Important Local Green Space under policy NEH3. It is noticeable that these site allocations do not match the location plan boundary approved in the outline planning permission nor the approved Design Code which clearly sets out which areas of the site might contain built development. The adoption of planning policy following the appeal decision does not enable the in-principle issues determined as part of the outline planning permission to be “re-visited” against this subsequent policy. It is clear that granting a residential development for up to 304 dwellings on the site is inevitably going to lead to a substantial change in nature of the site and its surroundings but this has been accepted in the granting of the outline planning permission on appeal. The two vehicular access points and the consequential traffic generation have been accepted.
- 7.1.7 The reserved matters subject of this application shall be assessed against the current development plan policies, but only insofar as the reserved matters are concerned. The appeal Inspector considered the outline planning application against the policies of the Joint Core Strategy and where issues required further detail to be submitted, aside from the reserved matters, imposed conditions to this effect.
- 7.1.8 As set out above, in principle issues are not being reconsidered as part of this reserved matters application. At paragraph 46 of the appeal decision, the Inspector stated the following;

*“I heard a considerable amount of evidence from local residents who had strongly held views about the development of the site, and I was even given poetry written by one resident about the Ise Valley. The essence of their landscape arguments are dealt with above. In addition there were concerns about flooding, highways and accessibility. “*

The Inspector went on to set out why he found these issues acceptable subject to conditions. A substantial amount of the concerns presently raised by objectors repeat these same objections i.e., the need for the development, housing supply, impact on the landscape, flood risk, highway safety, accessibility etc. Whilst this is understandable, these matters were determined to be acceptable in the granting of the outline planning permission and are not up for consideration again as part of the assessment of the reserved matters. This application cannot be refused for issues that would have been taken into account by the Inspector when allowing the appeal and granting outline planning permission.

7.1.9 Local Planning Authorities must undertake their statutory duty under Section 40 of the Natural and Rural Communities Act 2006 (NERC Act) to have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision taking. However, this does not mean that the decision taken on the outline permission can be re-visited. Issues of ecology were clearly taken into account by the Inspector as he imposed conditions 5, 9, 10, 19, 20, 21, 22 and 25 which directly or indirectly deal with matters of ecology and biodiversity. However, it is necessary to consider whether any further ecological mitigation or survey work is required as part of this reserved matters assessment where this is not already covered by the above-mentioned conditions, in order to fulfil the duty under Section 40. The Planning Advisory Service advises that mandatory Biodiversity Net Gain (BNG) likely implemented in law later this year, will not apply to reserved matters where the outline application is approved prior to the BNG becoming mandatory.

7.1.10 In summary, only the reserved matters are being considered as part of this application. The principle of development is already established with the grant of the outline planning permission. These reserved matters fall to be assessed against current development plan policy; however, the outline planning permission and the approved Design Guide are required to be adhered to by conditions attached to the outline planning permission. Where there is tension between the planning permission and Design Code and development plan policy, the planning permission/Design code will take precedence.

## 7.2 **Layout**

7.2.1 The approved Design Code seeks to adopt a landscape-led approach where different building zones respond to the underlying landscape features to create distinct character areas. As a core principle, the residential design should be developed along contemporary lines, of predominantly brick construction consistent with the local vernacular and with well-articulated facades. The Design Code contains a regulating plan and seeks to highlight the overall design principles and approach. There are mandatory sections which are generally based in planning policy, and guidance which are seen as additional layers of design in order to attain

the aspirational standards as stipulated by the LPA, Landowner, Government Inspector and other local stakeholders.

- 7.2.2 The regulating plan within the Design Code sets out the essential network of streets and spaces across the site. These include a series of green spaces, play spaces and water systems linking heritage assets to the northwest with the nature reserve to the southeast. New development is to be delivered in accordance with the regulating plan. Figure 2 shows these elements across the site and there are options A and B with regard to the vehicular access from the east. Option A shows a continuous main road accessed off the B576 and option B shows the eastern most part of the development being served off Sycamore Drive. The approved regulating plan is provided at **Appendix B**. It is noted that the proposed development area to the west extends part way up The Damms (approximately one third up the total length of the spur); it abuts the western boundary and is inset from the eastern boundary. The green infrastructure extends down from the Damms and then hugs the southern boundary of the site providing a link to Tailby Meadows in the east. There is a central spine road running west-east with cul-de-sacs coming off this, extending towards the north and the south. The regulating plan also shows key public footpath routes through the site, location of play areas and water bodies/SuDS features.
- 7.2.3 The initial submission was amended in May 2022 following comments from the LPA, its urban designer and consultees and was accompanied by a revised Design Code Compliance document which sets out how the revised submission complies with the design code and regulating plan. The submitted site plan largely follows the layout shown in the regulating plan, comprising a main street running west-east, links in and out of the site, areas of green space and areas of buildings. However, there is less development into the southern area of The Damms than on the regulating plan with only the southwest part of The Damms comprising new housing. There is also an area central to the site where it is at its most narrow point where there is no housing but only the access road and footpaths, green area with SuDs feature and play area (MUGA comprising a low level pump BMX track). This would partially account for the proposed no. 255 dwellings as opposed to up to 304 approved in the outline permission. Otherwise, the development blocks, greenspaces and routes are consistent with the approved regulating plan.
- 7.2.4 The approved regulating plan shows the access layout as being a primary spine road with shared surface side streets extending off the primary spine road with secondary private drives and parking courts. The spine road is not a through route and is linked only by a shared private drive that will contain lockable bollards which would serve as an emergency access only. The access of Sycamore Drive serves a maximum of 29 dwellings, the remainder being served off the Rothwell Road entrance. The submitted site plan shows a continuous 5.5 metre spine road with 2.0-metre-wide footpath/cycleways to each side of the carriageway. The shared surface cul-de-sacs have a combined width of 7.5 metres. The width of the private drives varies according to the circumstances and proposed parking layout. The spine road is 5.5 metres wide as opposed to the 6.0 metres set out in the regulating plan, otherwise this layout accords with the regulating plan and has been accepted by the Local Highway Authority (LHA). In addition, a further gated access is to be maintained onto the Hawthorns for emergency vehicle access only and will comprise drop down removable bollards or a locked field gate (timber). A maintenance access

off Valley Rise to the existing pumping station will also be maintained via a lockable field gate. These elements are provided for within the submitted site plan. The Hawthorns will continue to provide a pedestrian link to the site.

- 7.2.5 The Design Code shows four types of streetscapes which combined with the road dimensions creates a hierarchy of streets i.e. spine road, side street and two shared private drive examples. Private parking is stated to be predominantly on plot with visitor parking within the carriageway in allocated parking bays/laybys. Housing fronting the open space to the south should have driveways only. The parking parameters are set out on pages 35 and 36 of the Design Code and include dimensions of driveways and parking bays, garage sizes and electric vehicle parking at 10 percent of total parking with infrastructure to enable the remainder to be fitted at a later date. Car parking spaces should be a minimum of 2.5m wide by 5.0m long except where they directly abut a solid boundary in which case, they should be widened to 3.3 metres. Tandem parking should be minimised, and triple tandem parking should be avoided.
- 7.2.6 The proposed layout plan shows that the vast majority of dwellings have on plot parking in the form of two tandem spaces set to the side of the dwelling. The four-bedroom dwellings also have a garage. Some of the dwellings are served by parking set out in a row to the front of the dwellings. The parking spaces set between the dwellings meet the wider width requirement set out in the Design Code but do provide tandem parking. There is a trade off when it comes to parking in that spaces provided to the front of dwellings are more easily accessible whereas a prevalence of such parking can appear unsightly and dominate the street scene. Visually, the parking spaces set between dwellings prevents the street being dominated by cars but may involve more manoeuvring. This is noted in the comments from the Council's urban design consultant who states that there remain areas of frontage parking whereas integrated parking to the side of dwellings is preferred in design terms. There are no objections to the parking layout from the LHA or the Police Design Advisor. All properties are to be provided with a shed which may be used for cycle parking.
- 7.2.7 All dwellings have a minimum of two dedicated off-road parking spaces and the larger dwellings also have a single detached garage. The approved Design Code does not set out minimum parking standards because the Joint Core Strategy and now the Part 2 Local Plan has not adopted the Northamptonshire Parking Standards 2016. These are used as guidance only and require that dwellings with 2/3 bedrooms provide 2 spaces per dwelling and dwellings of 4 bedrooms or more provide 3 spaces per dwelling. The guidance also requires 1 visitor parking space per dwelling across a development. The latter is not feasible without seriously compromising the development and nevertheless is not mandatory. The approved Design Guide requires 0.25 visitor spaces to be provided per dwelling. There are approximately 68 visitor spaces across the development in the form of laybys and on road parking which slightly exceeds the 0.25 visitor space per dwelling required in the Design Code. It is considered that the layout provides adequate pedestrian, cycle and vehicular access and parking which is acceptable in highway terms and minimises the impact of vehicles upon the street scene as far as possible.
- 7.2.8 A number of the dwellings fronting the open space to the south have garages, but these garages are set back behind the dwellings so as not to dominate this important

street frontage which provides the interface between what will become the new edge of Desborough and the Ise Valley. This has been accepted by the Council's urban design consultant and is acceptable to the Local Highway Authority. The agent has confirmed that the developer will be incorporating electric vehicle charging points into all dwellings rather than just ten percent required by the Design Code which is welcome.

- 7.2.9 In terms of plot size and relationship between buildings, the approved Design Code sets out that rear garden sizes should be a minimum of 50 square metres; front gardens should have depth of 1 metre; back-to-back elevations should be a minimum of 20 metres apart; back to side elevations should be a minimum of 12 metres apart and side to side elevations should be a minimum of 2 metres apart.
- 7.2.10 The distances between dwellings have been measured off plan and in the vast majority of instances either meet or exceed the minimum separation distances set out above. There are occasional instances where distances between back-to-back or side to rear within the new housing falls slightly short. Most often this is where dwellings are off set at an angle. Overall, the spacing between the new dwellings is acceptable and in accordance with the approved Design Code. The majority of dwellings have a rear garden space which exceeds the minimum size of 50 square metres set out in the Design Guide. There are a small number of instances where the rear garden size does not meet this requirement e.g. plot 83 (end of three terraced houses) has a rear garden of 40 square metres; plot 47 (semi detached house) has a rear garden area of approximately 48 square metres and plot 145 (mid terrace of three) has a rear garden size of 39 square metres. Each dwelling has at least a one metre set back from the back edge of the highway or drive to the front of the dwelling. Overall, the garden sizes and distances between the new dwellings meet or exceed the standards set out in the design guide. The small number of instances where this is not achieved are minimal in the overall scheme and not reason to refuse the application.
- 7.2.11 Turning to the matter of layout and how this relates to the existing dwellings which border the site boundaries, this is acceptable as follows; There are no instances where the back-to-back distances or back to side distances do not meet the required distance set out in the approved Design Code (20 metres back to back and 12 metres back to side). There is one instance where the back-to-back distance is reduced to 17 metres and this is where the rear of plots 250 and 251 face the rear of 23 and 25 Red Wood Close. However, the new dwellings in this instance are both bungalows which prevents direct looking from window to window from new to existing. Elsewhere at the east side of the site, existing dwellings are either separated from new dwellings by greater distances than those required or in many instances they are directly bordered by green space. Dwellings in Cedar Close and Pine Close will share their rear boundaries with proposed plots 148 to 169 which are all bungalows thus greatly reducing the impact of the new development on the existing dwellings. At the western end of the site, dwellings in Kenmore Drive, Lower Steeping, Foxlands and Brookside which abut the site are separated from the proposed new dwellings which back onto the northern boundary by distances which exceed the minimum requirements set out in the Design Code. It is also the case that the site is lower than the ground level of the existing dwellings. Where the site abuts the corner of Christopher Close and in particular No's 2, 3 and 4, only side

elevations of new dwellings directly abut these properties i.e. there are no instances of rear windows directly looking into the private areas of these existing houses.

7.2.12 There are some cases where neighbouring objectors have raised concerns about specific impacts on their properties including overlooking and loss of light. These are assessed as follows;

*(note: some of these comments were submitted prior to the latest version of the layout plan being submitted)*

- Occupiers of 4 – 7 Kenmore Drive refer to loss of mature trees and natural hedging to their boundaries. The occupiers of 3 Kenmore Drive state that 3 dwellings will overlook their house, the occupiers of 7 Kenmore Drive refer to loss of privacy, noise, car pollution and headlights, the occupiers of 11 Kenmore Drive refer to overshadowing and loss of light.

Response: The rear boundary of 4 Kenmore Drive does not abut the site but backs onto the existing garden of 10 Kenmore Drive. The area immediately to the rear of 5 – 7 Kenmore Drive is not being built upon. Two trees are being retained (ash and goat willow), one is being removed due to failure at root plate (crack willow) and a hawthorn hedge is partially being removed to accommodate plot 101. A new tree is proposed to the corner to the rear of 5 Kenmore Drive and the area is to be planted with fruit trees – more discussion on landscaping more generally in the landscaping section below. There are no dwellings in the proximity of these properties that would result in any loss of privacy or loss of light. It is unlikely that car headlights would be shining in the immediate direction of the rear of these properties. Issues of noise and pollution have been accepted due to the planning permission granted in outline by the Inspector and it is generally accepted that residential development adjacent to other residential development is an acceptable juxtaposition (i.e. not the same as say heavy industry next to residential).

Occupiers of 15 Cedar Close state there is a house directly overlooking their back garden and presently their back gate opens onto the meadow.

Response: There are only bungalows to the rear of 15 Cedar Close which provide a back-to-back distance of 23 metres (rear of No. 15 to rear of new bungalows). As such there will be no overlooking as there are no facing windows at first floor level and the separation distance is acceptable.

Several occupiers have raised the issue of having back gates accessing directly onto the land. This is not a planning matter but a civil/legal issue. It is a question of whether there is any legal right to maintain these accesses, which appear to be informal and have been installed by existing residents. Clearly, the proposed layout will result in these informal private accesses to the existing field being closed off as they will adjoin gardens of new dwellings.

- The occupiers of 17 Wilton Close state that they bought their property in 1975 because of the view and not being overlooked.

Response: The rear of No. 17 backs onto the eastern boundary of The Damms, further north to where dwellings will be located in the area of The Damms that is to remain undeveloped (i.e. the majority of The Damms). Therefore, No. 17 will not be overlooked. Whilst people may buy property because of the view it is established that a right to a view is not a material planning consideration.

- The occupiers of 68 Broadlands object due to loss of sunlight. The occupiers of No. 70 say the proposal will affect their living conditions

Response: 68 and 70 Broadlands are located to the north of the area of proposed open space that is situated in the corner area to the north of the proposed semi-circular shaped row of detached dwellings. There are no proposed dwellings in close proximity to No's . 68 and 70, therefore there will be no loss of sunlight and no direct impact upon living conditions.

- The occupiers of 9 Lower Steeping state that they may lose their light and privacy.

Response: 9 (and 11) Lower Steeping are served by a private drive extending to the east from the bottom of Lower Steeping. The front elevations to both properties faces towards the site and the rear gardens to both are set behind each property facing away from the site. Thus, the rear gardens and rear elevations are unaffected by the proposals. The front elevation to No. 9 is 22 metres from the rear of plot 114. The site is also at a lower level than No's 9 and 11. Whilst the new dwellings are to the south of No's 9 and 11, they are of such a distance that there will be no loss of light to habitable rooms in the front elevations. There may be some shading especially during the winter months but this would be over the front garden/drives of the properties and is not significant.

- The occupiers of 14 Pine Close state that they will be affected by loss of privacy and light especially in winter months from plots 147 to 150.

Response: All of the plots to the south of No. 14 are to be bungalows and the back-to-back distance between No. 14 and the proposed bungalows is 20 metres.

- The occupiers of 57 Sycamore Drive object on the grounds of loss of sunlight/daylight, shadowing and privacy.

Response: 57 Sycamore Drive is adjacent to the eastern most boundary of the development and is adjacent to the side elevation of plot 237 which is next to its side elevation (separated by approximately 10 metres side elevation to side elevation) and the rear of 57 faces the side elevation of plot 238. There is a separation distance of 20 metres. The rear elevation of plot 237 may provide a view into the rear garden of No 57 at an angle but this is no different than the normal residential relationship where dwellings are situated next to one another. There are no windows to habitable rooms directly facing the rear elevation of No. 57. The orientation is such that there may be some minimal shading to the

rear garden from plot 238 late in the day especially during winter months but otherwise there will be no loss of light.

- The occupier of 18 Red Wood Close refers to the back gate access to the field and whether there are any plans to continue to allow this.

Response: This property backs onto what will be an area of open space adjacent to a proposed formal footpath link into Red Wood Close. The issue of private rights concerning the back gates has been dealt with above.

- 7.2.13 The outline planning permission was granted subject to a legal agreement (S106 agreement) that, amongst other things, commits the developer to the on-site provision of 30 percent affordable housing in line with policy 30 of the Joint Core Strategy. In terms of layout, the affordable houses which comprise a mix of shared ownership and affordable rented units, are spread across the site in clusters of no more than 12 units in each cluster. NNC Housing Strategy Team has reviewed the layout and finds it acceptable with regard the spread of the proposed affordable units.
- 7.2.14 The submission is accompanied by plans which show the proposed refuse collection strategy. Most dwellings front onto the highway (which shall be put forward for adoption) and those householders will be able to put their waste bins out immediately to the front of the dwelling on the day of collection. Where properties are served by a private drive, those occupiers will take their bins to a refuse collection point located at the end of the nearest cul-de-sac and leave them for collection in an area located adjacent to the highway. The majority of bin drag distances fall below 40 metres. There are three areas to the east end of the development where the bin drag distance will be 52 – 55 metres for a limited number of properties. NNC Environmental Care has raised no objections to the refuse strategy and the LHA is content that the vehicle tracking plans show that the highway specification can accommodate the refuse vehicle. The proposal is acceptable in this regard.
- 7.2.15 With regard to the internal layout of the proposed dwellings, policy 30 of the JCS requires that the internal floor area of the dwellings meets national spaces standards. The standards are contained within the Nationally Described space standards which require adherence to minimum Gross Internal Areas, depending on the height, bedroom space and number of persons the dwelling is designed to accommodate. Single bedrooms must be 7.5 square metres in area and at least 2.5 metres wide. A double or twin bedroom must be at least 11.5 square metres and one of the doubles must be 2.74 metres wide and every other at least 2.55 metres wide. One of the proposed house types falls short of this standard i.e., the Tailor 3 bed semi detached two storey dwelling. This provides bedroom sizes of 11.0, 7.8 and 4.4 square metres. The GIA is 75 square metres as opposed to the standard of 84 square metres. There are 23 Tailor house types which accounts for 9 percent of the total proposed. All of these are market units. All of the affordable units comply with the space standards. Of the total, 91 percent of the proposed units comply with the Nationally Described Space Standards. Whilst this is not full compliance with policy 30, it is considered that there is a good mix of dwellings proposed, including a number of bungalows and the development provides a good choice and options for people wishing to purchase a home or obtain an affordable



home. It is unlikely that a refusal of the application on the grounds that 9 percent of the total number of dwellings proposed, not meeting the space standards would be successful on any subsequent appeal.

7.2.16 In conclusion, the layout accords with the principles for development set out in the approved Design Code and regulating plan which are a requirement of conditions attached to the outline planning permission. The developer is required by condition to adhere to the Design Code. The Design Code Compliance document submitted in May 2022 adequately demonstrates that this is the case. The proposed layout also therefore accords with the place shaping principles set out in policy 8 of the Joint Core Strategy. As set out above, there is a tension between the approved Design Code and the allocated historic and visually important local green space in policy NEH3 of the Part 2 Local Plan. The southern part of The Damms overlaps with the approved developable area within the Design Code. The planning permission will take precedence. However, the proposed development here is less than set out in the Design Code and the view towards the listed church and the green infrastructure through this area which links to the wider site and beyond is substantially preserved. The proposed layout provides acceptable relationships between the new dwellings and with the existing properties which border the site. It provides for a hierarchy of streets and footpaths which are legible i.e. pedestrians, cyclists and motorists will find easy to navigate. The layout is therefore considered to be acceptable.

### 7.3 **Appearance**

7.3.1 The approved Design Code states that individual buildings within the development should reference local detailing and materials but should not comprise a pastiche of what has gone before; instead, buildings will be designed to be innovative, focusing on Lifetime Homes Standards, sustainable design and promoting community interaction. All buildings are to have a simple contemporary style. Building design and detailing should not distinguish between market and affordable housing. The only materials which are specifically required to reflect the local vernacular are roof colour and brick mixes. The building mix palette (set out on page 41 of the approved Design Code) shows mixes of dark red-browns, red multi-tonal and buff multi-tonal bricks. Feature façade detailing to include brick and/or hanging tiles. Fenestration RAL colours are to be a combination of warm grey, green and ivory hues along with black.

7.3.2 The Design Code allows for apartments and terraced housing (in groups of 3 and 5) with private access to the rear. There are no apartments proposed as part of this reserved matters application. At key corners, buildings must be well articulated to make a positive contribution to the street scene.

7.3.3 The Design Code sets out that architectural variation is to be used sparingly to create individual character and prevent creating a sense of homogeneity. The Design Code sets out a series of design character areas, 7 in all, and provides a table, with examples of the housing type/style for each area and the expected material types.

7.3.4 The submitted scheme is divided into 7 character areas which largely match those areas set out in the Design Code. Character areas 1 to 3 relate to the areas of open

space, water features and play areas. Character areas 4 to 7 relate to areas of built development. Area 4 is the development at the western most end of the site to the south of the Damms, Area; Area 5 is split into two areas along the main spine road, Area 6 is the area to the south of Pine Close and Cedar Close and Area 7 is at the far eastern end and relates to Sycamore Drive. The proposed materials spread within these character areas are in keeping with the requirements of the Design Code. In particular, tile hanging detail is provided in character area 4, dark grey timber clad elements are used on partial frontages or bay window features at key junctures across the site e.g., corner turning house types and at the end of vistas and chimneys are incorporated on some dwellings throughout.

7.3.5 Importantly, the dwellings have been designed so as to create active frontages i.e. avoidance of blank gables facing streets and to ensure that car parking areas are overlooked. The proposed house types in Character Area 4 draw on a more traditional style of two storey dwelling with feature gable to the front elevation, brick cills and window arches and first floor tile hanging. This has been inspired from more traditional houses found in Rothwell Road. They vary between a more traditional town house style to a cottage style, including the house types that will front onto the lower part of The Damms. Moving through the development, the houses evolve to a more contemporary style. The dwellings are all two storeys except for the bungalows. Their appearance is based on the Design Code. It is not accepted that the design has been poorly thought through as although the first iteration was not acceptable, the applicant made a positive response to the comments received and submitted a much-improved scheme during May 2022. It is considered that the appearance of the dwellings alongside the landscape scheme (discussed below) will make a good impression as one moves through the site, once complete and matured. Comments have been made about the motives and reliability of Bellway Homes, which are not material planning considerations. The LPA is not responsible for workmanship or quality of the build except to try to ensure that the design and materials are appropriate.

7.3.6 In terms of the appearance of the development and its impact on the setting of the grade 1 St Giles Church, it must be noted that the development leaves the substantial area of The Damms undeveloped and as one walks north away from the developed area of the site through The Damms, the setting of the church is preserved. A relatively small area to the southwest of The Damms is to be developed with houses that face eastwards out onto The Damms. In terms of the area included in the allocation under policy NEH3 (Historically and Visually Important Local Green Space), there are 11 dwellings proposed within this allocation. As set out above, the Design Code, to which the applicant must adhere was approved prior to the adoption of this policy in the Part 2 Local Plan. The proposed reserved matters layout has less development at this location than possible under the approved Design Code. It is not considered that this area of the development prevents or harms the views up towards the north from this area of the site. The unsurfaced footpath is being retained in this area in order to preserve the current status quo as it was considered by officers that surfacing this path would lead to an impression of urbanisation leading up through The Damms to the church. Third parties have made comments largely wanting the Damms to be preserved and a few comments have been made requesting the path be hard surfaced. Upon advice from officers, the applicant has decided to keep this path as it is.

- 7.3.7 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 7.3.8 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.
- 7.3.9 The NPPF and policy 2 of the JCS require the LPA to take into consideration the impacts of development upon the setting of heritage assets. Any harm to or loss of the significance of the asset from development within its setting, should require clear and convincing justification.
- 7.3.10 From the church, the land levels fall significantly as one descends through the Damms. As one walks up into The Damms northward, the upper part of the church spire can be seen straight ahead, the lower part of the church being screened by the dense tree screening (including yews) to its southern boundary. The Damms forms part of the setting of the church (although not within the curtilage). The main appreciation of the church within this setting is walking of the main part of the site into The Damms and continuing the walk northwards to the church. With the development in place, one will experience the new dwellings to be situated to the west of the footpath in the lower part of the Damms for a distance of approximately 90 metres although these dwellings do not block the view of the church from the proposed footpath. Once past proposed plots 33 – 35 there is approximately 250 metres of The Damms (without built development) before reaching the curtilage of the church. At worst, the impact upon the setting of the church is at the lower end of less than substantial harm (NPPF paragraph 202) due to the change in experience of walking through the southernmost part of the Damms next to where the new houses are situated. The impact upon the setting is tempered by the difference in levels and the distance of the dwellings from the church and the large area of The Damms that is retained. Paragraph 202 of the NPPF requires the LPA to consider the public benefits of the proposal against the harm caused by the proposal. It is considered that the public benefits of providing 255 new dwellings, 77 of which are affordable more than outweighs the slight harm to the setting of the church. Again, it must be borne in mind that only the reserved matters are being considered at this juncture as planning permission has already been granted in outline. In addition, the Design Code would facilitate a larger developable area within The Damms than is proposed.
- 7.3.11 It is acknowledged that any development will obviously change the appearance of the area, and the reasons for allowing this change were set out by the Inspector in the appeal decision. Several of the objectors have raised issues concerning the specific evidence raised at the Public Inquiry into the outline application. It is not for this consideration of reserved matters to reassess the evidence given at that Inquiry. The Inspector stated that the area of The Damms is largely excluded from development in the masterplan and is intended to be designated as public open space by the developer. The Inspector did not tie the reserved matters to this masterplan, instead choosing to impose the conditions requiring the Design Code to be submitted and approved. It is the case that The Damms is largely excluded from development except for the 11 dwellings to the very southwest corner and as

already stated, this conforms with the approved Design Code. With regards to the site as a whole, much consideration was given to the landscape value of the site in the appeal decision and the Inspector concluded that the site is not a valued landscape in terms of the NPPF and although residents attach considerable value to the land, mere popularity is not sufficient. He noted that the existing housing turns its back onto the Ise Valley and that a properly planned housing development with a good quality landscaped edge could improve the urban edge and so undo some of the negative elements that the simple fact of building houses on the land will occasion.

The appearance of the proposed development provides for a street scene and a good mix of individual properties that accord with the principles set out in the approved Design Code. Together with an appropriate hard and soft landscaping scheme (assessed below), the scheme has an acceptable appearance. Appropriate conditions will ensure adherence to the approved plans and materials. The detail of external lighting to each property will also be conditioned. As such, in terms of appearance, the proposal is acceptable.

#### 7.4 **Scale**

- 7.4.1 The proposed dwellings are all two storeys in height except for the bungalows. All have pitched roofs. To provide an example of the scale, the 4-bedroom detached Milliner house type and 2-bedroom Woodcarver bungalow house type are taken as examples. The Milliner will be one of the larger detached dwellings and measures approximately 9.6 metres wide x 7.4 metres deep (max) x 8.0 metres high to the apex of the roof. The Woodcarver measures approximately 8.6 metres wide x 10.0 metres deep x 5.3 metres high to the apex of the roof.
- 7.4.2 The largest blocks of dwellings comprise various semi-detached house types and groups of three terraced houses. As an example, plots 232 and 233 comprise a pair of Tanner house types. This house type is corner turning example and at this location a pair is used to address the bend in the road in order to provide a complete front elevation thus avoiding blank gables facing the street. The overall scale of this pair of dwellings is approximately 23 metres wide x 6.1 metres deep x 7.6 metres high. An example of a terrace of three dwellings is the Ploughwright/Baker/Tillman combination which measures approximately 14.6 metres wide x 10.1 metres deep x 8.8 metres high to the apex.
- 7.4.3 The north and east boundaries of the site are bordered by mainly the rear of existing dwellings and occasionally the side or front of existing dwellings. The proposed bungalows have all been placed at locations adjoining the northern boundary where two storey dwellings would have had a more severe impact upon neighbour amenity. The drop in ground levels from north to south will help to reduce the impact of the scale of the development upon existing dwellings and as assessed in the "Layout" section above, impact on residential amenity is considered to be acceptable. The approved Design Code enabled apartments to a maximum height of 11 metres to be included in the scheme, but this has been avoided and the scale of the proposed house types is in keeping with the neighbouring development. This being the case, in terms of scale the reserved matter is acceptable.

## 7.5 Landscaping

- 7.5.1 The landscaping forms a particularly important aspect of this development especially the need to form a well landscaped edge to the southern part of the development where it adjoins the fields leading down to the River Ise. Landscaping includes earthworks, banks, walls and fences, amenity features as well as soft planting. The granting of outline planning permission on appeal was done so against policies 19 and 20 in the Joint Core Strategy which seek to protect and enhance the Green Infrastructure of the Nene and Ise Valleys. The development area is located within the Ise Valley GI corridor.
- 7.5.2 The approved Design Code specifies the type of boundary treatments to be used. To the frontages, railings or a mix of railings/hedge planting shall be used and depending upon the location this will be estate type metal railings or traditional upright railings. Close boarded timber fencing up to 1.8 metres in height shall separate private boundaries between dwellings. Where a boundary addresses a parking court or shared private driveway, the boundary should comprise a brick wall to match the adjacent house.
- 7.5.3 Figure 33 within the Design Code shows the area of the site to comprise green infrastructure (GI). It sets out that the GI shall comprise predominantly indigenous tree and shrub planting local to the area. Planting shall be confined to private gardens, boundary planting and public open spaces. There will be no planting within the public highway. The detail of garden, hedge, wetland, open space and meadow planting is specified within the Design Code.
- 7.5.4 The Design Code also specifies detailing for play areas which must be based on free play and comprise mostly natural materials without the use of bright colours. They should be safe, overlooked and provide access for all age groups and abilities and provide associated facilities for all family members such as planting, seating, picnic tables and litter bins. Use of natural surface material such as bark and sand are encouraged.
- 7.5.5 Attenuation basins and swales should be naturalistic in design and be shallow sided and suitable for marginal planting.
- 7.5.6 Levels differences across the site should be taken up across rear gardens wherever practicable and facilitated with gabion baskets, using dressed stone or similar. Levels changes between dwellings and side roads are to be taken up with the brick boundary wall. Levels differences within public open space are to be as existing as far as practicable.
- 7.5.7 Condition 25 of the outline planning permission required a tree and hedgerow retention plan to be submitted prior to the submission of reserved matters. A tree and hedgerow retention plan was submitted alongside the reserved matters and has been considered, through the iterative process of the design alongside the proposed landscaping scheme. Consideration of the tree and hedgerow plan is part of the discharge of condition process outside of consideration of this reserved matters application. However, treatment of existing trees and hedgerows as well as provision of new landscaping is part of the overall landscape consideration, and it is difficult to detach the two. Given the size of the site, it is considered that the amount

of tree and hedge removal proposed in order to accommodate the site layout it relatively low. In addition, the removal schedule largely comprises uncategorised or category C trees, scrub or hedge (C = low quality). Only five category B trees are proposed to be removed (B = moderate quality) and no category A trees are to be removed (A = high quality). In total, 8 trees, 2 groups of trees, and 5 hedges would be removed. Eight hedgerows would be partially removed. It is not possible or even desirable (in the interests of good design and good arboricultural practice) to retain every tree within a development site and in this instance is clearly not feasible. However, the amount of tree/hedge removal compared to the new planting that will take place is positive. The Council's landscape consultant considers the most recent landscape proposals and the tree and hedge retention plan set out in the Arboricultural Impact Assessment Rev A to be acceptable.

- 7.5.8 Four landscape masterplans have been submitted. These drawings combine detail shown on other submitted drawings including boundary treatments plan and the tree and hedgerow retention plan together with position of new trees and other planting, hard surfacing and play areas etc. The landscape plans are also contained within the submitted Ecological Impact Assessment Rev C (May 2022) and so have been assessed in terms of suitable habitat provision by the author of that report.
- 7.5.9 The Damms area is to be left as it is north and east of the proposed area of development to its southwest corner. In a change from the original submitted scheme, the proposed allotments are removed and replaced with an orchard of fruit trees. The reasons for this are that it was acknowledged that provision of allotments within The Damms could be unsightly (with the introduction of sheds and the ad hoc nature of individual allotments as they mature and naturally allotment holders add features to make them their own). The fruit trees will provide an added layer to the biodiversity value to the landscaping and would hopefully lead to a community orchard scheme. They would be managed by the Council or otherwise a management company under the provisions of the legal agreement attached to the outline permission. The Damms area to the north of the proposed dwellings would otherwise be free of hard landscaping except for provision of a bench and waste and dog bin.
- 7.5.10 The plans indicate positions of new tree and hedgerow planting to the edges of the development, within the areas of open space and to the front of private dwellings. Planting is not included within the highway as set out in the Design Code. The landscape plans indicate the type of species to be planted. Detailed examples are shown for the proposed play areas and include play equipment, tables, benches, waste and dog bins which are on the whole acceptable but the detailed equipment to be provided in the play areas shall be conditioned as will the detailed specification for the planting across the site. The play equipment shown is considered to not quite match the requirement for naturalistic and free play set out in the Design Code. The Council's Grounds Team has also stressed the need for the play area to be accessible to all children. The landscape condition shall include details for meadow seed mixes as required by the Council's ecologist. Detailed design shall also be conditioned of the gated access areas and areas where bollards/collapsible bollards are proposed. This is important as the development needs to ensure that no other vehicular accesses are open to the public other than the two approved access points off Rothwell Road and Sycamore Drive.

- 7.5.11 The central narrow part of the site had been planned as a Multi-Use Games Area (MUGA). Such areas are suitable for use by older children/teenagers and typically comprise fully enclosed sports/play courts with basketball nets. It is considered that provision of the necessary mesh fence enclosure to the required height would appear very prominent and would be at odds with the landscape aims to provide a development edge that integrates the edge of development with the fields to the south. The proposal has been revised to provide for a low-level BMX pump track. This would be designed by a specialist and would be capable of being soft landscaped. This will provide a facility suitable for use by older children and teenagers. It is considered that the proposed BMX track will provide a better solution to both recreation provision and the visual appearance of the area than the MUGA would have provided.
- 7.5.12 The proposed boundary treatments shown on the landscape plans and on the boundary treatment plans is acceptable and accords with the Design Code. Consideration has been given to the comments made by the LHA which point out that in some instances visibility splays are enclosed by boundary screening which is one metre high rather than 0.6 metres high. In these instances, the screening comprises open railings rather than solid fencing and is considered to be acceptable. Boundary treatment can be subject of a compliance condition.
- 7.5.13 What is not clear at present is the proposed method of dealing with the level differences, especially within plots where this might require a retaining structure such as gabion baskets advocated in the Design Code. It is considered that detailed levels plans should be provided to include the method of bank retention where this is necessary. The condition is necessary to ensure an acceptable form of development both visually and in relation to amenity provision and privacy between the new dwellings.
- 7.5.14 The submitted landscape scheme and GI for the site is in accordance with the approved Design Code and is therefore acceptable. It provides for GI enhancements along this stretch of the Ise Valley corridor in accordance with policy DES5 (site allocation) in the Part 2 Local Plan.

## 8.0 Other Matters

### Drainage

- 8.1 The outline planning permission requires conformity with the Flood Risk Assessment (FRA) approved under that permission (condition 12). Condition 13 requires a written statement of conformity to be submitted with the reserved matters as to this FRA dated December 2015. Both the EA and the LLFA have accepted the submitted Statement of Conformity and surface water drainage strategy submitted with the reserved matters. The EA has assessed it in terms of fluvial flooding and the LLFA with regard to surface water drainage/flood risk.
- 8.2 Conditions 14, 15 and 16 attached to the outline planning permission require the submission of a detailed surface water drainage scheme, scheme of maintenance for the surface water drainage system proposed and a foul water drainage strategy to be submitted prior to the commencement of the development. Such details are not required to be submitted and assessed as part of the reserved matters and will

be so assessed under appropriate discharge of conditions submission prior to the commencement of the development. The drainage authorities, including Anglian Water shall be consulted when these drainage details are submitted.

### Ecology

- 8.3 Condition 19 attached to the outline planning permission required an update to the submitted ecological assessment and updated surveys for otters and crayfish. It requires compliance with updated strategies and any mitigation therein. Condition 20 required updated bat surveys. Updated surveys for several species including those mentioned were undertaken during 2021 and reported in the submitted revised Ecological Impact Assessment Rev D submitted in March 2023. In short, the surveys found that some of the trees and hedgerows on site provide suitable site level importance habitat for roosting, foraging and commuting bats. The most important identified trees are being retained. Evidence of water vole and otter activity were found at points along the River Ise and the site is of local importance to both species. Surveys for other species including reptiles, land and aquatic invertebrates and birds found species of local (land invertebrates) and otherwise species of site level importance.
- 8.4 Enhancement proposals are primarily concerned with the provision of better-quality grassland and habitats within the landscape scheme to the quality currently found on site; although it is accepted and recognised that new landscaping will take a long time to mature and cannot replace mature landscaping straight away. Mitigation measures include submission of a CEMP (Construction and Environment Management Plan), Landscape and Ecological Management Plan (LEMP), lighting schemes during and post construction, bird and bat boxes, hedgehog highways and implementation of the Access Management Plan at Tailby Meadows. The Council's Ecological Advisor has confirmed that the submitted Ecological Impact Assessment has been carried out using best practice guidance and that the suggested conditions, including the standard CEMP and LEMP conditions (forwarded by the WLT) are acceptable. In relation to the proposed bat and bird boxes, it is recommended that there be an increase in tree bat boxes in the NW linear section of the development site. Conditions are proposed which cover the submission of a CEMP and LEMP, revised bat and bird box locations and compliance with the submitted Ecological Impact Assessment.
- 8.5 Some of the comments received, question the change in circumstances between the outline planning permission and the present. They suggest the development should be subject to the ten percent net gain in biodiversity requirements which will become mandatory later this year (when those provisions of the Environment Act are implemented). As the outline permission is still extant, the LPA cannot retrospectively apply changing policy to permissions that are already granted. The matters of relevance are those taken at the time of the decision. The applicant is not required to demonstrate a ten percent net gain in biodiversity across the site. Nevertheless, the submitted landscape scheme is providing suitable habitats to both compensate for the loss of grassland in particular, and enhancements i.e. provision of better quality habitats in some instances, e.g. improved grassland and meadow flowers, fruiting trees to benefit bees as well as some of the species noted on site. The submission is in accordance with the ecological strategies already approved under discharge of condition 19 of the outline permission and is in compliance with



parts c and h of DES5 which requires provision of GI enhancements along the River Ise Corridor and an assessment of the impact on biodiversity and mitigation as required. It is recognised that the development by its very nature will bring substantial change to the area.

- 8.6. The LPA has had regard for the species and habitats present on site in regard to its duties under the NERC Act. The most recent species and habitats surveys have been considered together with advice from relevant consultees. A development of this scale cannot have no impact in this regard but measures to avoid harm and mitigate for loss of potential habitat where at all possible within the scheme, shall be conditioned.

#### Contamination

- 8.7 A “standard” contamination condition was attached to the outline planning permission. Parts A and B of that condition requiring assessment of risk and any necessary remediation were submitted and approved by the LPA in 2018. The remainder of the condition requires submission of a verification report once remediation is completed and compliance with the approved scheme. Again, the discharge of the remainder of this condition will take place outside the consideration of the reserved matters. Policy DES5 requires contamination to be evaluated to support planning applications. Contamination issues have already been assessed as part of the condition discharge in relation to the outline planning permission.

#### Noise

- 8.8 A scheme for achieving noise levels outlined in BS8233:2014 is required to be submitted prior to the commencement of development under condition 18 attached to the outline planning permission. A discharge of condition application is submitted. The Council’s Environmental Health Team has asked for more information detail on the noise environment around the proposed dwellings closest to Rothwell Road. There is a risk to the developer that any issues concerning noise might involve a potential redesign of this area if they cannot be resolved, however, the noise condition will need to be satisfied prior to the development commencing.

#### Archaeology

- 8.9 An archaeological evaluation of the site took place and the subsequent report has been written up and published. Condition 11 attached to the outline planning permission in this regard has been discharged. The Council’s archaeological team advise that archaeological requirements are satisfied.

#### Planning Obligation

- 8.10 The outline planning permission was subject to a planning obligation which commits the applicant to the provision of affordable housing, financial contributions and management schemes in order to mitigate the infrastructure requirements of the new development. The details of the contributions are not for consideration in this reserved matters application. The pending deed of variation seeks to amend some of the clauses within the agreement in light of changing circumstances and site

layout. The larger contributions towards schools, health and footpath improvements are retained. The proposed changes concern the following, in summary;

- Removal of on-site allotments and provision of £17K contribution towards allotments in Desborough
- Remove requirement for MUGA and replace with a landscaped BMX pump track and £15K towards improvement and enhancement of existing facilities in Desborough
- Open space and public open space – amend definitions to give the opportunity to transfer the open space to a management company as well as to the Council
- Remove obligation for changing facility at Dunkirk Avenue and replace with £50K contribution relating to improvements and leisure opportunities at Dunkirk Avenue Recreational Ground
- Pitch improvement works at Dunkirk Avenue – remove obligation. The developer now proposes to pay the recreation contribution of £50K detailed above prior to the commencement of development

8.11 The above is set out in brief to demonstrate that the provisions of the legal agreement will tie in with the proposed plans submitted as part of this reserved matters application, but the proposed variations are to be considered outside of the consideration of this reserved matters application.

#### Neighbour/third party comments

8.12 Comments concerning the in-principle issues associated with development of the site cannot be considered again as part of this reserved matters submission. They were rightly considered as part of the consideration of the appeal (which was allowed) against Kettering Borough Council's decision to refuse planning permission.

8.13 Many of the comments raised by neighbours are dealt with in the above report and where neighbours raised specific concerns about potential loss of amenity to their properties, these have been assessed. Other comments raised by neighbours/third parties include the following;

8.14 The proposal is contrary to the Council's commitment to reducing emissions and resilience to climate change – declared Climate Change Emergency in 2019. There are not enough solar panels, and the use of gas boilers is contrary to these aims.

Officer comment: The principle of the development is already accepted and was also prior to the authority issuing its Climate Change Emergency. The site is also now allocated for development within the Part 2 Local Plan. Energy efficiency in new dwellings including reduction of carbon emissions is largely covered by the Building Regulations which require new dwellings to be approximately 30percent more energy efficient than they used to be. The Future Homes and Buildings Standard will complement the Building Regulations to ensure that new homes built from 2025 onwards will produce 75-80 percent less carbon emissions than homes delivered under the old regulations. The conditions attached to the outline planning permission, nor the Design Code require use of alternative energy sources.

- 8.15 The Council's urban design commented that it would be preferable to have windows to the side elevations of plots 149 and 163.

Officer comment: It is not essential for these elevations to have windows. The adjacent car parking spaces located to the head of this small cul-de-sac are overlooked by the front elevations of plots 147,148 and 149, 150. These side elevations do not also front a key public viewpoint or through route.

- 8.16 The efficacy of the ecological surveys and lack of otter and water vole surveys is questioned.

Officer comment: Updated surveys including otter and water vole surveys were carried out by a qualified ecologist in 2021.

- 8.17 Can the Government Inspector's decision be overturned at this stage?

Officer comment: No, this is not possible.

- 8.18 The application should not go ahead until a Neighbourhood Plan is in place. There is a suggestion of improper Governance.

Officer comment: The lack of a Neighbourhood Plan progression cannot hold up approved development (or proposed development for that matter). There appears to be no lack of transparency or issue with the way the planning decisions relating to this development site have been taken but any queries concerning lack of governance would need to be directed through other channels and not through this application.

- 8.19 Footpaths should be kept available during and after construction.

Officer comment: The developer will need to make separate applications to the Council for both temporary and full diversions of the footpaths affected by the development.

- 8.20 Presence of covenants relating to the land.

Officer comment: Covenants are legal matters and not a material planning consideration.

- 8.21 Affordable units should not be in groups of more than 12 units.

Officer comment: Affordable housing is evenly spread across the site in groups of no more than 12 dwellings.

## **9. Conclusion / Planning Balance**

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- 9.1 This report has stressed throughout that planning permission has been granted on appeal for this development and the only matters for consideration here are the reserved matters. The reserved matters are required by condition 7 attached to the outline permission to be in complete accordance with the approved Design Code.

The Design Code was submitted and approved. In short, provided the submitted reserved matters are in accordance with the approved Design Code, the proposal will be acceptable. The policies within the Joint Core Strategy were taken into consideration at the time the appeal was determined and policy 8 in particular (place shaping principles) was taken into account when formulating the Design Code for the site. Subsequently, the site has been allocated for residential development in policy DES5 of the Part 2 Local Plan. The tension between policy NEH3 (historic and visually important local green space) and the outline planning permission/Design Code has been highlighted. The planning permission will take precedence. Some of the requirements of policy DES5 will be dealt with by discharge of conditions attached to the outline planning permission, outside of the consideration of this application. Where considered as part of the reserved matters, it is considered that the criteria attached to policy DES5 are complied with.

- 9.2 On the whole the proposed reserved matters are in accordance with the Design Code and accompanying regulating plan. A comparison of the proposed site layout and regulating plan shows this is the case. There are some areas where the proposal provides for a betterment over the approved Design Code e.g. less development in The Damms area, larger gardens in most instances and 100 percent electric vehicle charging points. There are some instances where the proposal is short of the Design Code e.g. a few gardens are less than 50 square metres and some of the separation distances are slightly less than in the Design Code. In terms of overall layout, appearance, scale and landscaping, the proposals accord with the Design Code and are therefore acceptable.
- 9.3 The Council has legal duties under the Town and Country Planning Listed Buildings and Conservation Areas Act and the NERC Act to have special regard to impacts on the setting of listed buildings and protected species/habitats respectively. These matters have been considered in this report and subject to appropriate conditions have been found to be acceptable.
- 9.4 The outline planning permission was subject to a unilateral undertaking (planning obligation) which includes developer contributions as necessary to make the development acceptable. This obligation remains in force and is applicable to any successors in title. There is a current deed of variation to amend some of the clauses largely to fit with the current proposals and the current proposed schemes within Desborough e.g. Dunkirk Recreation Ground. The main infrastructure contributions for education, health and highways will remain as the original obligation. These matters are not for renegotiation or consideration under the reserved matters.
- 9.5 In conclusion, the proposed reserved matters are acceptable as they accord with the provision of the outline planning permission and the Design Code as required by condition. In all other issues, the proposal is acceptable and can be made acceptable with the imposition of conditions requiring further details to be submitted where necessary and compliance with the submitted and approved plans and reports.

## **10. Recommendation**

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- 10.1 APPROVED subject to the following Condition(s):-

## 11. Conditions

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1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

2. Notwithstanding details of levels on any approved plan or document, prior to the commencement of the development, detailed drawings including cross sections showing finished levels for dwellings, driveways, footpaths, roads and surrounding land (including open space), together with details of all earthworks, retaining structures and any steps or ramps, shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in complete accordance with the approved details.

REASON: To ensure an acceptable appearance of development and relationship between dwellings in accordance with policy 8 of the North Northamptonshire Joint Core Strategy and in accordance with the approved Design Code for the development.

3. Prior to the commencement of the development, detailed drawings and specifications of the soft landscaping shall be submitted to and approved in writing by the local planning authority. These details shall be submitted concurrently with the details required to be submitted under condition 2 (levels). The details shall include planting specifications including seed mixes, plant names, sizes and numbers and a timetable for implementing the soft landscaping for the development. The submissions shall also include details of plant provenance and how the chosen specimens meet the biodiversity aims and planting parameters for the site set out in the approved Ecological Impact Assessment (SES March 2023) and the approved Design Code. The soft landscaping shall be carried out in accordance with the approved details and timetable. Should any of the plants die, become diseased or are removed or damaged within the first 10 years of their planting, they shall be replaced with a plant of a similar size and species during the next available planting season.

REASON: In the interests of the proper landscaping of the site in terms of the visual appearance of the development and biodiversity interests in accordance with policies 4 and 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to the commencement of the pump BMX track, full details of its design and landscaping, including sections, shall be submitted to and approved in writing by the local planning authority. The details to be submitted shall include a timetable for the provision of the pump BMX track and its landscaping. The development shall not take place except in complete accordance with the approved details and timetable.

REASON: In the interests of the provision of appropriately designed play/amenity features in accordance with policy 8 of the North Northamptonshire Joint Core strategy and the approved Design Code.

5. Notwithstanding the submitted details, prior to the occupation of the first dwelling, full details of the play area to the southwest corner of the site shall be submitted to and approved in writing by the local planning authority. The details

shall include all play equipment, surfacing, tables, benches and waste bins. The play area shall not be enclosed with fencing and instead one additional piece of play equipment shall be provided to the number of pieces shown on the submitted details. The details shall include a timetable for the provision of the play area. The play area shall be provided in complete accordance with the approved details and timetable and retained as such thereafter.

REASON: In the interests of provision of adequate play provision to serve the development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy and the approved Design Code.

6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interest of the protection of biodiversity on the site in accordance with policies 4 and 8 of the North Northamptonshire Joint Core Strategy

7. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and

implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: In the interests of the establishment and ongoing protection of the biodiversity value of the site in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

8. The development and site clearance works shall only take place in accordance with all of the species mitigation measures set out within the approved Ecological Impact Assessment Rev D (SES March 2023) and in accordance with the Reptile Mitigation Strategy (SES 2021).

REASON: In the interests of species protection in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

9. Notwithstanding the submission of the Ecological Enhancement Plans x 4 dated September 2022, details of the spread and location of bat and bird boxes across the site, including drawings, shall be submitted to and approved in writing prior to the commencement of the development. The approved bat and bird boxes shall be erected in complete accordance with these details and those contained within the approved Ecological Impact Assessment Rev D (SES March 2023) . The boxes to be installed on retained trees shall be installed prior to the commencement of the first dwelling and the bat and bird boxes to be installed within the fabric of, or on dwellings shall be installed prior to the first occupation of the dwelling to which they relate. Thereafter, the bat and bird boxes shall be retained in perpetuity.

REASON: In order to provide mitigation for loss of bat and bird habitat in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

10. Prior to the first occupation of the development full details of all access routes to be fitted with collapsible bollards/bollards and full details of the gated accesses to the site off Valley Rise and The Hawthorns shall be submitted to and approved in writing by the local planning authority. The details shall demonstrate how the measures shall prevent vehicular access to the site via these routes by the public whilst enabling emergency access to the site by the emergency services. The details shall also include a timetable for implementation of each measure and a scheme to replace collapsible bollards that become broken or removed. The approved details shall be implemented in full accordance with the approved timetable and retained as such thereafter.

REASON: In the interests of highway safety and health and safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

11. All external materials, boundary treatments and surfacing shall be in complete accordance with the approved details shown on the approved external materials and treatments plans (0231A-D5-P5, 0231B-D5-P5 and 0231C-D5-P5) and the surfacing materials plans (0232B-D5-P5, 0232B-D5-P5 and 0232C-D5-P5) unless otherwise varied by the approval of details to satisfy other conditions attached to this decision. All dwellings as built shall be finished in complete accordance with the approved house type elevations to include all architectural detailing such as cills, lintols, tile hanging and chimneys.

REASON: To achieve a satisfactory external appearance in accordance with policy 8 of the North Northamptonshire Joint Core Strategy, paragraphs 130, 134 and 135 of the NPPF and the approved Design Code.

12. All solid boundary walls and fences (both external and within plots) shall contain a "hedgehog highway" gap of 13cm x 13cm as set out in the approved Ecological Impact Assessment Rev D (SES March 2023). Each hedgehog highway shall be retained as such thereafter, free from obstruction.

REASON: To maintain routes for the hedgehog and other small mammals to cross the site in the interests of biodiversity in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

13. The site clearance and preparation work and the development shall only take place in complete accordance with the tree and hedge protection measures set out in the submitted Arboricultural Impact Assessment Rev A dated 2 March 2023. The protection measures shall be maintained in place for the duration of the development and shall be removed only when the protected tree or hedge is no longer accessible by construction workers.

REASON: In the interests of the visual appearance/landscaping of the site and the protection of the trees and hedges in the interests of biodiversity in accordance with policies 4 and 8 of the North Northamptonshire Joint Core Strategy.

14. No dwelling shall be occupied until the parking provision to serve that dwelling has been completed and the access to serve that dwelling has been completed at least to base course level. The visitor car parking spaces shall be completed in accordance with the details to be submitted and approved under Condition 2 and shall be provided concurrently with the road and/or private drive which provides access to them. Thereafter, all parking spaces shall be retained for parking purposes only.

REASON: To ensure adequate access and parking is available to serve the occupiers of each dwelling in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

15. No dwelling without a garage, shall be occupied unless a shed capable of securing at least 3 cycles has been provided within the rear garden space. Details of the shed including its security shall first have been submitted to and approved in writing by the local planning authority. Each shed shall be erected in accordance with the approved details.

REASON: In the interests of enabling alternative travel means and in the interests of crime prevention in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

16. Prior to the first occupation of any dwelling, the electric vehicle (EV) charging facility to serve that dwelling shall have been provided and be available for use. The EV charging facility shall remain in place and operational thereafter.

REASON: As has been agreed by the applicant and in the interests of facilitating sustainable transport choices.

17. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, AA, B, E and Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended or re-enacted), no extensions to



dwellings, additions to the roof, detached buildings and/or gates, fences, walls or other means of enclosure (or alterations to those approved) shall be made unless planning permission has first been obtained from the local planning authority.  
**REASON:** In the interests of the visual appearance of the development and residential amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy and the approved Design Code.

## 12. Informatives

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Positive/Proactive - amendments  
 Discharge conditions on outline  
 Read with outline and legal agreement  
 Separate consents  
 C5 play equipment

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Site Location plan		ROTRD-MCB-ZZ-ZZ-DR-A-0200 D5 – P1	24/05/2022
Site Constraints Plan Combined		ROTRD-MCB-ZZ-ZZ-DR-A-0236A- D5-P3	24/05/2022
Site Constraints Plan West		ROTRD-MCB-ZZ-ZZ-DR-A-0236B- D5-P2	24/05/2022
Site Constraints Plan East		ROTRD-MCB-ZZ-ZZ-DR-A-0236C- D5-P2	24/05/2022
Fuller		ROTRD-MCB-ZZ-ZZ-DR-A-0105- D5-P1	24/05/2022
Slater Potter		ROTRD-MCB-ZZ-ZZ-DR-A-0106- D5-P1	24/05/2022
Thespian-Thespian		ROTRD-MCB-ZZ-ZZ-DR-A-0107- D5-P1	24/05/2022
Turner		ROTRD-MCB-ZZ-ZZ-DR-A-0108- D5-P1	24/05/2022
Tailor		ROTRD-MCB-ZZ-ZZ-DR-A-0110- D5-P1	24/05/2022
Quilter		ROTRD-MCB-ZZ-ZZ-DR-A-0117- D5-P1	24/05/2022
Chandler		ROTRD-MCB-ZZ-ZZ-DR-A-0118- D5-P1	24/05/2022
Thespian-Tailor Plans		ROTRD-MCB-ZZ-ZZ-DR-A-0119- D5-P1	24/05/2022
Thespian-Tailor Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0120- D5-P1	24/05/2022

Baker		ROTRD-MCB-ZZ-ZZ-DR-A-0121-D5-P1	24/05/2022
Tillman-Tillman Plans		ROTRD-MCB-ZZ-ZZ-DR-A-0124-D5-P1	24/05/2022
Tillman-Tillman Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0125-D5-P1	24/05/2022
Ploughwright-Baker Plans		ROTRD-MCB-ZZ-ZZ-DR-A-0126-D5-P1	24/05/2022
Ploughwright-Baker Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0127-D5-P1	24/05/2022
Thespian-Tailor Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0131-D5-P1	24/05/2022
Turner		ROTRD-MCB-ZZ-ZZ-DR-A-0132-D5-P1	24/05/2022
Scrivener		ROTRD-MCB-ZZ-ZZ-DR-A-0133-D5-P1	24/05/2022
Chandler		ROTRD-MCB-ZZ-ZZ-DR-A-0134-D5-P1	24/05/2022
Fuller		ROTRD-MCB-ZZ-ZZ-DR-A-0135-D5-P1	24/05/2022
Tailor		ROTRD-MCB-ZZ-ZZ-DR-A-0136-D5-P1	24/05/2022
Potter		ROTRD-MCB-ZZ-ZZ-DR-A-0137-D5-P1	24/05/2022
Salter		ROTRD-MCB-ZZ-ZZ-DR-A-0138-D5-P1	24/05/2022
Milliner		ROTRD-MCB-ZZ-ZZ-DR-A-0139-D5-P1	24/05/2022
Quilter		ROTRD-MCB-ZZ-ZZ-DR-A-0140-D5-P1	24/05/2022
Thespian		ROTRD-MCB-ZZ-ZZ-DR-A-0144-D5-P1	24/05/2022
Tillman		ROTRD-MCB-ZZ-ZZ-DR-A-0145-D5-P1	24/05/2022
Tillman-Tillman		ROTRD-MCB-ZZ-ZZ-DR-A-0147-D5-P1	24/05/2022
Baker		ROTRD-MCB-ZZ-ZZ-DR-A-0149-D5-P1	24/05/2022
Baker-Baker		ROTRD-MCB-ZZ-ZZ-DR-A-0150-D5-P1	24/05/2022
Ploughwright-Ploughwright		ROTRD-MCB-ZZ-ZZ-DR-A-0153-D5-P1	24/05/2022
Cartographer-Ploughwright Plans		ROTRD-MCB-ZZ-ZZ-DR-A-0155-D5-P1	24/05/2022
Cartographer-Ploughwright Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0156-D5-P1	24/05/2022
Ploughwright-Baker-Baker Plans		ROTRD-MCB-ZZ-ZZ-DR-A-0157-D5-P1	24/05/2022
Ploughwright-Baker-Baker Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0158-D5-P1	24/05/2022

Ploughwright-Baker-Tillman Plans		ROTRD-MCB-ZZ-ZZ-DR-A-0159-D5-P1	24/05/2022
Ploughwright-Baker-Tillman Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0160-D5-P1	24/05/2022
Quilter Bay Window		ROTRD-MCB-ZZ-ZZ-DR-A-0170-D5-P1	24/05/2022
Thespian Tailor Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0171-D5-P1	24/05/2022
Fuller		ROTRD-MCB-ZZ-ZZ-DR-A-0172-D5-P1	24/05/2022
Thespian		ROTRD-MCB-ZZ-ZZ-DR-A-0173-D5-P1	24/05/2022
Quilter		ROTRD-MCB-ZZ-ZZ-DR-A-0174-D5-P1	24/05/2022
Turner-Turner		ROTRD-MCB-ZZ-ZZ-DR-A-0175-D5-P1	24/05/2022
Chandler		ROTRD-MCB-ZZ-ZZ-DR-A-0176-D5-P1	24/05/2022
Milliner		ROTRD-MCB-ZZ-ZZ-DR-A-0177-D5-P1	24/05/2022
Tanner		ROTRD-MCB-ZZ-ZZ-DR-A-0178-D5-P1	24/05/2022
Tailor		ROTRD-MCB-ZZ-ZZ-DR-A-0180-D5-P1	24/05/2022
Tailor		ROTRD-MCB-ZZ-ZZ-DR-A-0180-D5-P1	24/05/2022
Ploughwright-Baker Plans		ROTRD-MCB-ZZ-ZZ-DR-A-0181-D5-P1	24/05/2022
Ploughwright-Baker Elevations		ROTRD-MCB-ZZ-ZZ-DR-A-0182-D5-P1	24/05/2022
Bowyer		ROTRD-MCB-ZZ-ZZ-DR-A-0300-D5-P1	24/05/2022
Scrivener		ROTRD-MCB-ZZ-ZZ-DR-A-0301-D5-P1	24/05/2022
Thespian		ROTRD-MCB-ZZ-ZZ-DR-A-0302-D5-P1	24/05/2022
Tailor		ROTRD-MCB-ZZ-ZZ-DR-A-0303-D5-P1	24/05/2022
Philosopher		ROTRD-MCB-ZZ-ZZ-DR-A-0304-D5-P1	24/05/2022
Milliner		ROTRD-MCB-ZZ-ZZ-DR-A-0305-D5-P1	24/05/2022
Fuller		ROTRD-MCB-ZZ-ZZ-DR-A-0306-D5-P1	24/05/2022
Quilter		ROTRD-MCB-ZZ-ZZ-DR-A-0307-D5-P1	24/05/2022
Cartographer		ROTRD-MCB-ZZ-ZZ-DR-A-0308-D5-P1	24/05/2022
Ploughwright		ROTRD-MCB-ZZ-ZZ-DR-A-0309-D5-P1	24/05/2022

Baker		ROTRD-MCB-ZZ-ZZ-DR-A-0311-D5-P1	24/05/2022
Garages		ROTRD-MCB-ZZ-ZZ-DR-A-0350-D5-P1	24/05/2022
Garages		ROTRD-MCB-ZZ-ZZ-DR-A-0351-D5-P1	24/05/2022
Carports		ROTRD-MCB-ZZ-ZZ-DR-A-0352-D5-P1	24/05/2022
Illustrative Streetscenes AA' BB' CC'		ROTRD-MCB-ZZ-ZZ-DR-A-0240-D5-P1	24/05/2022
Illustrative Streetscenes DD' EE' FF'		ROTRD-MCB-ZZ-ZZ-DR-A-0241-D5-P1	24/05/2022
Illustrative Streetscenes GG' HH		ROTRD-MCB-ZZ-ZZ-DR-A-0242-D5-P1	24/05/2022
Design Code Compliance Statement		ROTRD-MCB-XX-XX-PP-A-0010-D5-P2	24/05/2022
Levels & Drainage Strategy sheet 1 of 3		18883-DBOR-5-SK005	24/05/2022
Levels & Drainage Strategy sheet 2 of 3		18883-DBOR-5-SK006	24/05/2022
Levels & Drainage Strategy sheet 3 of 3		18883-DBOR-5-SK007	24/05/2022
Landscape Master Plan - Sheet 4 of 4		PR124-04-F	24/05/2022
Fire Appliance Tracking Plan Sheet 1 of 2		18883-DBOR-5-SK012-A	30/05/2022
Fire Appliance Tracking Plan Sheet 2 of 2		18883-DBOR-5-SK013-A	30/05/2022
Quilter		ROTRD-MCB-ZZ-ZZ-DR-A-0109-D5-P2	16/09/2022
Woodcarver		ROTRD-MCB-ZZ-ZZ-DR-A-0111-D5-P1	16/09/2022
Quilter		ROTRD-MCB-ZZ-ZZ-DR-A-0115-D5-P1	16/09/2022
Woodcarver		ROTRD-MCB-ZZ-ZZ-DR-A-0141-D5-P2	16/09/2022
Woodcarver		ROTRD-MCB-ZZ-ZZ-DR-A-0142-D5-P2	16/09/2022
Woodcarver		ROTRD-MCB-ZZ-ZZ-DR-A-0143-D5-P1	16/09/2022
Site sections AA-BB		ROTRD-MCB-ZZ-ZZ-DR-A-0250-S2-P1	16/09/2022
Landscaping Masterplan 2 of 4		PR214-02K	16/09/2022
Landscaping Masterplan 4 of 4		PR214-04F	16/09/2022
Play Area		PR214-05	16/09/2022
Ecological Enhancements 1 of 4			16/09/2022

Ecological Enhancements 2 of 4			16/09/2022
Ecological Enhancements 3 of 4			16/09/2022
Ecological Enhancements 4 of 4			16/09/2022
Responses to Consultee Comments			16/09/2022
Site layout – Combined		ROTRD-MCB-ZZ-ZZ-DR-A-0230A D5 – P5	17/11/2022
Site Layout – West		ROTRD-MCB-ZZ-ZZ-DR-A-0230B- D5-P5	17/11/2022
Site Layout – East		ROTRD-MCB-ZZ-ZZ-DR-A-0230C- D5-P5	17/11/2022
Refuse Vehicle Tracking Plan Sheet 1 of 3		18883-DBOR-5-SK009-F	17/11/2022
Refuse Vehicle Tracking Plan Sheet 2 of 3		18883-DBOR-5-SK010-F	17/11/2022
Refuse Vehicle Tracking Plan Sheet 3 of 3		18883-DBOR-5-SK011-D	17/11/2022
Flood Risk Assessment - Compliance Note dated October 2022		Dated October 2022 Rev B	03/11/2022
Storey Heights Plan		ROTRD-MCB-ZZ-ZZ-DR-A-0237- S2-P1	10/02/23
Landscape Masterplan 1 of 4		PR214-01 Rev L	14/02/23
Landscape Masterplan 3 of 4		PR214-03 Rev J	14/02/23
Reptile Mitigation Strategy		SES September 2021	21/02/23
External materials and boundary treatments plan combined		ROTRD-MCB-ZZ-ZZ-DR-A-0231A- D5-P5	22/02/23
External materials and boundary treatments plan west		ROTRD-MCB-ZZ-ZZ-DR-A-0231B- D5-P5	22/02/23
External materials and boundary treatments plan east		ROTRD-MCB-ZZ-ZZ-DR-A-0231C- D5-P5	22/02/23
Surfacing materials combined		ROTRD-MCB-ZZ-ZZ-DR-A-0232A- D5-P5	22/02/23
Surfacing materials west		ROTRD-MCB-ZZ-ZZ-DR-A-0232B- D5-P5	22/02/23
Surfacing materials east		ROTRD-MCB-ZZ-ZZ-DR-A-0232C- D5-P5	22/02/23
Affordable tenure plan combined		ROTRD-MCB-ZZ-ZZ-DR-A-0233A- D5-P5	22/02/23
Affordable tenure plan west		ROTRD-MCB-ZZ-ZZ-DR-A-0233B- D5-P5	22/02/23

Affordable tenure plan east		ROTRD-MCB-ZZ-ZZ-DR-A-0233C-D5-P5	22/02/23
Refuse strategy plan combined		ROTRD-MCB-ZZ-ZZ-DR-A-0234A-D5-P5	22/02/23
Refuse strategy plan west		ROTRD-MCB-ZZ-ZZ-DR-A-0234B-D5-P5	22/02/23
Refuse strategy plan east		ROTRD-MCB-ZZ-ZZ-DR-A-0234C-D5-P5	22/02/23
Parking strategy combined		ROTRD-MCB-ZZ-ZZ-DR-A-0235A-D5-P5	22/02/23
Parking strategy plan west		ROTRD-MCB-ZZ-ZZ-DR-A-0235B-D5-P5	22/02/23
Parking strategy plan east		ROTRD-MCB-ZZ-ZZ-DR-A-0235C-D5-P5	22/02/23
Ecological Impact Assessment March 2023		Revision D	01/03/23
Arboricultural Impact Assessment		Rev A	02/03/23











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Notes:  
 1. Landscaping: Refer to Landscaping drawings for details on the landscaping layout.  
 2. \* - denotes additional units

PS	Issue Prepared for 8/18/2010	11.11.2010
CS	Issue for Review 10/15/2010	12.17.2010
IS	Issue for Review 10/15/2010	12.17.2010
PS	Issue for Review 10/15/2010	12.17.2010
PS	Issue for Review 10/15/2010	12.17.2010
PS	Issue for Review 10/15/2010	12.17.2010
PS	Issue for Review 10/15/2010	12.17.2010

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**Bellway**

**ARCHITECTURE**

80710 - 04B - 22 - 02 - 08 - A - 12240 - 36 - 03















Note: For drawing legend and tree schedule refer to drawing PR214-01 - latest revision

J	Highways comments	MLD	23.11.22
Issue	Revision	Initial	Date

**matt lee**  
 LANDSCAPE ARCHITECTURE  
 9, The Street, Marston, Bishop's Cleeve, Hereford, Herefordshire, HR23 1DD  
 email: matt@mattleelandscape.com  
 office: 01279 819195

Project  
**LAND OFF ROTHWELL RD  
 DESBOROUGH**

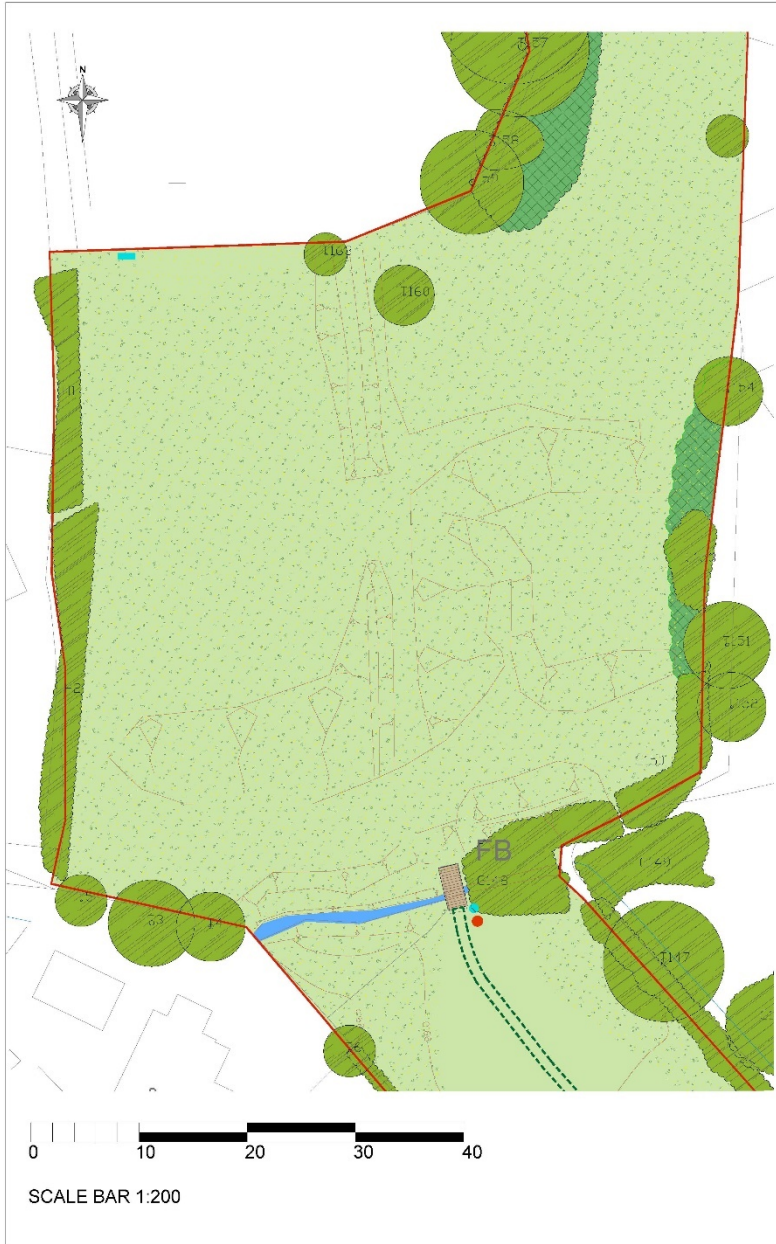
Client  
**BELLWAY HOMES LTD  
 (NORTHERN HOME COUNTIES)**

Title  
**LANDSCAPE MASTERPLAN  
 (DRAWING 3 OF 4)**

Date MAY 2022	Scale 1:500@A2	
Job No. PR214	Drawing No. PR214-03	Rev. J

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Existing Informal Grass Path to be retained (no hard surfacing)

Street Furniture



2000 Hawthorn-Seat supplied by Streetmaster.



Gladstone UK Sherwood Litter Bin (hooded version) in dark oak colour



Gladstone Post Mounted 140 25 Litre Dog Bin



Waymarking Posts in timber by Fitzpatrick Woolmer or similar approved

**Legend**

**Landscaping**

- Existing trees and hedgerows retained
- Existing scrub vegetation retained
- Overseeded with Pollinara: grassed to be cut three times a year. Seed mix to ecologists specification
- Existing watercourse
- Dormer boundaries

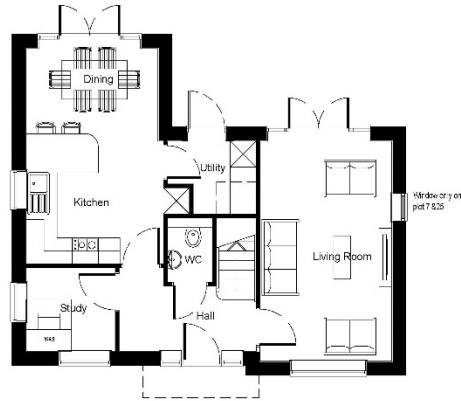
**Features**

- Proposed 2000 Hawthorn seat by Streetmaster
- Hooded Sherwood Litter Bin by Gladstone UK
- Red dog bin by Gladstone UK

Project Name	Client
Project Location	Client
<p>Project LAND OFF ROTHWELL RD DESBOROUGH</p>	
Client BELLWAY HOMES LTD (NORTHERN HOME COUNTIES)	
Title LANDSCAPE MASTERPLAN (DRAWING 4 OF 4)	
Scale 1:400 20'	Date 5/11/2018
Author P274	Checked P274
© Copyright Matt Lee Landscape Architecture Limited	



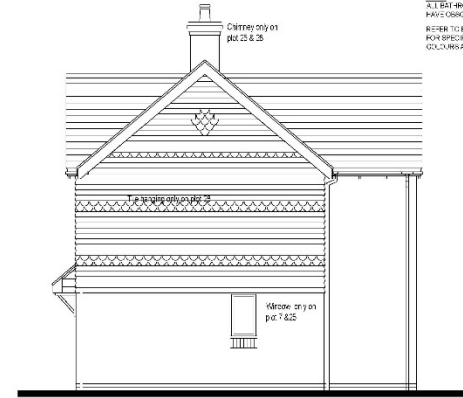




GROUND FLOOR PLAN



FIRST FLOOR PLAN



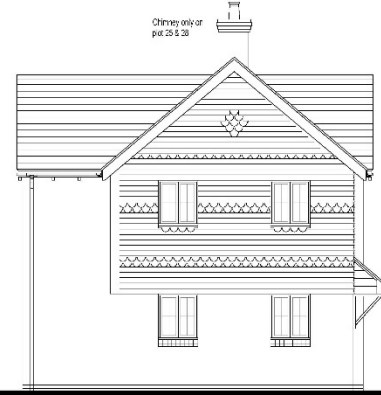
RIGHT ELEVATION



FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



**NOTE:**  
The contractor shall verify all dimensions in the notes accompanying any work on any drawing, on any date from this drawing.  
**McBains Ltd**

**BY FIRE/SMOKE DETECTOR**  
McBains Ltd places no express or implied warranties with respect to the operation, installation or capability of the alarm, modules or detectors, and the responsibility of its use rests solely with the user. It is the user's responsibility to ensure that the alarm is installed in accordance with the manufacturer's instructions. Please refer to the user manual for more information.

**NOTE:**  
ALL TEST ROOMS & VISITING WORKROOMS TO HAVE OBUROURED DEASIS.  
REFER TO EXTERNAL WATER & GAS PLAN FOR SPECIFIC WATER, GAS, OBUROOD COLOURS AND DOOR COLOURS.

P1 Issued for comment 11-04-2022

REV	DESCRIPTION	DATE
01	ISSUED FOR COMMENT	11-04-2022

REV	DESCRIPTION	DATE
01	ISSUED FOR COMMENT	11-04-2022

**McBains**  
McBains Ltd  
100-1, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Client: **Bellway**

Product: **LAND AT ROTHWELL ROAD, DESBOROUGH**

Drawing Title: **HOUSE TYPE PLANS & ELEVATIONS**  
FULLER  
PLOTS 7, 16, 25, 28 (hatched)

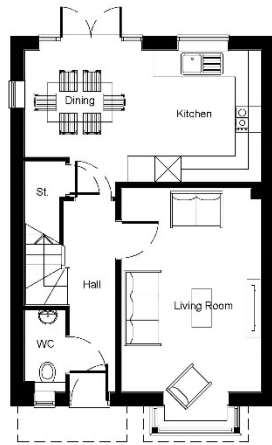
**ARCHITECTURE**

08000 400 77 77 - 100 - 0 0100 100 - 01

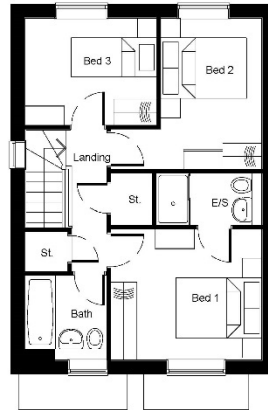




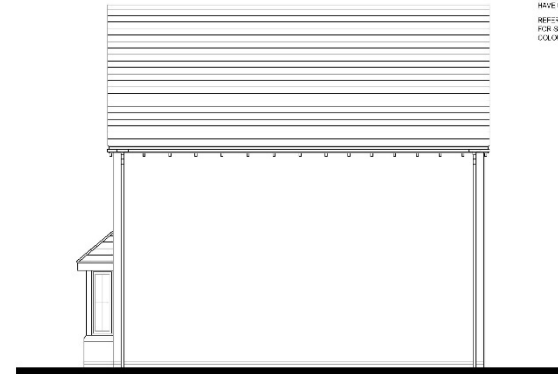




GROUND FLOOR PLAN



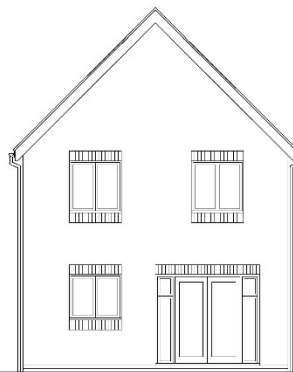
FIRST FLOOR PLAN



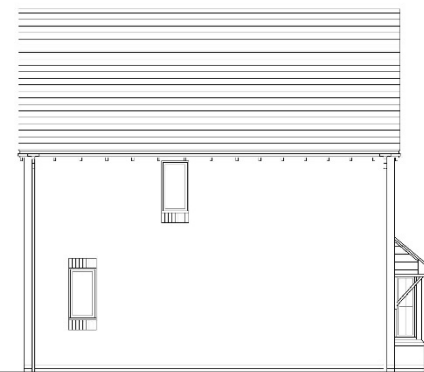
RIGHT ELEVATION



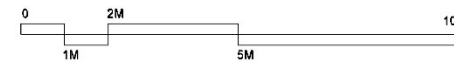
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



**Note:**  
The contractor must verify all dimensions in situ before commencing any work in order to ensure the accuracy of the drawings.

**Structural Disclaimer:**  
McBains Ltd. does not accept any responsibility for the design of the structure of the building or the safety of the building. It is the responsibility of the contractor to ensure that the building is safe and sound for all users.

**Notes:**  
All bathrooms & ensuite windows to have obscured glass.  
Refer to external materials & plan for specific materials, colours & door colours.

P1 Issued for comment 11-04-2022

Rev	Description	Date
01	Issue for comment	11-04-2022

Rev	FC	FOR
01	APR 22	1:100 @ A3

**McBains**  
McBains Ltd  
29a Pl. 20 Trinity Road, Loughrea, Co. Leitrim  
Tel: 0187 796 7963

Client  
**Bellway**

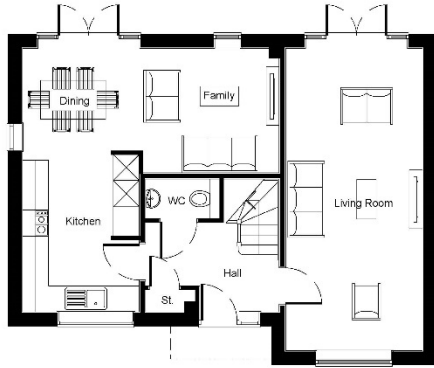
Project  
LAND AT BOWWELL ROAD  
DESBOROUGH

Drawing Title  
HOUSETYPE PLANS & ELEVATIONS  
CHIMNER  
PLOT 24 as shown

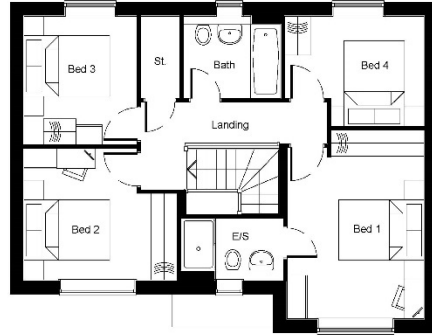
**ARCHITECTURE**

McBains Ltd  
29a Pl. 20 Trinity Road, Loughrea, Co. Leitrim  
Tel: 0187 796 7963

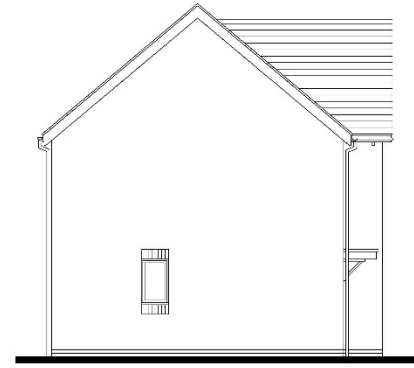
Rev: 01  
Rev: 02  
Rev: 03  
Rev: 04  
Rev: 05  
Rev: 06  
Rev: 07  
Rev: 08  
Rev: 09  
Rev: 10



GROUND FLOOR PLAN



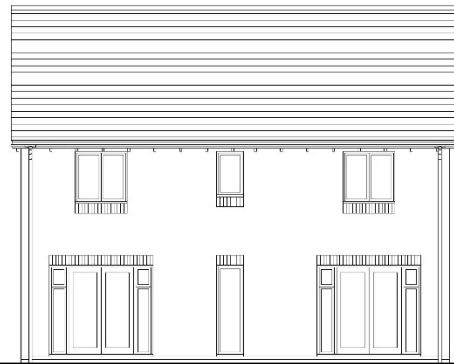
FIRST FLOOR PLAN



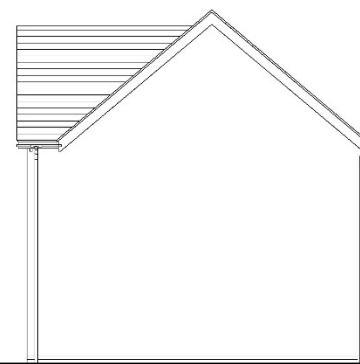
LEFT ELEVATION



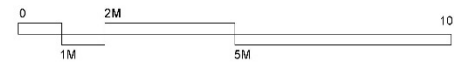
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



**NOTE:**  
The contractor shall verify all dimensions on the site or corresponding any work on site drawing, as any error on this drawing is the contractor's responsibility.

**BY THE CLIENT'S ACCEPTANCE**  
McBains, in reliance on copies of title documents with respect to the site, does not warrant, in whole or in part, the accuracy of the same, including in particular, the position of the boundaries, easements, rights of way, etc. Please refer to the Landlord's title documents for further details.

**NOTE:**  
ALL TEST ARCHES & FINISHES TO BE OBTAINED FROM THE CLIENT'S SUPPLIER TO AVOID DISCREPANCIES.  
REFER TO EXTERNAL MATERIALS PLAN FOR SPECIFIC MATERIALS, DIMENSIONS, COLOURS AND DOOR COLOURS.

Project: LINDA AT ROTHWELL ROAD, DESBOROUGH

Client: Bellway

Drawing Title: HOUSE: FLOOR PLANS & ELEVATIONS

DATE: 15/03/2024

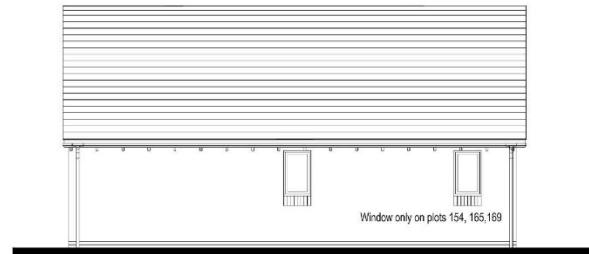
PROJECT NO: 2024-001

ARCHITECTURE

McBains Ltd  
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200



FLOOR PLAN



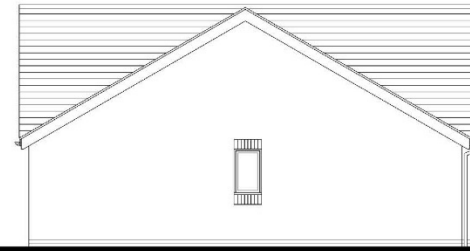
RIGHT ELEVATION



FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



**NOTE:**  
The contractor must verify all dimensions on site before commencing any work on this drawing, it is not to be taken from this drawing without the approval.

**NOT TRANSMITTED TO BROWNE**  
McBains Ltd makes no express or implied warranties with respect to the accuracy, completeness or quality of the data provided or the suitability of the data for any particular purpose beyond those specified in the contract. Please refer to the standard terms and conditions for further details.

**NOTE:**  
ALL BATHROOMS & ENSUITE WINDOWS TO HAVE OBSCURED GLASS.  
REFER TO EXTERNAL MATERIALS PLAN FOR SPECIFIC MATERIALS, WINDOW COLOURS AND DOOR COLOURS

P2 Side windows added to plot 169 to address Northamptonshire Police concerns.  
Window headers added to rear elevation.  
Plans number revised to suit site layout changes.

P1 Issued for comment 11-04-2022

Author	Checked by	Date
KK	FC	PDR
61731	APR 22	1:100 @ A3
McBains Ltd	McBains Ltd	Scale: 1:100

**McBains**  
McBains Ltd  
5th Fl, 26 The Quadrant, London E23 1EQ  
+44 (0)20 7766 7700  
mcbains.co.uk

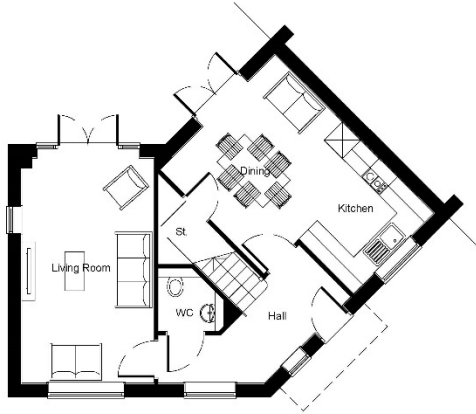
Client  
**Bellway**

Project  
LAND AT ROTHWELL ROAD  
DESBOROUGH

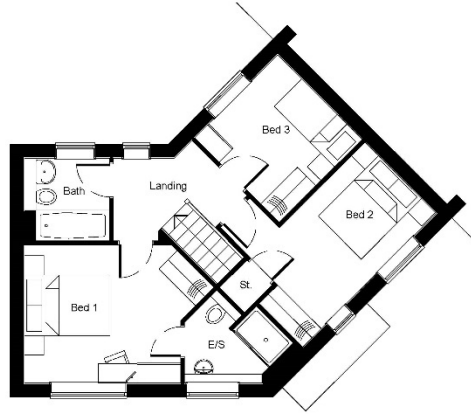
Drawing Title  
HOUSE-TYPE PLANS & ELEVATIONS  
WOODCARVER  
PLOTS 154, 167, 169 as shown  
PLOTS 165 handred

**ARCHITECTURE**

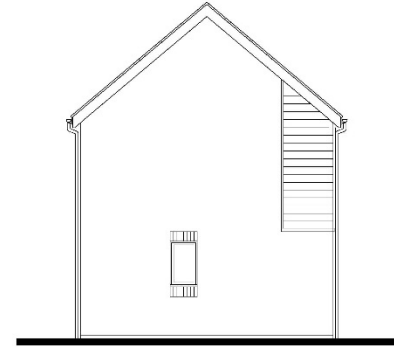
Drawn: [Name] / [Name]  
RTHW - MCB - 22 - 08 - A - 0142 35 - P2  
Revision: [Number] / [Number] / [Number] / [Number] / [Number] / [Number] / [Number] / [Number] / [Number] / [Number]



GROUND FLOOR PLAN



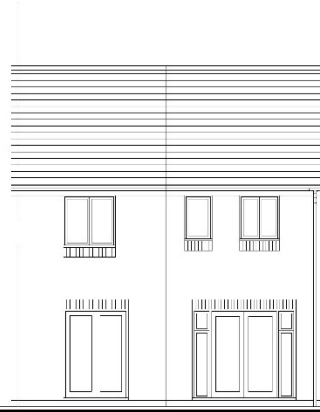
FIRST FLOOR PLAN



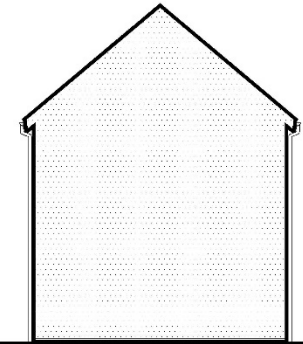
LEFT ELEVATION



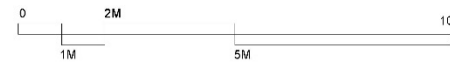
FRONT ELEVATION



RIGHT ELEVATION



SECTION



**NOTE:**  
The contractor shall verify all dimensions on the site and corresponding any work on site drawing, on any date from the drawing.  
McBains Architect

**BY THE ARCHITECT:**  
McBains Architect is not responsible for the construction of the work shown in this drawing. It is the responsibility of the contractor to verify all dimensions on site and corresponding any work on site drawing, on any date from the drawing.  
McBains Architect

**NOTE:**  
ALL TEST ARCHITECTS & VISITORS WORKS TO HAVE OBTAINED DEAS.  
REFER TO EXTERNAL WATER & PLUMBING SPECIFICATIONS FOR SPECIFIC MATERIALS, DIMENSIONS, COLOURS AND DOOR COLOURS.

P1 Issued for comment 11-04-2022

REV	DESCRIPTION	DATE
01	ISSUED FOR COMMENT	11-04-2022

**McBains**  
 McBains Ltd  
 100, 11, 25, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100  
 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

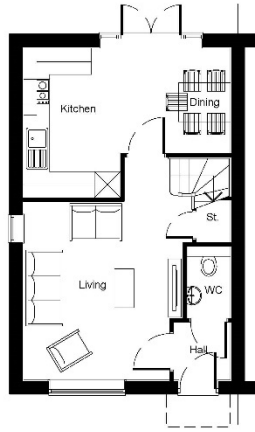
Client: **Bellway**

Project: LAND AT ROTHWELL ROAD, DESBOROUGH

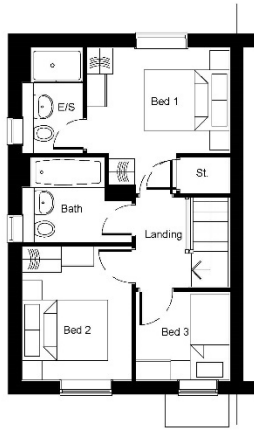
Drawing Title: HOUSE FLOOR PLANS & ELEVATIONS  
 Designer: T. HARRIS  
 PLOTTED 22/04/2022  
 PLOTTED BY: T. HARRIS

**ARCHITECTURE**

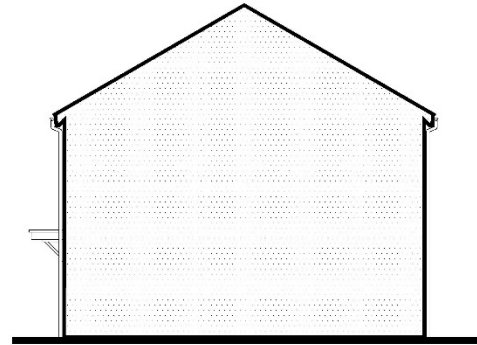
02019 403 77 77 - 10 - A - 0176 105 - P1  
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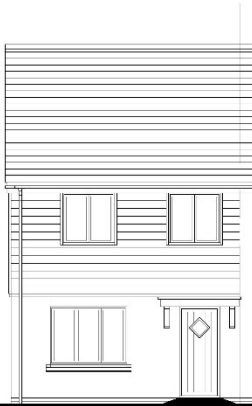
GROUND FLOOR PLAN



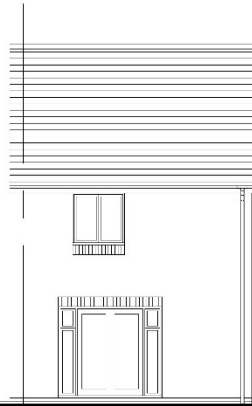
FIRST FLOOR PLAN



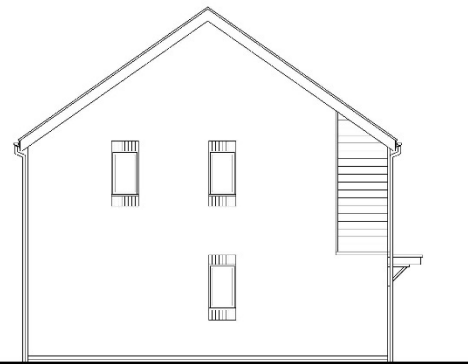
SECTION



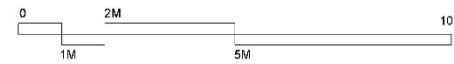
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



**NOTE:**  
The contractor shall verify all dimensions on the site and correct any work on site drawing, on any date from the drawing date.  
**McBains Ltd**

**BY THE ARCHITECT**  
McBains Ltd agrees to prepare or amend drawings with a view to the client's requirements. It is the responsibility of the client to ensure that the drawings are complete and correct. It is the responsibility of the client to provide a full and complete set of drawings to the contractor. Please refer to the contract terms and conditions for further details.

**NOTE:**  
ALL TEST ROOMS & VISITORS WORKS TO HAVE OBTAINED DEAS.  
REFER TO EXTERNAL WATER & GAS FOR SPECIFIC MATERIALS, OR DOORS COLOURS AND DOOR COLOURS

P1 Issued for comment 11-04-2022

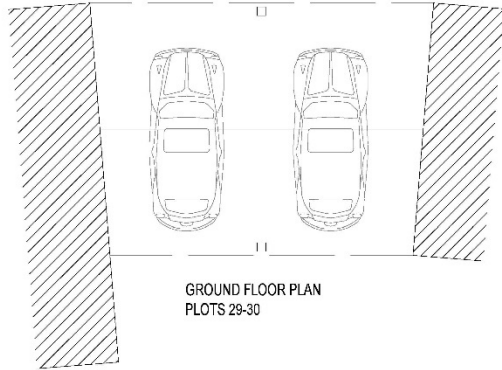
REV	DESCRIPTION	DATE
01	ISSUED FOR COMMENT	11-04-2022

**McBains**  
 McBains Ltd  
 100-1, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 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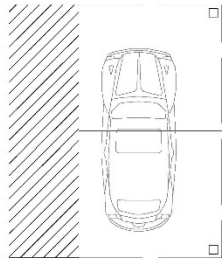




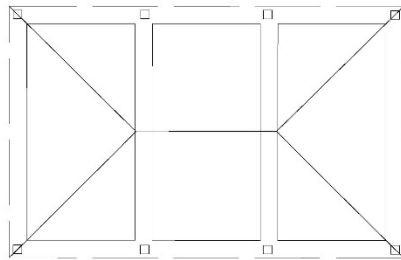




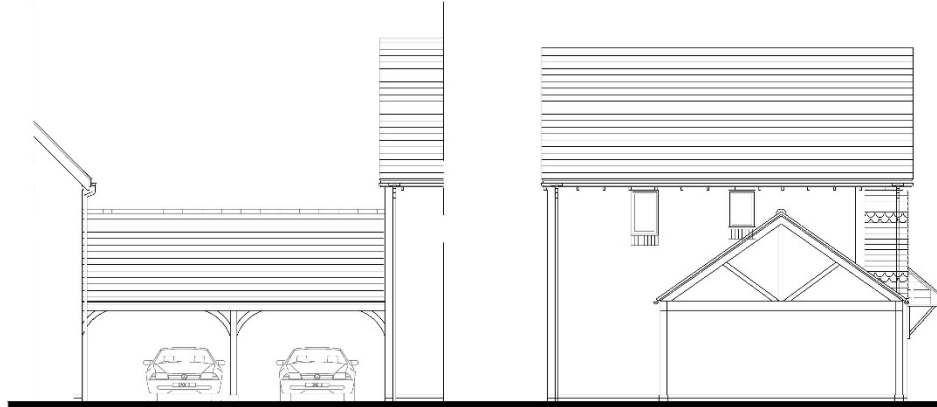
GROUND FLOOR PLAN  
PLOTS 29-30



GROUND FLOOR PLAN  
PLOTS 28

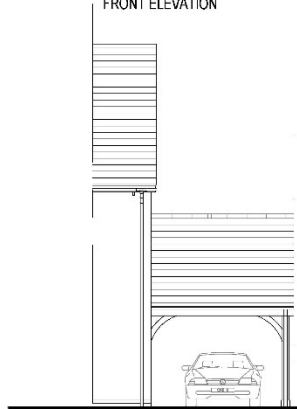


GROUND FLOOR PLAN  
PLOTS 33, 34, 35



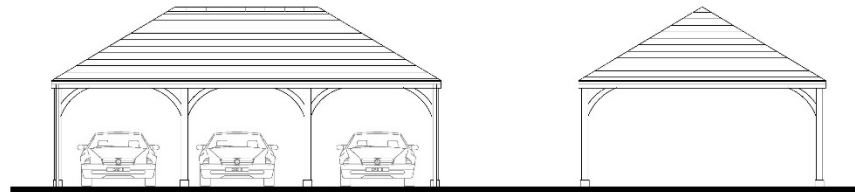
FRONT ELEVATION

SIDE ELEVATION



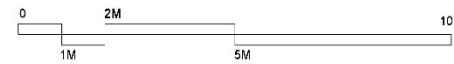
FRONT ELEVATION

SIDE ELEVATION



FRONT ELEVATION

SIDE ELEVATION



**NOTE:**  
The contractor shall verify all dimensions on the site or corresponding any work on site drawing, on any date within drawing validity period.

**BY THE ARCHITECT:**  
McBains Ltd (as agent) of the architect shall not be responsible for any errors or omissions in this drawing or any liability of any kind for any part of it, past or present, arising from any use of this drawing. Please refer to the contract terms and conditions for further details.

**NOTE:**  
ALL TEST ARCHES & VISIT EVIDENCES TO HAVE OBSERVED DEATHS.  
REFER TO EXTERNAL WATER & PLAN FOR SPECIFIC MATERIALS, COLOURS, COLOURS AND DOOR COLOURS.

#1 Issued for comment 11-04-2022

REV	DESCRIPTION	DATE
01	ISSUED FOR COMMENT	11-04-2022

McBains Ltd  
 100-1, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000.

Client:

Project: LAND AT ROTHWELL ROAD, DESBOROUGH

Drawing Title: HOUSE TYPE PLANS & ELEVATIONS CA990PTS

**ARCHITECTURE**

07070 - ARCH - 77 - 77 - 10 - A - 0303 - 105 - P1  
 10/01/2022 - 09:00 - Rev - 001 - 10/01/2022 - 09:00 - 10/01/2022 - 09:00



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## Appeal Decision

Inquiry Held on 31 October, 1 November & 4 December 2017

Site visit made on 1 November 2017

**by Simon Hand MA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 22 December 2017**

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**Appeal Ref: APP/L2820/W/16/3162430**

**Land to the South of Desborough (between Rothwell Road and Sycamore Drive), Desborough, Northamptonshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Central England Co-Operative Ltd against the decision of Kettering Borough Council.
  - The application Ref KET/2016/0044, dated 18 January 2016, was refused by notice dated 26 May 2016.
  - The development proposed is residential development with associated access, infrastructure, public open space, nature areas and surface water management membrane.
- 

### Decision

1. The appeal is allowed and planning permission is granted for residential development with associated access, infrastructure, public open space, nature areas and surface water management membrane at land to the south of Desborough (between Rothwell Road and Sycamore Drive), Desborough, Northamptonshire in accordance with the terms of the application, Ref KET/2016/0044, dated 18 January 2016 subject to the conditions contained in Schedule 1 below.

### Background to the Appeal

2. An outline application was made to develop the site for up to 304 dwellings with associated public open space in January 2016. Officer's recommended it for approval but it was refused by the planning committee in May 2016. Two reasons for refusal were given but one, concerning biodiversity, was withdrawn, leaving only one reason for refusal; that the development would fail to preserve the natural beauty of the area and the character of the landscape. This then is the main issue.

### The Site and the Proposal

3. The southern part of Desborough lies above the valley of the River Ise. Over the years the town has developed southwards towards the Ise. By the 1970s this included filling in the ancient field pattern on the land above the river with houses. This development was rounded off with more modern housing so that today the edge of the built up area is demarcated by the ends of modern housing estate roads. There is a gap between the houses and the river which

can be described as being of two fields in depth on a gently sloping valley side. Open countryside stretches across the southern valley slopes up to the village of Rothwell.

4. The proposal is brought forward by the Central England Co-op who own much of the site, but parts are also owned by the Council and another party. At the western edge of the site a tongue of land extends into the town up to the Parish Church, this land is known as The Damms and there is an important view to and from the Church towards the river valley along The Damms. The proposal reserves this land, which is currently rough grazing, as open space, although housing will intrude into the lower area by the river. This tongue of land reaches down to the river and then the main site opens out to the east. A wide field next to the existing houses will be developed and the adjacent field next to the river will be left as farmland.
5. The site narrows in the centre and here more open space and a playground is proposed. The land to the south, next to the river, is privately owned and outside of the appeal site. It contains a sewage pumping station, access to which is provided through the proposed development. As the site moves east it broadens out and the field next to the existing houses is for more houses with a narrow strip of open space at its southern edge where it runs along the privately owned field. At its eastern end the site is called the Hawthorns and is the location of the former leisure centre, now demolished, and this is proposed to be mostly houses. The field to the south that borders the river is the Tailby Meadows Local Nature Reserve which is not part of the site and is owned by the Council. In essence therefore the proposal is to fill in the fields next to the existing houses with more houses but leave the open land next to the river. Areas of open space, a NEAP and a MUGA are dotted through the site.

### **Policy Matters**

6. The Joint Core Strategy (JCS) was adopted in July 2016, after the committee decided the planning application, and supersedes the then extant North Northamptonshire Core Spatial Strategy. There was no dispute that the relevant policies for this appeal are Policy 3 and 19 of the JCS and the saved Policy 35 from the Local Plan for Kettering Borough (1995).
7. Policy 3 requires that development should be sensitive to its landscape setting and retain and enhance features of landscape importance whilst protecting important views. Policy 19 deals with Green Infrastructure (GI) and in particular (b)(i) which suggests development will not be permitted where it compromises the integrity of the GI corridor and therefore of the overall GI network.
8. Policy 35 states that residential development will normally be permitted within the town boundaries where such development would be compatible with other "*policies and proposals in this Plan*". The town boundary for Desborough at this point runs along the northern bank of the River Ise so the whole site lies within the town.

### *Policy 3*

9. Two technical arguments about policy need to be considered here. Firstly, whether policy 3 refers to valued landscapes as mentioned in paragraph 109 of the NPPF. 109 says that the planning system should enhance the local

environment by “protecting and enhancing valued landscapes”. There is no definition of a valued landscape which tends, therefore, to be determined on a case by case basis. However, the appellant argues that here the JCS is up to date and has been found to be sound and compatible with the NPPF. Policy 3 is where the JCS deals with landscape and so it must incorporate paragraph 109 of the NPPF. So the appellant argues that where policy 3 uses the word “important” this is a local iteration of “valued landscapes”.

10. I cannot agree with this as it seems to me to be reading into policy 3 something that is not there. There is no mention of valued landscapes in policy 3 except in the commentary paragraphs and it cannot simply be assumed that the Council meant the policy itself to include that concept. The JCS does not need to mention every idea in the NPPF and a finding of soundness does not mean that every paragraph from the NPPF is incorporated into the document. In my view policy 3 does not mention valued landscapes, so the Council were correct to consider this issue separately.

#### *Policy 35*

11. Secondly, saved policy 35 clearly supports housing development within town boundaries, but this is not meant to be the end of the matter as the policy allows for other policies in the plan to be taken into account. Presumably this would allow for matters such as residential amenity or impact on listed buildings, or flooding, the list could be extensive, to be taken into account. The appellant argues that as there are no other relevant policies from the 1995 plan that have been saved this caveat is redundant and policy 35 provides a blanket presumption in favour of housing development within town boundaries.
12. I cannot take such a restrictive view of the policy as that. When referring to “this Plan”, I can only assume the authors meant to the development plan, especially as in 1995 the local plan would have been the only plan providing detailed development control advice. But even if I am guilty of reading something into the policy that isn’t there, the wording is only a result of the convoluted evolution of the development plan system over the last 20 years. There can clearly be no presumption in favour of housing development regardless of the consequences, so I do not think the policy overrides all other concerns. It does not “mandate” housing development as the appellant argues.
13. However, as the appellant pointed out, policy 35 has been saved on numerous occasions and no attempt has been made to redraw the town boundary to exclude the appeal site. Even the Neighbourhood Plan leaves the town boundary as it is.

#### *Historically and Visually Important Open Spaces (H&VIOS)*

14. In 2015 the Council carried out an H&VIOS assessment to update the old Local Plan policy 94 which identified Environmentally Important Open Space. The Hawthorns part of the site was discounted as a previously developed site but the central and some of the western parts of the site were considered in detail. They were not considered to be Historically and Visually Important. The land next to the houses was not considered important to the setting of the historic core of the town. The land by the River Ise was attractive but there was nothing in visual or historic terms to make the site of particular significance. However, it was noted that the potential for improving the green infrastructure

of the land by the river should be explored. Consequently the site has recently been examined and found to be not worthy of any particular designation.

15. The latest information from the Neighbourhood Plan is that the Damms should be protected as a HVIOS. However, this area is largely excluded from development in the masterplan for the proposal and is intended to be designated as public open space by the appellant. So whether or not The Damms is designated as a HVIOS has little bearing on the outcome of the appeal.

#### *Previously developed land*

16. The site of the leisure centre is without doubt previously developed land and I saw the overgrown remains of the footprint of the building. The surrounding car parks and hard surfaced court remain and are also previously developed land. The issue in dispute is the playing fields to the west and north of the centre. In my view it was obvious from the site visit they did not appear as natural landscape features but were clearly man made. The field to the north was squared off and had apparently engineered boundaries. The cricket field to the west had an even more artificial appearance as the land had been banked up to the south and cut away to the north to create a level playing field. They could not be mistaken for the fields that surrounded them, and in my view they are clearly man-made features that were closely associated with the former leisure centre and so would have been part of the curtilage of the leisure centre. As such they fall within the definition of previously developed land in the NPPF Annex 2. Although I note the definition states that "*it should not be assumed that the whole of the curtilage should be developed*".
17. The current pumping station lies outside the site, but there was some suggestion that the former sewage works in the field to the north-west of the pumping station might count as previously developed land, but as there is no trace of these works on the ground I consider the rest of the appeal site is not previously developed land.

#### **Housing Land Supply**

18. It is agreed that the Council can show a 5 year supply of housing sites and that paragraph 49 of the NPPF is not engaged. As far as paragraph 14 is concerned there was no dispute that the development plan is up to date and in the "for decision taking" section the first bulletpoint is relevant – "approving development proposals that accord with the development plan without delay".
19. However, this is not the end of the housing land supply issue. The JCS looks ahead to 2031 and in seeking to consider the housing land supply question beyond the first 5 years has identified that Desborough should provide land across the whole plan period for 1360 dwellings. Completions and existing permissions leave 247 to be found, but the Council has added a 10% buffer so there is a residual requirement of 407 dwellings.
20. A considerable amount of work has gone into identifying sites for these 407 dwellings. In 2015 the "Lathams" report carried out work commenting on all the proposed sites. The appeal site was at the time split into three possible development sites which received guarded encouragement from Lathams. There were concerns about the access to the western site and the level of local concerns regarding the sensitivity of the old leisure centre site, but



nevertheless, Lathams put all three sites forward for consideration and noted a masterplan to develop them as one site would be preferable. In November 2016 as part of the Site Specific Part 2 Local Plan Housing Land Allocations report the Council was advised by its officers that sites for 683 houses had been identified in and around Desborough, well in excess of the 407 required. The three sites had by now been amalgamated into DE/210, the current appeal site. The Council had already refused an outline application and officers recognised there were ecology and landscape sensitivities with the site, but recommended it remained in contention. Primarily this was because it would deal with a large proportion of Desborough's housing need which was useful given the uncertainties surrounding a number of the other sites. As the appellant points out, most of the other sites lie outside the town boundary and the appeal site is the only large site left within the development boundary. The appellant argues that it is surely better to develop a site within the town which would significantly reduce the number of sites that will need to come forward in the open countryside, that is, beyond the town boundary.

### *Neighbourhood plan*

21. The Desborough Neighbourhood Plan is also being drawn up, but is at an early stage. Before the Inquiry opened the July 2017 version was the latest draft. This showed DE/210 as a site for housing in Policy 4 but also as a green space to be protected in Policy 3. However, at the Inquiry the latest version of the plan was presented, dated 25 October 2017, which contained a lot more detail on the various housing sites. Now, DE/210 has been discounted due to the strength of local opposition. The plan shows land available for over the 407 units required assuming the sites that the Council previously considered to be questionable due largely to access issues would come forward.
22. The current Inquiry is not the forum for determining Desborough's future housing allocations, but it is perhaps inevitable with the Neighbourhood Plan at an early stage and the Council still considering their future housing options and the Part 2 Local Plan still evolving that local people should argue there are better sites available. However the housing sites argument seems to be going round in circles at the moment, until the sites around Desborough have been subject to more scrutiny it is difficult to say whether DE/210 will be needed or not. The Neighbourhood Plan and the Part 2 Local Plan both attract little weight due to the uncertainties that surround them, but the Neighbourhood Plan is a clear indication of the strength of local feeling, which was also obvious at the Inquiry. Nevertheless, up until the issue of the latest version of the Neighbourhood Plan, the site has always been in contention for housing development and has been favoured by the Council's officers.

### *Conclusions*

23. Taking all this together it is possible to summarise the situation as follows. The site lies within the town boundary where policy 35 supports the development of housing. For a number of years the site has been considered as a potential housing site for Desborough and actively supported by Council Officers. There is sufficient other land for housing in Desborough but enough of that land has uncertainties associated with it to make the appeal site a possible contender. Local residents strongly oppose the development but up until this appeal, what investigations of the landscape character there have been have found it to be

not worthy of any particular designation. Part of the site is previously developed land the re-use of which would be a positive benefit.

### **Landscape Arguments**

24. Much of the Inquiry was taken up with the parties opposing views on the quality of the landscape of the site. This included disagreement on whether the site was a valued landscape in terms of paragraph 109 of the NPPF, whether it was public open space and whether the proposal harmed the green infrastructure corridor. I shall deal with these below.

#### *The Green Infrastructure (GI) corridor*

25. The GI corridor is the subject of policy 19 and is defined in the plan as a wide corridor stretching across Desborough, incorporating much of the built up area of the town and both sides of the Ise valley stretching up towards Rothwell, it is thus a wide corridor that covers a varied quality of landscape. Policy 19 allows development in the corridor as long as its integrity is not compromised. The corridor is so wide and drawn somewhat generally rather than with specific boundaries that it is hard to see how anything other than a large development could threaten to damage its integrity. However, the Council argued that it was like a motorway and blocking or narrowing it would cause harm, and I accept that like the green belt it could be damaged by cumulative proposals.

26. In the location of this appeal, the Ise valley is clearly the key important factor for the GI corridor. Although the valley will be encroached upon, development is kept clear of the river for the entire length of the site. Even if I were to focus solely on the green corridor of the river and its northern bank, I do not think this would be severed or its overall integrity harmed by the development. The fields along the north bank are not to be developed and a clear corridor along the river valley is retained. It follows that the wider GI corridor remains unaffected and the proposal is not contrary to policy 19.

#### *Public Open Space*

27. Mr Dudley, the Council's landscape witness, described the whole site as public open space, but accepted he was using this colloquially to denote that the public accessed the land, not that it was formally designated as public open space.

28. There was some discussion about the site of the leisure centre, which still has signs denoting it as a "Designated Public Space". Information as to what this meant was not easy to come by, but the appellant was able to show it related to an order made by the Council under the Criminal Justice and Police Act (2001) due to anti-social behaviour and excessive drinking. The provision to make such designations was repealed in 2014 so the signs have no force any more.

29. The Council argued that the public were allowed to access the leisure centre site. This takes the form of tolerated trespass and is even encouraged as evidenced by the provision of a dog waste bin. I noticed the Council also obviously maintain the two playing fields by keeping them mowed. To all intents and purposes, the Council argue, the land is treated as if it were public open space.



30. While the appellant may be correct that the strict legal position is that the public are trespassing and could be prosecuted it is difficult to imagine the Council would have any incentive to do so and clearly have not done so up until now. That said this is Council owned land which is currently in limbo as the Council are promoting it for housing. It is understandable that until the position is clarified the Council would let matters rest, but what would happen in the future if the appeal were dismissed is entirely speculative. The status quo might be maintained or a different function for the land might be sought.
31. In my view, apart from the public rights of way across the land there is no legal public right of access, but that nevertheless, the public do enjoy access to the playing fields around the leisure centre which would definitely be lost if the appeal were to be allowed. However, the weight to be given to that loss is reduced by the fact that it is technically trespass and could be withdrawn in the future if different uses for the land were to be found.

### *Valued Landscape*

32. The concept of valued landscapes was introduced by paragraph 109 of the NPPF. There is no definition of what would constitute a valued landscape or how to define one and this has been left to be determined on a case by case basis. However the courts dealt with the matter in the Stroud<sup>1</sup> case. In that case the Inspector found the land in question not to be a valued landscape and the Courts upheld that judgement. In that sense the Court did not define any particular characteristics that a valued landscape should have, but agreed with the Inspector's assessment that as the landscape in question did not have certain characteristics it was reasonable to conclude it was not a valued landscape. The site was popular, crossed by three rights of way and the proposed development would interrupt views of the adjacent AONB, but none of this was sufficient to deem it to be a valued landscape. The Inspector concluded that nothing took the site out of the ordinary and there had been no demonstrated physical attributes to make it valued. The Court concluded this was a perfectly reasonable position to take.
33. I think this judgement is much more helpful than the appellant would have me believe as it introduces the idea of a valued landscape being somewhat out of the ordinary, not just "*mere countryside*". What would take it out of the ordinary could be physical characteristics, of which there were none in the Stroud case, or other matters, which brings me to Box 5.1.
34. This box is contained in GLVIA3<sup>2</sup> and is headed "*Range of factors that can help in the identification of valued landscapes*". The appellant points out this box is not expressly related to the NPPF but in my experience it is generally used as a guide to help identify a valued landscape. In my view Box 5.1 which talks of landscape and scenic quality, rarity, representativeness, conservation, recreation, perception and associations, helpfully fleshes out the sort of characteristics that would take a site out of the ordinary. Mr Dudley use Box 5.1 in his landscape analysis and concludes the site is a valued landscape, Ms Tinckler, acting for the appellant, disagrees with this approach, but in essence she accepted that Box 5.1 was a starting point that needed to be extended by one's own fine-grain analysis and I do not think is particularly controversial. However, a stark difference between the two expert witnesses arose from their

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<sup>1</sup> Stroud DC v SSE [2015] EWHC 488

<sup>2</sup> Guidance for Landscape and Visual Impact Assessment Third Edition

idea of which landscape character should be the starting point, and this underpins the approach of both sides to the quality of the landscape in general.

*Landscape character areas*

35. Northamptonshire has the benefit of a county wide Landscape Character Assessment. Desborough lies partly within the Rolling Ironstone Valley Slopes landscape type to the south and Wooded Clay Plateau to the north. Urban areas are noted in grey and not included in the landscape assessments. The map showing these landscape types is included in the JCS at figure 13. Even at the small scale of the JCS it is clear that the grey area outlining Desborough follows the town boundary in the south and so the appeal site falls within the urban category. The boundary with the Rolling Ironstone Slopes is the River Ise, and the sub category of the landscape type on the southern side of the river is 4f Kettering and Wellingborough Slopes.
36. This is important because Ms Tinckler starts from the premise that the site is within the urban area and that, by definition, it has a lower value than land in the countryside. Mr Dudley argues that the boundaries between landscape types and character areas are not hard and fast. Inevitably there will be places on the ground where following the sort of detailed analysis such as engendered by this appeal it becomes clear that a particular site has the characteristics of a neighbouring type rather than the category in which it has been placed. Ms Tinckler argued that as a matter of principle one could not look beyond the boundaries as they were shown on the maps, they were in effect set in stone.
37. I wasn't pointed to any document that stated the landscape boundaries were sacrosanct, it seemed to be Ms Tinckler's opinion. I accept that the boundaries are the result of careful thought and detailed analysis as shown in the assessment of the various sub categories of the Rolling Ironstone Valley Slopes. They should not therefore be set aside lightly. But I find it impossible to imagine that every boundary is exactly correct and there is no room for experts to argue that the characteristics of one area might bleed across to another area in a particular location. I find this particularly true of the urban areas especially as the southern border of Desborough simply follows the town boundary of many years standing. The fields in the centre and west of the proposed development, and Tailby Meadow LNR (also included within the town boundary) are self-evidently countryside not urban. It is entirely possible they could have all or some of the characteristics of Area 4f and that it would be reasonable to start ones analysis of impacts on that basis.

*The landscape character evidence*

38. Mr Dudley sets out the reasons he considers the appeal site has similar characteristics as Area 4f which I find to be convincing. However, as Ms Tinckler points out, this is a fairly broad brush approach. She finds the site to be appropriately located within the urban area not just because of the map, but because it has the characteristics of an urban fringe location; the suburban boundaries, demolished leisure centre, unmanaged grazing fields etc. That this is also convincing suggests to me the land between the river and the built up edge of Desborough has at least two characteristics. That by the river is clearly part of the valley of the Ise, which does seem to have characteristics of Area 4f, channelled views, arable fields, semi-improved pasture, well treed etc, while the fields next to the urban edge are more degraded and more closely affected by urbanising influences identified by Ms Tinckler.

39. A lot of effort has gone into producing two contradictory Landscape Visual Impact Assessments but in the end the issues are quite straightforward and as outlined by Mr Dudley. The Ise valley retains a distinct character which occupies a naturalistic corridor framed by the gently sloping valley slides, crowned to the north by the urban edge of Desborough. There are channelled views along the valley and opportunities to experience it from the rights of way that cross the fields from west to east. At the western end the views of the church and its spire along the Damms are of a high quality.
40. In my view much of what Mr Dudley identifies is positive in landscape terms will not be harmed by the development. The river valley will remain untouched and will still contain channelled views. It will still be a naturalistic corridor and still retain gently sloping valley slides crowned to the north by the urban edge of Desborough, albeit closer. I accept the valley will be narrowed as the houses creep closer to the river and this will reduce somewhat the value of these positive attributes, but much of this will depend on the quality of the built development and the proposed landscaping. I agree with the appellant (and the Council's Officers) that the current urban edge is unplanned and untidy. It looks like a typical suburban edge to a town that has been left somewhat ragged by the developers perhaps with half an eye on possible future developments such as that proposed here. It consists of a series of very ordinary culs-de-sac where the back gardens that largely border the site have a variety of boundary finishes. The housing as a whole turns its back on the valley. A properly planned housing development with a good quality landscaped edge as proposed by the appellant could improve the urban edge and so undo some of the negative elements that the simple fact of building houses on the land will occasion.
41. It follows from the above discussion that I do not consider the site as a whole to be a valued landscape in NPPF terms. Part of the site may well be representative of the 4f Character Area and has some value in recreational terms because of the footpaths. It may also be a pleasant experience walking along the paths and the views down the valley are certainly attractive but none of this suggests to me there is anything unusual or out of the ordinary about the landscape. I have no doubt that a pleasant countryside walk can be had in many parts of the Borough but that does not make the associated landscapes to be valued landscapes. I can fully understand why local residents attach considerable value to the land, but mere popularity is not sufficient so I do not consider the site to be part of a valued landscape.

#### *Rights of way*

42. It is important to consider the rights of way in some detail as these provide the main means of accessing the site and give the local residents the opportunity to sample the pleasures of the Ise Valley. That these are well used is not disputed and I heard first-hand accounts of the value placed on them by local residents. Management of the Tailby Meadows LNR is disputed in the sense that the appellant argues that restricting access would be beneficial but others dispute this. In any event this is not part of the site and so access to the LNR is a matter for future discussion and need not change. The paths across the site have recently been formalised as rights of way. The main path runs north-south down the Damms, and then turns east-west across the edge of the existing houses and into the main westerly field of the site that will be developed. The path then runs into the central section which is to be left open

and splits into two, both parts crossing the middle field parallel to each other (with a link into the existing housing) meeting up at the corner of the LNR and continuing along its northern boundary (the southern boundary of the cricket pitch) with links into the leisure centre providing access back into the housing. It carries on around the edge of the LNR across a bridge over the Ise and then eastwards along the river into the countryside.

43. There was some discussion as to whether the experience of walking through a housing state as opposed to across a field would be better or worse. I accept that hard surfacing would make the route more accessible, but there is no shortage of pavements to walk on in Desborough and clearly, in my view, the loss of the experience of walking through the valley would be negative. However, that is not the end of the matter. The masterplan which shows the rights of way diverted, suggests footpaths will run along the southern part of the development through the landscaped buffers that are proposed. These should therefore still offer views across the valley from outside of the houses, although with them closer to the paths than currently. Thus the quality of the experience of walkers will be reduced, but not removed altogether.

#### *Landscape conclusions*

44. In my view the site is not a valued landscape in terms of paragraph 109 of the NPPF, but still has certain characteristics that are worth protecting. In particular the river valley is a pleasant place to walk and acts as a wildlife corridor. The proposed development would be likely to cause some harm to the experience of the valley as houses would encroach further down the slope towards the river, but this would be partially offset by the opportunity to provide a well designed and defensible edge to the town and a landscaped buffer to the river. The experience of using the footpaths across the site would be degraded, but there are opportunities to ensure the valley can still be enjoyed from new or re-routed paths along the edge of the development. There would be the loss of access to the former leisure centre site, although this is currently an informal access and not a right. On the other hand there would be an increase in actual public open space with the central landscaped section of the site a MUGA, a NEAP, the landscaped buffers and the land in the Damms which represents an overall improvement.
45. I consider therefore that while there would be some harm to the landscape of the river valley much of this would or could be offset by good design and landscaping, while there are positive landscape benefits in terms of public open space. I think therefore the impact on policy 3 would be broadly neutral and so the proposed development would not be contrary to that policy. I do not consider there will be any harm to the integrity of the GI corridor and so the proposal is in conformity with policy 19.

#### **Other Matters**

46. I heard a considerable amount of evidence from local residents who had strongly held views about the development of the site, and I was even given poetry written by one resident about the Ise valley. The essence of their landscape arguments are dealt with above. In addition there were concerns about flooding, highways and accessibility. However, the appeal is accompanied by a flood risk assessment which shows the built up areas will all be in Flood Zone 1 where there is little risk of flooding and the use of green spaces will help alleviate any surface water impacts. The photographs show

flooding in the valley but they also show the undeveloped land acting as a flood plain, which it will still be able to do. Conditions would be attached to deal with any flooding and drainage issues.

47. On highways, the Highway Authority are content with the various access points. While this might make some of the approach roads busier that is not a reason to object to the scheme. There was some discussion about the proposed link road for Rothwell, that the development should not be begun until that road is opened. As the appellant points out the enabling development for the link road has stalled and it is unreasonable to hold up the appeal proposal indefinitely when there has been no specific objection from the Highway Authority.
48. The site is not very close to facilities, but parts of the site are within the recommended walking distances in Manual for Streets. In any event it is not a requirement that every new house is a walkable distance from a school and a shop, the NPPF requires people are given a real choice about how they travel. Some can walk, many will be able to cycle and there will also be bus routes in the vicinity. Given that most new development will inevitably have to be on the edges of the town it seems to me this site is locationally sustainable.

#### *Willowbrook Stud Farm*

49. This appeal decision<sup>3</sup> was issued in June 2017 and refused planning permission for up to 147 houses on land to the east of the current appeal site. A challenge by the appellant was not given leave to proceed. I was encouraged to follow the Inspector's lead and similarly find the current appeal proposal to be unacceptable. Indeed it was argued for the Council that the appeals were so similar it was an important matter of administrative consistency they should have the same outcome.
50. The Inspector found that the Council did have a 5 year supply of land, the site was sustainably located, it would not harm the GI corridor but it would harm the landscape. However, when considering the landscape the Inspector found the site to be beyond a tributary of the Ise which formed a natural boundary to the town and the development would be an incursion into the valley landscape, harming views. Although, as the Council pointed out, the fact that the site was outside the settlement boundary was not a part of their case, the fact that it lay in open countryside and breached the natural edge of the settlement clearly weighed with the Inspector. These are all different issues than were raised in the current appeal, where the land has long been considered to be a potential housing site and where there is a neutral impact on the landscape.

### **The Planning Balance**

51. Although there will be minor harms to the landscape and the quality of public access to the Ise Valley these are offset by improvements to the built edge of Desborough, provision of walking and cycling along the edge of the proposal and better public open space. There is therefore no conflict with policy 3. The GI corridor will be preserved and the proposal would be in accord with policy 19. Policy 35 encourages housing development on the site assuming no conflict with other policies, which there is not. Consequently, the proposed

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<sup>3</sup> APP/L2820/W/16/3149835



development is in accord with the development plan and according to paragraph 14 of the NPPF should be approved without delay.

52. In addition the development would provide much needed affordable housing and a minor economic boost to the locality through building work and an apprenticeship scheme that can be secured by condition as well as more spending in the local community. It would also encourage the reuse of previously developed land. Finally, development of the site will reduce pressure on other sites outside of the settlement boundary in Desborough when considering the longer term housing needs of the area. Subject to the conditions and s106 unilateral undertaking discussed below I shall allow the appeal.

### **Conditions and S106 Undertaking**

53. The application is in outline and a number of matters have been promised in order to resolve potential issues with the proposed development. Conditions dealing with remediation of the site are important, particularly because of the possible presence of the remains of sewerage works on part of the land and the old leisure centre. A design code is required to control building types, boundary treatments etc as a high quality of design is important to realise the benefit of an improved urban edge to the town. The maximum capacity of the site is 304 dwellings. The long term management of the LNR should also be secured and a lighting strategy to mitigate any potential ecological harm should be agreed. Parts of the site are likely to yield archaeological remains and a programme of archaeological work should be secured. The development should be carried out in accordance with the flood risk assessment and a surface and foul water strategy needs to be agreed.
54. A construction method statement is needed as the approach to the site will be close to existing houses and ecological and GI management plans need to be agreed as well as bat surveys and boxes and badger protection. The Access to the site needs to be limited to the agreed roads and offsite highway works need to be secured by a Grampian condition. A tree and hedgerow retention and landscape plan should be agreed along with a landscape management plan as landscape will be an important feature of the development. Finally a condition to secure a local apprenticeship scheme is needed. I consider that the simpler version suggested will suffice as the details of the scheme can be agreed in the required statement.
55. At the Inquiry a unilateral undertaking was offered by the appellants to secure various payments to the Council. A CIL compliance schedule was provided but the appellants were concerned that there was insufficient connection between the matters being funded and the development itself in three instances; contributions for secondary schools, the town centre and public transport. Further time was allowed for the Council to provide an updated CIL statement.
56. The advice I have received concerning secondary education is that by 2018/19 when allowing for natural growth (3 year population trends and birth rate), all the secondary schools in the Borough will be full. Given the number of new housing developments already with planning permission these numbers will increase significantly. It is clear therefore that extra space, which is to be created at Montsaye CC, is directly related to the new housing developments in the area of which this will be one.

57. The rather vague comment concerning the Town Centre Environmental Contribution (TCET) that improvements are required in the town centre has been developed by the provision of a list from the town council. These include various improvements and regeneration projects that will benefit all the residents of Desborough including those in the new development. However, there is no suggestion that any of the projects is actually required to deal with or accommodate an increase in the population caused by the proposal. I note the Town Centre Regeneration Contribution in the undertaking itself is directed towards additional car parking, and I assume this is the same as the TCET. If so none of the projects identified in the list appear to be for the expansion of any car parks. These seem to me to be very generalised benefits which do not relate directly to the proposed development.
58. Finally the transport contribution would help fund 2 new bus stops on the B576 to ensure that all the proposed houses would be within 400m of a bus stop; to link the proposed cycleways and footpaths to be provided in the development with the existing network; and to upgrade the pedestrian link from the development to the town centre which is the most obvious pedestrian route for residents. These all seem to me to be directly related to the development.
59. The other matters in the undertaking are contributions for open space, allotments, healthcare, primary education, a travel plan and bus pass, cycleways and footpaths, improvements to the pitch and facilities at the Dunkirk recreation ground and 30% affordable housing. There is no dispute and I agree, that these are all directly linked to the development.
60. Paragraph 4 of the undertaking requires that I expressly find that each element of the undertaking is in accordance with Regulation 122(2) of the CIL regulations otherwise it will have no effect and will be unenforceable. Consequently, this paragraph is confirmation that I find each element in the s106 Unilateral Undertaking dated 15 December 2017 is compliant with the CIL regulations apart from the Town Centre Regeneration Contribution.

*Simon Hand*

Inspector

## **APPEARANCES**

### FOR THE LOCAL PLANNING AUTHORITY:

Killian Garvey of counsel

He called

Ian Dudley – landscape witness

Andrew Smith – planning witness

### FOR THE APPELLANT:

Christian Zwart of counsel

He called

Carly Tinkler – landscape witness

William Charlton – planning witness

### INTERESTED PERSONS:

Helen Wood

Cllr Jane Pearce

Cllr Jim Hakewill

John Evans

Andy Phippen

John Roe

Alan Mayes – CPRE

Kevin O'Brien (also on behalf of Mr Conaty

Angela Read

Robert Martin



## DOCUMENTS

- 1 CIL compliance statement
- 2 Speaking notes for Cllr Jane Pearce and updated Neighbourhood Plan policies
- 3 Appellant's opening submissions
- 4 Bundle of papers from appellant
- 5 Photographs and maps provided by Andy Phippen and John Roe
- 6 Speaking notes for Alan Mayes
- 7 Speaking notes for Robert Martin
- 8 Speaking notes for Angela Read
- 9 Suggested conditions
- 10 Revised map of photograph locations for Mr Dudley's LVIA
- 11 Character Area profiles
- 12 October 2017 draft of Neighbourhood Plan
- 13 Written comments from Kevin O'Brien and Mr Conaty
- 14 Pages from the Joint Core Strategy
- 15 Box 5.1
- 16 County Council evidence concerning the Rothwell North link road
- 17 Appeal decision letter concerning valued landscapes
- 18 Letter from Kettering Borough Council updating the reasons for refusal
- 18a Appellant's rebuttal proof for day 3
- 19 Extract from the History of Desborough
- 20 Poetry on the Ise Valley
- 21 Gladman v SSE and Kettering Borough Council
- 22 Various documents from local residents
- 23 Aerial photograph of site showing leisure centre
- 24 Unilateral undertaking
- 25 Draft conditions for apprenticeship scheme
- 26 Late representations from Angela Read
- 27 Council's closing submissions
- 28 Transcripts of various high court cases provided by appellant
- 29 Appellant's closings
- 30 Alleged curtilage of the leisure centre
- 31 Tables comparing the opposing views of the landscape
- 32 Revised unilateral undertaking
- 33 Revised CIL compliance schedule

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## Schedule 1

These are the conditions referred to in referred to in my decision

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1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part D has been complied with in relation to that contamination.

### A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, - groundwaters and surface waters, ecological systems, - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification)'.

#### B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part C.

6. No reserved matters applications shall be submitted unless or until a Design Code for the site has been first submitted to and approved in writing by the Local Planning Authority. The Design Code shall set out principles and means to achieve them, and include mandatory coding relating to all these relevant matters: character areas; public realm strategy; movement network; GI Strategy; building typologies; boundary treatments; building heights, detailing and materials; open spaces, landscape and SUDS; hardstanding and surfacing; environmental standards; and implementation.
7. Any subsequent reserved matters applications shall be in complete accordance with the approved Design Code (as required by condition 6) and shall be

accompanied by a written statement of conformity to the design code that demonstrates how this is the case.

8. The development shall be limited to a maximum of 304 dwellings.
9. An access management plan detailing the long-term management of the adjacent Local Nature Reserve, known at the Tailby Meadow shall be submitted to and approved by the Local Planning Authority no later than the first submission of any reserved matters application. The management plan shall include results of a visitor survey, proposed access management measures, implementation and monitoring programmes. The plan shall be implemented exactly in accordance with the approved details.
10. Prior to occupation of any of the dwellings hereby approved, an assessment of the lighting strategy design for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and, b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.
11. No development shall take place until the applicant 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 by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme of investigation approved pursuant to this condition.
12. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) December 2015, reference number: SHF.1209.001.HY.R.01.B, Letter dated 1 April 2016, reference SHF.1209.001.HY.L.01.A and the following mitigation measures detailed within the FRA: Finished floor levels are set no lower than 150mm above Ordnance Datum (AOD): No development within flood zone 3 as identified on drawing number SHF.1209.001.HY.D.004.2.A  
  
These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing /phasing arrangements outlined within the approved details.
13. Any subsequent reserved matters application shall be accompanied by a written statement of conformity to the approved Flood Risk Assessment (FRA) prepared by Enzygo Ltd dated December 2015. Prior to construction of any of the dwellings hereby approved, an update to the FRA shall be submitted to and approved in writing by the Local Planning Authority outlining full drainage details and any further works required. The development shall be carried out in accordance with the approved details.

14. No development shall commence on site until a detailed surface water drainage scheme, based on sustainable drainage principles and an assessment of hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
15. No development shall commence unless or until a scheme for the maintenance of the surface water drainage system proposed on site has been submitted to and approved in writing by the Local Planning Authority. The development shall be maintained in accordance with the approved details.
16. No development shall commence until a foul water strategy 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 foul water strategy as approved.
17. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved Statement 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.
18. Before development commences a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved by the Local Planning Authority. Once approved the scheme shall be implemented prior to the occupation of the residential units affected and thereafter maintained in the approved state. No alterations shall be made including roof, doors, windows and external facades, layout of the units or noise barriers without the prior written approval of the Local Planning Authority.
19. Prior to the submission of any reserved matters application the following strategies shall be submitted to and approved in writing by the Local Planning Authority:
  - An outline Construction Ecological Management Plan
  - A strategic Landscape and Ecological Management Plan
  - A Green Infrastructure Strategy
  - A Sustainable Urban Drainage Strategy
  - An update to the Ecological Assessment submitted, the scope of which to be first submitted to and approved in writing by the Local Planning Authority and shall include an updated surveys for crayfish and otters;Any subsequent reserved matters applications shall be in complete accordance with the details contained in the approved strategies. Any measures of mitigation or ecological enhancement shall be carried out in complete accordance with the approved strategies.
20. An updated bat survey shall be submitted to and approved in writing by the Local Planning Authority prior to the submission of any reserved matters application. The development shall accord with the approved recommendations

and mitigation measures, as set out in a strategy based on the findings of the bat survey work undertaken.

21. Prior to first occupation of any of the dwellings hereby permitted, a scheme for the provision of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed in complete accordance with the approved details.
22. The measures to protect badgers as outlined on Page 23, Section 6.4 of the submitted Preliminary Ecological Assessment report number RT-MME-119581-01 dated July 2015 and those outlined on page 28, Section 7.1 of the submitted Outline Ecological Mitigation Strategy report number RT-MME-120106-06 dated January 2016 both received on 19/01/2016 shall be carried out exactly as stated within these approved documents.
23. The access to the site hereby approved shall only be constructed in accordance with the following approved plans: - B576/Rothwell Road access shall be constructed in accordance with drawing reference 210076-01c received 06/05/2016; and - Sycamore Drive access shall be constructed in accordance with drawing reference 210076-02 received on 06/05/2016.

Any amendment to these plans shall first be submitted to and approved in writing by the Local Planning Authority.

24. Prior to submission of any reserved matters application, plans showing necessary off-site highways works including: - Mitigation works on the Lower Street/B576 Rothwell Road junction (ghost island right turn lane) - A cycle lane link from the access on the B576 to the site to where this meets the existing cycle path at the River Ise Bridge going south to Rothwell; shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out prior to the occupation of any dwellings hereby approved.

Further assessment of the following junctions shall be carried out prior to submission of any reserved matters application: - The mitigation measures on the junction of Gold St/Rothwell Road/High St (signalised junction); - Mitigation works on the junction the B576/Greening Road (Signalised Junction). Any necessary offsite works identified by this assessment shall be undertaken in accordance with detailed plans of the works which shall first be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

25. Prior to submission of any reserved matters application a tree and hedgerow retention plan shall be submitted to and approved in writing by the Local Planning Authority. Trees and hedgerows shall be retained in accordance with the approved details.
26. Prior to first occupation of the development a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees, hedgerows and shrubs to be planted, the layout, contouring and surfacing of all open space areas shall be submitted to and approved by the Local Planning Authority. The works approved shall be carried out in the first planting and seeding seasons following the occupation of any of the dwellings hereby approved, unless these works are carried out earlier. Any trees or plants which, within a period of 8 years from the date of planting, die,

are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

27. Prior to first occupation of any of the dwellings hereby permitted a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately-owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.
28. No development shall take place, including any works of demolition, until a Construction Employment Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide details of the minimum total of new entrant person weeks of employment per £1 million spent on the construction of the site; the local area of residence of new entrants and the definition of new entrants. The development shall be implemented in accordance with the approved details.

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### 2.3 Regulating Plan

The regulating plan sets out the essential network of streets and spaces across the site. These include the interconnected series of green spaces, play spaces and water systems linking heritage assets to the north west with the Nature Reserve to the south east.

New development is to be delivered in accordance with the regulating plan.

- Red Line Boundary 
- Gateway Access 
- Controlled Access 
- New Development 
- Open Space 
- Play Area 
- SuDs 
- Primary Road 
- Secondary Road 
- Public Footpath 
- Watercourse 
- Watercourse - Culvert 
- Swale 



Figure 02 : Regulating Plan



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Figure 03 : Regulating Plan - Alternative Access



to the development securing access from Sycamore Drive. In this situation the north east area of the development would be connected to the existing road network using this gateway.



## Arboricultural Impact Assessment

### Land off Rothwell Road, Desborough

*On behalf of*

**Bellway**

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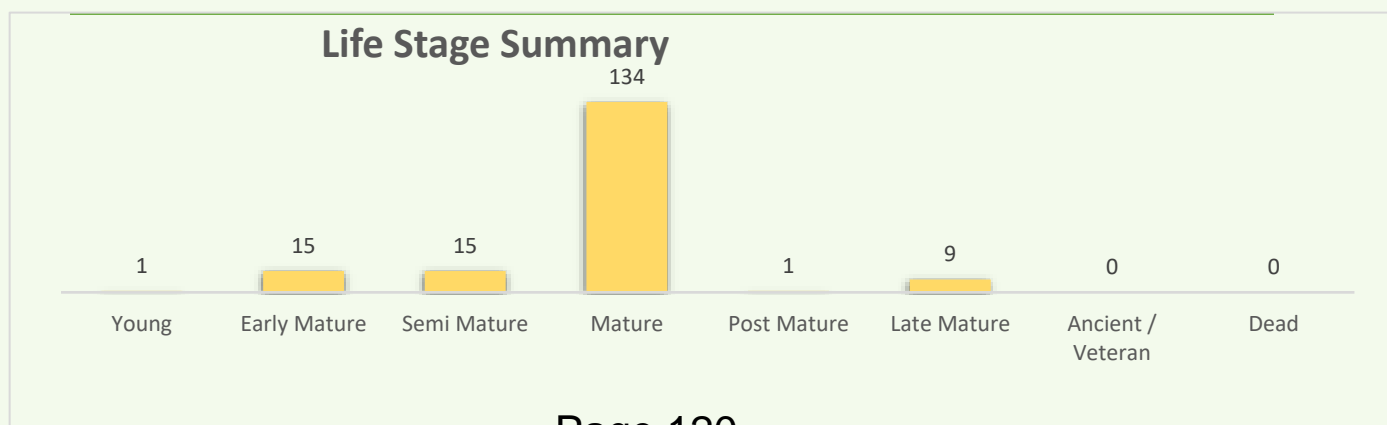


## Executive summary

An arboricultural survey has been carried out, and this report prepared to support a planning application at Land off Rothwell Road, Desborough.

1. Details of all trees forming the survey can be found in Appendix 3, including specific comments in relation to their condition and quality.
2. The area subject to survey includes 116 individual trees, 17 groups of trees and 42 hedges.
3. The proposed layout will require the removal of 8 individual trees, 2 groups of trees and 5 hedges. The proposed layout will require the part removal of 8 hedges.
4. The Root Protection Areas of trees T27, T31, T32, T39, T40, T41, T43, T46, T49, T58, T59, T73, T75, T85, T95, T112, T114 and T115 will be incurred into by the design layout. Root investigations will be carried out under arboricultural supervision before the commencement of works in order to confirm if roots are present at these locations, with a view to minor root pruning, if necessary. If significant roots are identified at this location, then alternative 'no-dig' design solutions such as a cellular confinement system will be required (see Appendix 6 for methods of work close to trees).
5. Provided precautions to protect the retained trees are specified and implemented through the measures included in this report, the development proposal will have minimal impact on the retained trees or their wider contribution to amenity and character.
6. If the recommendations made within this report are followed, the development will be achievable in arboricultural terms and should be acceptable to the Local Planning Authority.

<u>Tree Survey Summary</u>	<b>A</b>	<b>B</b>	<b>C</b>	<b>U</b>	<b>TOTAL</b>
<b>Trees</b>	4	40	59	13	<b>116</b>
<b>Groups</b>	0	4	13	0	<b>17</b>
<b>Woodlands</b>	0	0	0	0	<b>0</b>
<b>Hedges</b>	0	13	29	0	<b>42</b>
<b>Scrub/Shrubs</b>	0	0	0	0	<b>0</b>
<b>TOTAL</b>	<b>4</b>	<b>57</b>	<b>101</b>	<b>13</b>	<b>175</b>



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## **1.0 Introduction**

### **1.1 Instruction**

Southern Ecological Solutions Ltd. has been instructed to produce an Arboricultural Impact Assessment in support of a planning application at Land off Rothwell Road, Desborough. It has been produced in accordance with the principles of British Standard *BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations* and includes the following information to accompany a planning application:

- *details of significant trees including an assessment of condition using BS 5837 categorisation;*
- *a plan showing tree survey information, retention categorisation and root protection areas;*
- *an assessment of the impact of the proposal on trees, any wider impact on the local amenity and any impact trees may have on the proposed development;*
- *a preliminary arboricultural method statement dealing with the protection and management of the trees to be retained;*
- *a schedule of tree works to facilitate construction.*

### **1.2 Scope and purpose of this report**

This report covers trees within the site boundary and its immediate proximity. It is concerned with the impact the development may have on trees, and the effect retained trees may have on the development. Its purpose is to allow the Local Planning Authority to assess the tree information as part of the planning submission.

## 2.0 Site Visit and Observations

### 2.1 Site visit

A site visit was undertaken on the 27th March 2021 by Phil Barwell of Southern Ecological Solutions. The weather conditions were clear and dry.

### 2.2 The subject trees

The area subject to survey includes 116 individual trees, 17 groups of trees and 42 hedges.

All trees were categorised in accordance with Section 4.5 and Table 1 of BS5837.

**Table 1 BS5837 Categorisation Summary**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>U</b>	<b>TOTAL</b>
<b>Trees</b>	4	40	59	13	<b>116</b>
<b>Groups</b>	0	4	13	0	<b>17</b>
<b>Woodlands</b>	0	0	0	0	<b>0</b>
<b>Hedges</b>	0	13	29	0	<b>42</b>
<b>Scrub/Shrubs</b>	0	0	0	0	<b>0</b>
<b>TOTAL</b>	<b>4</b>	<b>57</b>	<b>101</b>	<b>13</b>	<b>175</b>

## 3.0 Arboricultural Impact Assessment

### 3.1 Summary of the impact on trees

Development can adversely impact on trees by causing them to be removed to facilitate the development, or in the future, by adversely affecting their potential for retention through a disturbance in Root Protection Areas (RPAs)<sup>1</sup> or through post development pressures to prune or remove.

At the design stage, disturbance within the RPA should be avoided. If unavoidable, (which may need demonstrating), consideration must be given to any construction activity such as demolition, including removal of existing hard surfaces, changing soil levels and the provision of services where within RPAs, as well as new surfaces and structures.

Construction of hard surfaces and other construction may be acceptable within RPAs providing specialist methods of design and construction are used. This will often result in the use of minimal or no-dig methods which result in higher finished levels which must be allowed for during design due to the effect on access thresholds and structure heights etc.

The ability of trees to tolerate some disturbance depends on individual circumstances including prevailing site conditions, tree species, age and condition and this will be assessed by the project arboriculturist.

Protection measures, usually a combination of barriers and ground protection, must be in place before any works (including site clearance) begin, and stay in place for as long as a risk of damage remains (please refer to the Tree Protection Plan - TPP). The protection of trees must take account of the buildability of the proposal, including services, and ensure that all activities, such as storage of materials, parking and the use of plant and vehicles, can be accommodated outside of RPAs. Particular care and planning are necessary for the operation of excavators, lifting machinery and cranes to ensure all vehicle movement and lifting operations will not impact on retained trees.

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<sup>1</sup> Root Protection Area (RPA) - A layout design tool indicating the minimum area surrounding the tree that contains sufficient rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority. Assessed according to the recommendations set out in clause 4.6 of BS 5837. It is calculated by multiplying the radius squared by 3.142. Clause 4.6.2 of BS 5837 states that the RPA may be changed in shape, considering local site factors, species tolerance, condition and root morphology.



### 3.2 Tree protection plan (TPP)

Trees to be retained are coloured coded based on their tree category, whilst trees required for removal to facilitate the development have red hatch lines inside a red circle representing the tree crown spread. Tree protection is shown as barriers and/or ground protection defining the Construction Exclusion Zone (CEZ)<sup>2</sup>, and any areas requiring non-standard methods of demolition or construction are shown.

### 3.3 Trees to be removed

The proposed layout will require the removal of 8 individual trees, 2 groups of trees and 5 hedges. The proposed layout will require the part removal of 8 hedges.

**Table 2 Tree removal summary**

Removal		TOTAL	Part removal		TOTAL
Trees	T47, T50, T53, T57, T62, T86, T91 and T92,	8	Trees		0
Groups	G44G88	2	Groups		0
Woodlands		0	Woodlands		0
Hedges	H36, H90, H98, H107 and H135	5	Hedges	H45, H52, H55, H64, H84, H87, H113 and H123	8
Shrubs		0	Shrubs		0

### 3.4 Trees to be pruned

Facilitation crown cutback pruning works will be required for G30, T33, T39, T40, H42, T43, T95, T99 and H128

Opportunities for remedial pruning works to low crowns etc. can be identified at later stages in the development process where deemed appropriate. A full Arboricultural Method Statement (AMS) can be produced detailing any pruning works required to accommodate the proposed design layout and/or for access around the site from canopy obstruction. All tree pruning/felling work to facilitate the development can be found in Appendix 7.

<sup>2</sup> Construction Exclusion Zone. An area based on the RPA in m<sup>2</sup> identified by an arboriculturist, to be protected during development, including demolition and construction work, by the use of barriers and/or ground protection fit for purpose to ensure the successful long-term retention of a tree.

### **3.5 Root protection area incursions**

The Root Protection Areas of trees T27, T31, T32, T39, T40, T41, T43, T46, T49, T58, T59, T73, T75, T85, T95, T112, T114 and T115 will be incurred into by the design layout. Root investigations will be carried out under arboricultural supervision before the commencement of works in order to confirm if roots are present at these locations, with a view to minor root pruning, if necessary. If significant roots are identified at this location, then alternative 'no-dig' design solutions such as a cellular confinement system will be required (see Appendix 6 for methods of work close to trees).

## **4.0 Preliminary Arboricultural Method Statement**

### **4.1 Introduction**

This section is a preliminary arboricultural method statement specifying the methodology to be used for the protection of trees and works close to trees that have the potential to result in the loss of or damage to a tree. It includes details of site management and supervision required for successful tree retention.

### **4.2 Site clearance**

Damage can easily be caused to trees to be retained during initial site clearance. Therefore, tree protection barriers must be in place before site clearance to protect retained trees identified in Appendix 3.

### **4.3 Site and fuel storage, cement mixing and washing points**

All site storage areas, cement mixing and washing points for equipment and vehicles and fuel storage must be outside RPAs. No discharge of potential contaminants will occur within 10 m of a retained tree stem or where there is a risk of run-off into RPAs.

### **4.4 Tree protection barriers**

Appendix 5 includes guidance for protective barriers based on BS 5837:2012. The approximate location of the barriers and the CEZs is shown on the TPP. The precise location of the barriers and other protective measures will be confirmed at the pre-commencement meeting before any demolition or construction activities (including site clearance) start.

### **4.5 Ground protection**

In areas where it is not possible to erect protective barriers, ground protection must be used to protect the RPAs of retained trees. Where it has been agreed during the design stage that vehicular or pedestrian access for the construction operation may take place within the CEZ, the possible effects of construction activity should be addressed by a combination of barriers and ground protection. The position of the barrier may be within the CEZ at the edge of the agreed working zone, but the soil structure beyond the barrier to the edge of the CEZ shall be protected with ground protection.

### **4.6 Precautions when working in CEZs**

Only work agreed with the Local Planning Authority can be carried out within CEZs. Any works must be carried out in accordance with the details as set out in Appendix 6 which are summarised below.

#### **4.7 Installation of new surfacing**

Full details of the new surfacing proposed within the RPAs of trees to be retained is not known at the time of writing. However, if resurfacing is required within the RPAs of any trees it will be necessary to use non-standard methods of construction. Ideally, new substrates and finished surfaces should be of a porous design to allow water and an air passage in and out.

#### **4.8 Installation of new services**

The exact location of services is often difficult to establish until construction is in progress. Where existing services within RPAs require upgrading or new services have to be installed in RPAs, conventional excavation techniques are unacceptable, and great care must be taken to minimise any disturbance. Trenchless installation should be the preferred option, but if that is not feasible, any excavation must be carried out by hand or using a compressed air lance. The methodology must comply with *NJUG Volume 4: Guidelines for the Planning, installation and Maintenance of Utility Apparatus in Proximity to Trees*.

#### **4.9 Tree works**

Recommendations for tree works can be found in the tree works schedule in Appendix 7. All works shall be in accordance with *BS 3998:2010*, or in accordance with current best practice. The use of a competent tree surgery contractor is necessary to comply with this (follow the link for a list of Arboricultural Association approved contractors [Directory of Tree Surgeons - Arboricultural Association](#)). The main contractor and tree surgery contractor must ensure that any necessary consents have been received from the Local Planning Authority regarding planning constraints in regard to trees and that no protected species or habitats are harmed whilst carrying out site clearance or tree surgery works.

## **5.0 Conclusions**

- 5.1** The proposed layout will require the removal of 8 individual trees, 2 groups of trees and 5 hedges. The proposed layout will require the part removal of 8 hedges.
- 5.2** The Root Protection Areas of trees T27, T31, T32, T39, T40, T41, T43, T46, T49, T58, T59, T73, T75, T85, T95, T112, T114 and T115 will be incurred into by the design layout. Root investigations will be carried out under arboricultural supervision before the commencement of works in order to confirm if roots are present at these locations, with a view to minor root pruning, if necessary. If significant roots are identified at this location, then alternative 'no-dig' design solutions such as a cellular confinement system will be required (see Appendix 6 for methods of work close to trees).
- 5.3** Provided precautions to protect the retained trees are specified and implemented through the measures included in this report, the development proposal will have minimal impact on the retained trees or their wider contribution to amenity and character.
- 5.4** If the recommendations made within this report are followed, the development will be achievable in arboricultural terms and should be acceptable to the Local Planning Authority.

## Appendix 1: Survey and Background Information

### 1.1 Limitations

A detailed topographical plan showing the locations of individual trees was provided by the client and used for the tree survey, so the positions of the trees were understood to be accurate, and SES Ltd accepts no liability for the accuracy of any tree survey drawings based on the topographical plan supplied by the client.

Trees are living organisms whose health and the condition can change rapidly and all trees, even healthy ones, are at risk from unpredictable climatic and manmade events. The assessment of risk for any tree is based upon factors evident at the time of the inspection and the interpretation of those factors by suitably qualified inspectors. The health, condition and safety of trees should be checked on a basis commensurate with the level of risk and preferably on an annual basis.

### 1.2 Methods

The trees were surveyed from ground level without detailed investigations. All trees with a trunk diameter of 75 mm or above<sup>3</sup> were surveyed. All dimensions were estimated unless otherwise indicated. Obvious hedges and shrub masses were identified where appropriate. Information collected is in accordance with recommendations in *Subsection 4.4.2.5 of BS 5837:2012* and includes species, height, diameter, branch spread, crown clearance, age class, physiological condition, structural condition and remaining contribution. Each tree was then allocated one of four categories (U, A, B or C) to reflect its suitability as a material constraint on development.

### 1.3 Documents and information received

- *Topographical plan*
- *Proposed plan*

### 1.4 Contact

Name	Company/organisation	Tel. no.
Tom Izod	SES Arboriculture Ltd	+44 (0)1268 711021

<sup>3</sup> BS 5837 recommends that in most circumstances all trees over 75mm stem diameter should be included in a pre-planning land and tree survey

## 1.5 Reference documents

- *British Standards Institution (2012) BS 5837: Trees in relation to design, demolition and construction – Recommendations;*
- *British Standards Institute (2010) BS 3998: Tree work – Recommendations;*
- *DETR Tree Preservation Orders – A Guide to the Law and Good Practice;*
- *National Joint Utilities Group (2007) Volume 4, Issue 2: Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees;*
- *DTLR (2001) Principles of Tree Hazard Assessment and Management - David Lonsdale.*

## 1.6 Legal Constraints and Liabilities

### 1.6.1 Occupiers Liability 1957 and 1984

The Occupiers Liability Act places a duty of care to ensure that no reasonably foreseeable harm takes place due to tree defects. Therefore, this report includes recommendations within the tree tables for work required for safety reasons. 'Common sense risk management of trees (National Tree Safety Group 2012)' states that *'the owner of the land on which a tree stands, together with any party who has control over the tree's management, owes a duty of care at common law to all people who might be injured by the tree. The duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property.'*

### 1.6.2 Common Law

This enables pruning back of the crown and roots of trees on adjacent land where they overhang neighbouring property, providing the work is reasonable and does not cause harm. This right does not override TPO and CA legislation.

### 1.6.3 Ecological Constraints

The Wildlife and Countryside Act 1981, as amended, The Conservation of Habitats and Species Regulations 2010 and the Countryside and Rights of Way Act 2000, provide statutory protection to species of flora and fauna including birds, bats and other species that are associated with trees. These could impose significant constraints on the use and timing of access to the site. It is the responsibility of the main contractor and tree surgery contractor to ensure that no protected species are harmed whilst carrying out site clearance or tree surgery works. Unless competent to do so, the advice of an ecologist must be sought.



## Appendix 2: Key to Tree Survey Sheet and Summary

Measurements	Life Stage	Structural and physiological condition	Root Protection Area (RPA)
<b>Height</b> - Measured using a digital laser clinometer (m)	<b>Young</b> trees up to ten years of age	<b>Good:</b> Trees with only a few minor defects and in good overall health needing little, if any attention	<ul style="list-style-type: none"> <li>• The RPA Radius column provides the extent of an equivalent circle from the center of the stem (m).</li> <li>• The RPA is calculated using the formulae described in paragraph 4.6.1 of British Standard 5837: 2012 and is indicative of the rooting area required for a tree to be successfully retained. Tree roots extend beyond the calculated RPA in many cases and where possible a greater distance should be protected.</li> </ul>
<b>Stem diameter</b> – DBH. Diameter measured (mm) in accordance with Annex C of the BS5837	<b>Semi-mature</b> trees less than 1/3 life expectancy	<b>Fair:</b> Trees with minor rectifiable defects or in the early stages of stress from which it may recover	
<b>Crown Spread</b> - Measured using a digital laser clinometer radially from the main stem (m)	<b>Early mature</b> trees 1/3 – 2/3 life expectancy	<b>Poor:</b> Trees with major structural and/or physiological defects such that it is unlikely the tree will recover in the long term	
	<b>Mature</b> trees over 2/3 life expectancy	<b>Dead:</b> This could also apply to trees in an advanced state of decline and unlikely to recover	
	<b>Over mature</b> declining or moribund trees of low vigor  <b>Veteran</b> tree possessing certain attributes relating to veteran trees	The BS category particular consideration has been given to the following <ul style="list-style-type: none"> <li>• The health, vigor and condition of each tree</li> <li>• The presence of any structural defects in each tree/group and its future life expectancy</li> <li>• The size and form of each tree/group and its suitability within the context of a proposed development</li> <li>• The location of each tree relative to existing site features e.g. its screening value or landscape features</li> <li>• Age class and life expectancy</li> </ul>	

Abbreviations		BS cat: Category in accordance with Table 1 and section 4.5 of BS 5837.	
<b>T</b> – Tree	Feature surveyed as individual tree. Included multi stem trees	<b>Category A</b>	High quality and value (non-fiscal) with at least 40 years remaining life expectancy.
<b>G</b> – Group of trees	Land under a stand of trees with a maximum size of 0.25 hectare.	<b>Category B</b>	Moderate quality and value with at least 20 years remaining life expectancy.
<b>W</b> – Woodland	Land under a stand of trees with, or the potential to achieve, tree canopy cover of 20% or more. The minimum size of woodland Forestry Commission Scotland can grant-aid is 0.25 hectare.	<b>Category C</b>	Low quality and value with at least 10 years remaining life expectancy, or young trees with a stem diameter below 150 mm
<b>H</b> - Hedge	A hedgerow is a boundary line of bushes which can include trees and is protected if it's: more than 20m long with gaps of 20m or less in its length.	<b>Category U</b>	Unsuitable for retention. Existing condition is such that they cannot be realistically retained as living trees in the context of the current land use for longer than 10 years. Note, category U trees can have existing or potential conservation value which it might be desirable to preserve.
<b>#</b> - Estimated value.	See observation for further information	<b>Subcategories</b>	<b>(1)</b> - Mainly arboricultural values <b>(2)</b> - Mainly landscape values <b>(3)</b> - Mainly cultural values including conservation.
<b>VTA</b> – Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.		

## 2.1 Appendix Summary

**Table 3 BS5837 category summary with tree numbers**

SUMMARY	Individual Trees	Total	Groups of Trees, Woodlands, Hedges & Shrubs.	Total
Category U - Unsuitable	T12, T14, T26, T27, T50, T57, T73, T86, T165, T166, T167, T168, T169	13		0
Category A (High Quality / Value)	T97, T156, T157, T159	4		0
Category B (Moderate Quality / Value)	T3, T4, T5, T6, T7, T8, T9, T10, T11, T15, T16, T17, T18, T19, T20, T22, T23, T33, T35, T46, T54, T75, T76, T94, T95, T96, T100, T101, T102, T104, T112, T117, T120, T126, T129, T151, T152, T158, T161, T173	40	H65, H67, H69, H71, H72, H74, H80, H82, H84, H87, G122, H130, H131, H132, G146, G149, G162	17
Category C (Low Quality / Value)	T13, T21, T25, T29, T31, T32, T34, T37, T38, T39, T40, T41, T43, T47, T49, T51, T53, T58, T59, T60, T62, T63, T66, T68, T70, T77, T78, T79, T83, T85, T91, T92, T99, T109, T110, T111, T114, T115, T116, T118, T119, T124, T125, T133, T134, T136, T137, T138, T139, T140, T142, T144, T147, T154, T160, T163, T164, T170, T172	59	H1, H2, H24, G28, G30, H36, H42, G44, H45, H48, H52, H55, H56, H61, H64, H81, G88, H89, H90, H93, H98, H103, H105, H106, H107, H108, H113, H121, H123, H127, H128, H135, G141, G143, H145, G148, G150, G153, G155, G171, G174, G175	42

**Table 4 Life stage and BS5837 category summary**

SUMMARY	A	B	C	U	TOTAL
Young	0	0	1	0	1
Early Mature	0	5	9	1	15
Semi Mature	0	2	12	1	15
Mature	4	47	76	7	134
Post Mature	0	0	0	1	1
Late Mature	0	3	3	3	9
Ancient / Veteran	0	0	0	0	0
Dead	0	0	0	0	0
<b>TOTAL</b>	4	57	101	13	175

**Appendix 3: Tree Survey Schedule**

Client: Bellway  
 Site: Land off Rothwell Road, Desborough

Surveyed by Phil Barwell of Southern Ecological Solutions  
 Survey Date: 27th March 2021

Weather: clear and dry

Abbreviations	
# - Estimated value.	See observation for further information
com - Combined stem diameter	In accordance with BS5837:2012

Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
H1	Hawthorn hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Ivy clad Hawthorn hedge Average height 4m Estimated stem 220mm Outside redline boundary	20+	C2	See Tree Survey Plan	See Tree Survey Plan
H2	Hawthorn hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Ivy clad Hawthorn hedge Average height 4m Estimated stem 220mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T3	Tilia cordata (Small Leaved Lime)	Mature	1	550 #	14	5.0		5.0		5.0		5.0		Good	Good	Offsite tree data estimated	40+	B2	6.6	136.8
T4	Tilia cordata (Small Leaved Lime)	Mature	1	450 #	14	4.0		4.0		4.0		4.0		Good	Good	Offsite tree data estimated	40+	B2	5.4	91.6
T5	Pinus sylvestris (Scots Pine)	Early Mature	1	230	8	3.0		3.0		3.0		3.0		Good	Good	Offsite tree not in topo data estimated	20+	B2	2.8	23.9
T6	Chamaecyparis sp. (False Cypress)	Mature	1	300	12	3.0		3.0		3.0		3.0		Good	Good	Off site data estimated	40+	B2	3.6	40.7
T7	Chamaecyparis sp. (False Cypress)	Mature	1	300	12	3.0		3.0		3.0		3.0		Good	Good	Off site data estimated	40+	B2	3.6	40.7
T8	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	450 #	14	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	5.4	91.6
T9	Chamaecyparis sp. (False Cypress)	Mature	1	320	12	3.0		3.0		3.0		3.0		Good	Good	Off site data estimated	40+	B2	3.8	46.3
T10	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	350 #	10	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	4.2	55.4
T11	Chamaecyparis sp. (False Cypress)	Mature	1	260	8	3.0		3.0		3.0		3.0		Good	Good	Off site data estimated	40+	B2	3.1	30.6
T12	Eucalyptus sp. (Eucalyptus Tree)	Early Mature	1	260 #	10	4.0		4.0		4.0		4.0		Poor	Poor	Offsite tree Decay at base	40+	U	3.1	30.6
T13	Pyrus sp. (Pear sp.)	Mature	5	680 com	8	3.0		3.0		3.0		3.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	20+	C2	8.2	210.5
T14	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	500 #	14	6.0		6.0		6.0		6.0		Poor	Fair	Offsite tree Cavity at base Minor Lean	10+	U	6.0	113.1
T15	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	360 #	10	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	4.3	58.6
T16	Chamaecyparis sp. (False Cypress)	Mature	1	300	12	3.0		3.0		3.0		3.0		Good	Good	Off site data estimated	40+	B2	3.6	40.7
T17	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	450 #	10	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	5.4	91.6
T18	Chamaecyparis sp. (False Cypress)	Mature	1	320	8	3.0		3.0		3.0		3.0		Good	Good	Off site data estimated	40+	B2	3.8	46.3

# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
# - Estimated value.	See observation for further information
VTA - Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
com - Combined stem diameter	In accordance with BS5837:2012

Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
T19	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	560 #	15	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	6.7	141.9
T20	Chamaecyparis sp. (False Cypress)	Mature	1	270	11	3.0		3.0		3.0		3.0		Good	Good	Off site data estimated	40+	B2	3.2	33.0
T21	Eucalyptus nicholii (Nichol's Willow-leaf Peppermint)	Mature	1	560 #	15	4.0		4.0		4.0		4.0		Fair	Good	Offsite tree Tearout wounds in croen	40+	C2	6.7	141.9
T22	Chamaecyparis sp. (False Cypress)	Mature	1	290	12	4.0		4.0		4.0		4.0		Good	Good	Off site data estimated	40+	B2	3.5	38.0
T23	Chamaecyparis sp. (False Cypress)	Semi Mature	1	200	6	4.0		4.0		4.0		4.0		Good	Good	Off site data estimated	40+	B2	2.4	18.1
H24	Hawthorn hedge	Early Mature		See Observations	3.5	See Tree Survey Plan								Good	Good	Hawthorn hedge Offsite 75mm stem diameter  Height 3.5	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T25	Fraxinus excelsior (Ash)	Mature	2	530 # com	15	8.0		8.0		8.0		8.0		Fair	Fair	Large tearout on stem East Side at 4m Offsite tree	10+	C2	6.4	127.1
T26	Fraxinus excelsior (Ash)	Mature	1	450 #	15	6.0		6.0		6.0		6.0		Poor	Poor	Old Innotus bracket on stem Trunk cavity at 5m	10+	U	5.4	91.6
T27	Fraxinus excelsior (Ash)	Mature	2	910 # com	15	8.0		8.0		8.0		8.0		Poor	Poor	Large tearout on stem East Side at 4.8m Failed limb hung up in adjacent tree Offsite tree	10+	U	11.0	382.3
G28	Fraxinus excelsior (Ash)	Mature		See Observations	14	See Tree Survey Plan								Fair	Fair	Ash x6 Fair condition dead wood throughout the crowns Offsite trees Average height 14m Average stem diameter 450mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T29	Fraxinus excelsior (Ash)	Mature	2	770 # com	15	8.0		8.0		8.0		8.0		Fair	Fair	Minor deadwood through out the crown	10+	C2	9.3	273.7
G30	Fraxinus excelsior (Ash)	Mature		See Observations	12	See Tree Survey Plan								Fair	Fair	Group of ivy clad ash Set 5m back from from redline boundary Height 12 Stem diameter 320mm One tree appears to have partially failed at the footplate and is leaning into site	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T31	Fraxinus excelsior (Ash)	Mature	1	450 #	15	6.0		6.0		6.0		6.0		Fair	Fair	Trees appears to be in decline	10+	C2	5.4	91.6
T32	Fraxinus excelsior (Ash)	Mature	1	350 #	14	5.0		5.0		5.0		5.0		Fair	Fair	n/a	10+	C2	4.2	55.4
T33	Tilia cordata (Small Leaved Lime)	Mature	1	650	15	6.0		6.0		6.0		6.0		Good	Good	Offsite tree data estimated	40+	B2	7.8	191.1

**Tree Survey Schedule**

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
# - Estimated value.	See observation for further information
VTA – Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
com – Combined stem diameter	In accordance with BS5837:2012

Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
T34	Fraxinus excelsior (Ash)	Mature	1	450	10	5.0		5.0		5.0		5.0		Good	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	40+	C2	5.4	91.6
T35	Tilia cordata (Small Leaved Lime)	Mature	1	550	10	5.0		5.0		5.0		5.0		Good	Good	Offsite tree data estimated	40+	B2	6.6	136.8
H36	Bramble hedgerow with occasional blackthorn	Mature		See Observations	2	See Tree Survey Plan								Fair	Fair	Dense bramble hedgerow with occasional prunus spinosa Height 2 m 75mm diameter	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T37	Fraxinus excelsior (Ash)	Mature	1	650 #	10	5.0		5.0		5.0		5.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem. Offsite tree (located outside survey boundary).	40+	C2	7.8	191.1
T38	Fraxinus excelsior (Ash)	Mature	1	650 #	10	5.0		5.0		5.0		5.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem. Offsite tree (located outside survey boundary).	40+	C2	7.8	191.1
T39	Fraxinus excelsior (Ash)	Mature	1	650 #	10	5.0		5.0		5.0		5.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem. Offsite tree (located outside survey boundary).	40+	C2	7.8	191.1
T40	Fraxinus excelsior (Ash)	Mature	1	650 #	10	5.0		5.0		5.0		5.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem. Offsite tree (located outside survey boundary).	40+	C2	7.8	191.1
T41	Fraxinus excelsior (Ash)	Mature	1	450 #	10	6.0		6.0		6.0		6.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem. Offsite tree	40+	C2	5.4	91.6
H42	Bramble and blackthorn	Mature		See Observations <small>com</small>	2	See Tree Survey Plan								Fair	Fair	Dense bramble and prunus spinosa hedge Height 2 m 100mm stem diameter	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T43	Fraxinus excelsior (Ash)	Mature	2	510 #	8	5.0		5.0		5.0		5.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem. Offsite tree (located outside survey boundary).	10+	C2	6.2	120.7



# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
# - Estimated value.	See observation for further information
VTA – Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
com – Combined stem diameter	In accordance with BS5837:2012

Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
G44	Blackthorn, bramble and salix caprea group including offsite roadside ash	Mature		See Observations	5	See Tree Survey Plan								Fair	Fair	Blackthorn,bramble and salix caprea Group including offsite roadside Ash Average height 5m Average stem 230mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
H45	Hawthorn, blackthorn and bramble hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Hawthorn,Blackthorn and bramble field boundary hedge Average height 4m Average stem 150mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T46	Fraxinus excelsior (Ash)	Late Mature	1	990	15	9.0		9.0		9.0		9.0		Good	Fair	Ivy on stem. Some deadwood present consistent with age Growing in ditch line	40+	B2	11.9	443.4
T47	Fraxinus excelsior (Ash)	Late Mature	1	450	9	6.0		6.0		6.0		6.0		Good	Fair	Ivy on stem Ivy encroaching into and competing with crown of tree.	40+	C2	5.4	91.6
H47	Hawthorn, blackthorn, holly and elder hedge	Mature		See Observations	4.5	See Tree Survey Plan								Fair	Fair	Hawthorn Blackthorn Holly and elder hedge Height 4.5m Ivy clad in places	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T49	Fraxinus excelsior (Ash)	Mature	1	650	12	6.0		6.0		6.0		6.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	20+	C2	7.8	191.1
T50	Salix fragilis (Crack Willow)	Mature	1	850	8	4.0		4.0		8.0		4.0		Poor	Poor	Tree has failed at rootplate but is still growing	10+	U	10.2	326.9
T51	Salix caprea (Goat Willow/Great Sallow)	Mature	1	450	8	4.0		4.0		4.0		4.0		Fair	Fair	Congested stems at crown break	40+	C2	5.4	91.6
H52	Hawthorn hedge	Mature		See Observations	4	See Tree Survey Plan								Fair	Fair	Ivy clad Hawthorn hedge row Height 4m Average stem diameter 250mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T53	Fraxinus excelsior (Ash)	Early Mature	1	250	6	4.0		4.0		4.0		4.0		Fair	Fair	Wounding to stem	20+	C2	3.0	28.3
T54	Chamaecyparis sp. (False Cypress)	Mature	1	250 #	4	4.0		4.0		4.0		4.0		Good	Good	Off site data estimated	40+	B2	3.0	28.3
H55	Hawthorn, bramble hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Hawthorn / bramble hedge Ivy clad in places Height 4m Average stem diameter 130mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan

# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
# - Estimated value.	See observation for further information
VTA – Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
com – Combined stem diameter	In accordance with BS5837:2012

Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
H56	Hawthorn hedge with occasional elder	Mature		See Observations	4	See Tree Survey Plan								Fair	Fair	Hawthorn hedge with occasional elder Average height 4m Average stem 120mm Densely ivy clad in places	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T57	Salix fragilis (Crack Willow)	Late Mature	1	950	8	8.0		8.0		8.0		8.0		Poor	Poor	Extensive trunk decay Tree has partially failed	>10	U	11.4	408.3
T58	Fraxinus excelsior (Ash)	Mature	1	350	9	4.0		4.0		4.0		4.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	20+	C2	4.2	55.4
T59	Fraxinus excelsior (Ash)	Mature	1	550	9	4.0		4.0		4.0		4.0		Fair	Fair	Historically Coppiced ash Ivy encroaching into and competing with crown of tree. Ivy on stem.	20+	C2	6.6	136.8
T60	Fraxinus excelsior (Ash)	Mature	1	650	9	4.0		4.0		4.0		4.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	20+	C2	7.8	191.1
Page 38	Hawthorn hedge with occasional elder	Mature		See Observations com	4	See Tree Survey Plan								Fair	Fair	Hawthorn hedge with occasional elder Average height 4m Average stem 120mm Densely ivy clad in places	40+	C2	See Tree Survey Plan	See Tree Survey Plan
	T62	Fraxinus excelsior (Ash)	Mature	3	350 com	5	5.0		5.0		5.0		5.0		Fair	Fair	Dense Ivy encroaching into and competing with crown of tree. Dense ivy on stems.	20+	C2	4.3
T63	Salix fragilis (Crack Willow)	Early Mature	4	250	6	2.5		2.5		2.5		2.5		Fair	Good	Congested stems at base	20+	C2	3.0	28.6
H64	Hawthorn hedge with occasional willow	Mature		See Observations	3.5	See Tree Survey Plan								Fair	Fair	Hawthorn hedge with occasional willow, lots of gaps scrappy Height 3.5m Average stem diameter 200mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
H65	Hawthorn hedge with occasional willow	Mature		See Observations com	4.5	See Tree Survey Plan								Good	Good	Hawthorn hedge with occasional willow Height 4.5m Average stem diameter 160mm	20+	B2	See Tree Survey Plan	See Tree Survey Plan
T66	Fraxinus excelsior (Ash)	Mature	2	530	9	4.0		4.0		4.0		4.0		Fair	Fair	Dense Ivy encroaching into and competing with crown of tree. Dense Ivy on stem.	40+	C2	6.4	127.8
H67	Hawthorn hedge with occasional willow	Mature		See Observations com	4.5	See Tree Survey Plan								Good	Good	Hawthorn hedge with occasional willow Height 4.5m Average stem diameter 160mm	20+	B2	See Tree Survey Plan	See Tree Survey Plan
T68	Acer campestre (Field Maple)	Mature	5	470	8	5.0		2.5		4.0		3.0		Fair	Good	Congested stems Week fork	40+	C2	5.7	101.1



# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
# - Estimated value.	See observation for further information
VTA - Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
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Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
H69	Hawthorn hedge with occasional willow	Mature		See Observations <small>com</small>	4.5	See Tree Survey Plan								Good	Good	Hawthorn hedge with occasional willow Height 4.5m Average stem diameter 170mm	20+	B2	See Tree Survey Plan	See Tree Survey Plan
T70	Fraxinus excelsior (Ash)	Mature	2	410	9.5	2.0		4.0		8.0		4.0		Fair	Good	Congested stems at base Historic lean to south	20+	C2	4.9	76.2
H71	Hawthorn hedge	Mature		See Observations	4.5	See Tree Survey Plan								Good	Good	Hawthorn hedge Height 4.5m Average stem diameter 230mm	20+	B2	See Tree Survey Plan	See Tree Survey Plan
H72	Hawthorn hedge	Mature		See Observations	4.5	See Tree Survey Plan								Good	Good	Hawthorn hedge Height 4.5m Average stem diameter 230mm	20+	B2	See Tree Survey Plan	See Tree Survey Plan
T73	Fraxinus excelsior (Ash)	Mature	1	900	10	7.0		7.0		7.0		7.0		Poor	Good	Twin stemmed from 1.8m Congested stems Longitudinal Split along trunk Possible closed cavity present	10+	U	10.8	366.4
H74	Hawthorn hedge	Mature		See Observations	3.5	See Tree Survey Plan								Good	Good	Hawthorn hedge Height 3.5m Average stem diameter 240mm	20+	B2	See Tree Survey Plan	See Tree Survey Plan
T75	Fraxinus excelsior (Ash)	Late Mature	1	920	12	5.0		5.0		6.0		6.0		Fair	Fair	Notable Ash Trunk at one metre Deadwood in crown approx 50mm	20+	B2	11.0	382.9
T76	Crataegus monogyna (Common Hawthorn/Quick/May)	Mature	1	330 <small>com</small>	5	3.5		3.5		3.5		3.5		Good	Good	n/a	40+	B2	4.0	49.3
T77	Fraxinus excelsior (Ash)	Mature	3	270 <small>com</small>	8	3.0		3.0		3.0		3.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	20+	C2	3.3	34.8
T78	Fraxinus excelsior (Ash)	Mature	2	190	8	3.0		3.0		3.0		3.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	20+	C2	2.3	16.5
T79	Crataegus monogyna (Common Hawthorn/Quick/May)	Mature	1	280 #	5	3.5		3.5		3.5		3.5		Good	Good	Ivy on stem.	40+	C2	3.4	35.5
H80	Hawthorn hedge	Mature		See Observations	3.5	See Tree Survey Plan								Good	Good	Hawthorn hedge Some gaps with bramble Average height 3.5m Average stem 200mm	40+	B2	See Tree Survey Plan	See Tree Survey Plan

# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
# - Estimated value.	See observation for further information
VTA – Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
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Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
H81	Hawthorn hedge	Mature		See Observations	3.5	See Tree Survey Plan								Fair	Fair	Hawthorn hedge Some gaps with ivy through out Average height 3.5m Average stem 200mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
H82	Hawthorn and elder hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Hawthorn and elder hedge Average height 4m Average stem diameter 200mm Has been historically cut and laid	40+	B2	See Tree Survey Plan	See Tree Survey Plan
T83	Fraxinus excelsior (Ash)	Early Mature	1	230	6	4.0		4.0		4.0		4.0		Fair	Good	Congested stems at crown break	20+	C2	2.8	23.9
H84	Hawthorn and elder hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Hawthorn and elder hedge Average height 4m Average stem diameter 200mm Has been historically cut and laid	40+	B2	See Tree Survey Plan	See Tree Survey Plan
T85	Fraxinus excelsior (Ash)	Late Mature	1	1200 com	10	4.0		4.0		4.0		4.0		Fair	Good	Historic loss of central leader Trunk cavity commencing at approx 7m extending to 8m	20+	C2	14.4	651.4
T86	Robinia pseudoacacia (False Acacia sp./Black Locust)	Semi Mature	2	250	4	1.8		1.8		1.8		1.8		Poor	Dead	Tree is hung up in secondary stem which has suckered from rootstock	10+	U	3.1	30.4
H87	Hawthorn and elder hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Hawthorn and elder hedge Average height 4m Average stem diameter 200mm Has been historically cut and laid	40+	B2	See Tree Survey Plan	See Tree Survey Plan
G88	Fraxinus excelsior (Ash)	Young		See Observations	5	See Tree Survey Plan								Good	Good	10 no self seeded and 1 williw Ash along centre of ballcourt Height 5m 50mm in diameter	20+	C2	See Tree Survey Plan	See Tree Survey Plan
H89	Hawthorn elder and bramble hedge	Mature		See Observations	3	See Tree Survey Plan								Good	Good	Hawthorn elder and brambke hedge Average height 4m Average stem diameter 150mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
H90	Hawthorn elder and bramble hedge	Mature		See Observations com	3	See Tree Survey Plan								Good	Good	Hawthorn elder and brambke hedge,scrappy with Young self seeded ash Average height 3m Average stem diameter 150mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T91	Pinus sylvestris (Scots Pine)	Semi Mature	2	170 com	8	2.0		2.0		2.0		2.0		Good	Good	n/a	40+	C2	2.1	14.2
T92	Pinus sylvestris (Scots Pine)	Early Mature	2	330	9	4.0		4.0		4.0		4.0		Good	Good	n/a	40+	C2	4.1	52.1

# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
# - Estimated value.	See observation for further information
VTA - Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
com - Combined stem diameter	In accordance with BS5837:2012

Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
H93	Hawthorn elder and bramble hedge	Mature		See Observations	3	See Tree Survey Plan								Good	Good	Hawthorn elder and bramble hedge Occasional young ash Average height 4m Average stem diameter 150mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T94	Fraxinus excelsior (Ash)	Early Mature	1	260 #	6	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	3.1	30.6
T95	Fraxinus excelsior (Ash)	Early Mature	1	260 # com	6	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	3.1	30.6
T96	Salix sp. (Willow sp.)	Mature	5	400 #	5	5.0		5.0		5.0		5.0		Good	Good	Offsite tree	40+	B2	4.9	75.5
T97	Chamaecyparis sp. (False Cypress)	Mature	1	350	12	5.0		5.0		5.0		5.0		Good	Good	Offsite tree	40+	A2	4.2	55.4
H98	Hawthorn hedge	Early Mature		See Observations	1.5	See Tree Survey Plan								Fair	Fair	Hawthorn hedge 1.5m 75mm diameter Covered in Russian vine	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T100	Chamaecyparis sp. (False Cypress)	Mature	1	350	14	5.0		5.0		5.0		5.0		Good	Good	Offsite tree Covered in Russian vine	40+	C2	4.2	55.4
T101	Tilia cordata (Small Leaved Lime)	Mature	1	550	15	7.0		7.0		7.0		7.0		Good	Good	Offsite tree	20+	B2	6.6	136.8
T101	Tilia cordata (Small Leaved Lime)	Mature	1	550	15	7.0		7.0		7.0		7.0		Good	Good	Offsite tree	20+	B2	6.6	136.8
T102	Abies koreana (Korean Fir)	Early Mature	1	230	5	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	2.8	23.9
H103	Leylandii, hawthorn and holly hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Leylandii, Hawthorn and holly hedge Height 1.5m Average stem 100mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T104	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	350	12	6.0		6.0		6.0		6.0		Good	Good	n/a	20+	B2	4.2	55.4
H105	Hawthorn hedge	Mature		See Observations	3	See Tree Survey Plan								Fair	Fair	Hawthorn hedge Ivy clad Height 3m Stem diameter 100mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan

# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

Abbreviations	
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						N	NE	E	SE	S	SW	W	NW							
H106	Hawthorn hedge	Mature		See Observations	3	See Tree Survey Plan								Fair	Fair	Hawthorn hedg Ivy clad Height 3m Stem diameter 100mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
H107	Yew and juniper hedge	Early Mature		See Observations	2	See Tree Survey Plan								Fair	Fair	Yew and juniper hedge Dense bramble in places Height 2m Stem diameter 50mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
H108	Hawthorn and holly hedge	Mature		See Observations	3	See Tree Survey Plan								Good	Good	Hawthorn and holly hedge Height 1.5m Average stem 100mm Dense ivy in places	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T110	Acer platanoides (Norway Maple)	Semi Mature	1	150 #	4	3.0		3.0		3.0		3.0		Good	Good	Offsite tree	40+	C2	1.8	10.2
T110	Fraxinus excelsior (Ash)	Mature	1	450	15	1.0		3.0		5.0		2.0		Fair	Fair	Northern section of tree has been topped at 10m	40+	C2	5.4	91.6
T111	Picea abies (Norway Spruce)	Semi Mature	1	50	4	2.0		2.0		2.0		2.0		Good	Good	Offsite tree	40+	C2	0.6	1.1
T112	Fraxinus excelsior (Ash)	Mature	1	980 #	16	8.0		8.0		8.0		8.0		Good	Good	Offsite tree Recently crown reduced Possible trunk cavity present	40+	B2	11.8	434.5
H113	Hawthorn and elder hedge	Mature		See Observations <small>com</small>	1.5	See Tree Survey Plan								Good	Good	Hawthorn and elder hedge Average height 4m Average stem diameter 150mm Has been historically cut and laid	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T114	Fraxinus excelsior (Ash)	Mature	5	580 <small>com</small>	10	6.0		6.0		6.0		6.0		Good	Good	Ivy encroaching into and competing with crown of tree. Ivy on stem. Deadwood through out the crown upto 50mm in diameter	20+	C2	7.1	156.8
T115	Fraxinus excelsior (Ash)	Mature	2	490	9	6.0		6.0		6.0		6.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem. Deadwood through out the crown upto 30mm in diameter	20+	C2	5.9	109.5
T116	Cedrus atlantica (Atlas Cedar)	Semi Mature	1	150	4	1.5		1.5		1.5		1.5		Good	Good	Offsite tree	40+	C2	1.8	10.2

**Tree Survey Schedule**

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

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Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
T117	Prunus sp. (Cherry sp.)	Early Mature	1	230 com	4	3.0		3.0		3.0		3.0		Good	Good	Offsite tree	20+	B2	2.8	23.9
T118	Salix matsudana 'Tortuosa' (Corkscrew Willow)	Semi Mature	2	70	3	1.0		1.0		1.0		1.0		Good	Good	Offsite tree	40+	C2	0.8	2.3
T119	Acer campestre (Field Maple)	Semi Mature	1	120 #	4	2.0		2.0		2.0		2.0		Good	Good	Offsite tree	40+	C2	1.4	6.5
T120	Chamaecyparis sp. (False Cypress)	Mature	1	550	4	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	6.6	136.8
H121	Hawthorn hedge	Mature		See Observations	1.5	See Tree Survey Plan								Good	Good	Hawthorn hedge Average height 1.5m Average stem 80mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
G122	Offsite mixed species group 5 conifers 1 birch	Mature		See Observations	6	See Tree Survey Plan								Good	Good	Offsite mixed species group of 5 conifers and 1 birch Average height 6m Average stem diameter 230mm	40+	B2	See Tree Survey Plan	See Tree Survey Plan
H123	Hawthorn hedge	Mature		See Observations com	3.5	See Tree Survey Plan								Fair	Fair	Hawthorn hedge with occasional, rkd, lots of gaps scrappy Height 3.5m Average stem diameter 200mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T124	Cerasus avium (Wild Cherry)	Mature	2	260 #	5	2.0		2.0		2.0		2.0		Fair	Good	Offsite tree	40+	C2	3.1	30.6
T125	Betula pendula (Silver Birch)	Semi Mature	1	100	5	2.5		2.5		2.5		2.5		Good	Good	Offsite tree	40+	C2	1.2	4.5
T126	Fraxinus excelsior (Ash)	Semi Mature	1	230 #	8	3.0		3.0		3.0		3.0		Good	Good	Offsite tree	40+	B2	2.8	23.9
H127	Hawthorn hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Offsite Hawthorn hedge 150mm stem Height 4m	40+	C2	See Tree Survey Plan	See Tree Survey Plan
H128	Hawthorn and pyracantha hedge	Mature		See Observations	4	See Tree Survey Plan								Good	Good	Offsite Hawthorn and pyracantha hedge 150mm stem Height 4m	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T129	Chamaecyparis sp. (False Cypress)	Mature	1	230	9	5.0		5.0		5.0		5.0		Good	Good	Offsite tree	40+	B2	2.8	23.9



**Tree Survey Schedule**

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

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Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
H130	Leylandii hedge	Mature		See Observations	n/a	See Tree Survey Plan								Good	Good	Offsite leylandii hedge 2.5m height 230mm stem diameter	40+	B2	See Tree Survey Plan	See Tree Survey Plan
H131	Leylandii hedge	Mature		See Observations	3	See Tree Survey Plan								Good	Good	Offsite leylandii hedge 3m height 230mm stem diameter	40+	B2	See Tree Survey Plan	See Tree Survey Plan
H132	Leylandii hedge	Mature		See Observations	2	See Tree Survey Plan								Good	Good	Offsite leylandii hedge 2m height 200mm stem diameter	40+	B2	See Tree Survey Plan	See Tree Survey Plan
T133	Fraxinus excelsior (Ash)	Mature	1	350	4	2.0		2.0		2.0		2.0		Poor	Fair	Offsite tree Poorly pruned	20+	C2	4.2	55.4
T134	Carpinus betulus (Hornbeam)	Early Mature	1	250	4	2.0		2.0		2.0		2.0		Poor	Fair	Offsite tree Poorly pruned	20+	C2	3.0	28.3
H134	Hawthorn and bramble hedge	Mature		See Observations <small>com</small>	4	See Tree Survey Plan								Fair	Good	Hawthorn and bramble hedge Average height 4m Average stem diameter 130mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T136	Fraxinus excelsior (Ash)	Mature	4	530	6	5.0		5.0		5.0		5.0		Fair	Good	Dense Ivy encroaching into and competing with crown of tree. Dense Ivy on stem.	20+	C2	6.4	127.3
T137	Fraxinus excelsior (Ash)	Mature	1	340	4.5	4.0		4.0		4.0		4.0		Good	Fair	Densely encroaching into and competing with crown of tree. Dense Ivy on stem.	20+	C2	4.1	52.3
T138	Crataegus monogyna (Common Hawthorn/Quick/May)	Semi Mature	1	150	5	1.0		1.0		1.0		1.0		Good	Good	Ivy on stem.	40+	C2	1.8	10.2
T139	Crataegus monogyna (Common Hawthorn/Quick/May)	Semi Mature	1	150	5	1.0		1.0		1.0		1.0		Good	Good	Ivy on stem.	40+	C2	1.8	10.2
T140	Crataegus monogyna (Common Hawthorn/Quick/May)	Mature	1	240 #	4	1.5		1.5		1.5		1.5		Good	Good	Congested stems Pruned into dome shape Offsite tree	40+	C2	2.9	26.1

# Tree Survey Schedule

Client: Bellway

Surveyed by Phil Barwell

Weather: clear and dry

Site: Land off Rothwell Road, Desborough

Survey Date: 27th March 2021

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Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
G141	Hawthorn,occasional Ash	Semi Mature		See Observations	5	See Tree Survey Plan								Fair	Good	Offsite tree group Predominantly hawthorn,occasional Ash Average height 5m Average stem diameter 150mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T142	Crataegus monogyna (Common Hawthorn/Quick/May)	Mature	1	150 #	5	3.0		3.0		3.0		3.0		Good	Good	Offsite tree Ivy on stem. Dense Ivy encroaching into and competing with crown of tree.	40+	C2	1.8	10.2
G143	Hawthorn	Mature		See Observations	4.5	See Tree Survey Plan								Fair	Fair	Group of offsite hawthorn Ivyclad Average height 4.5 Average stem 240mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T144	Salix sp. (Willow sp.)	Semi Mature	1	270 #	7	4.0		4.0		4.0		4.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	40+	C2	3.2	33.0
H145	Hawthorn hedge	Mature		See Observations	4.5	See Tree Survey Plan								Fair	Fair	ffsite hawthorn hedgerow Ivyclad Average height 4.5 Average stem 260mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
G146	Group of offsite conifers 1x Picea and cupressus visible but more trees beyond within influential distance	Mature		See Observations	14	See Tree Survey Plan								Good	Good	Group of offsite conifers 1x Picea and cupressus visible but more trees beyond within influential distance Average height 14m Estimated stem 300mm	40+	B2	See Tree Survey Plan	See Tree Survey Plan
T147	Fraxinus excelsior (Ash)	Mature	1	600 #	12	7.0		7.0		7.0		7.0		Fair	Fair	Offsite tree. Ivy on stem. Ivy encroaching into and competing with crown of tree.	40+	C2	7.2	162.9
G148	Hawthorn hedge	Mature		See Observations	5	See Tree Survey Plan								Fair	Fair	Scrubby Hawthorn hedge with gaps Densely ivy clad Average height 5m Average stem diameter 180mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan



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						N	NE	E	SE	S	SW	W	NW							
G149	Group of offsite conifers 1x Picea and cupressus visible but more trees beyond within influential distance	Mature		See Observations	14	See Tree Survey Plan								Good	Good	Group of offsite conifers 1x Picea and cupressus Average height 14m Estimated stem 300mm	40+	B2	See Tree Survey Plan	See Tree Survey Plan
G150	Hawthorn hedge	Mature		See Observations	5	See Tree Survey Plan								Fair	Fair	Scrubby Hawthorn hedge with gaps Densely ivy clad Average height 5m Average stem diameter 180mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T151	Eucalyptus sp. (Eucalyptus Tree)	Mature	1	350	15	5.0		5.0		5.0		5.0		Good	Good	Offsite tree	40+	B2	4.2	55.4
T152	Fraxinus excelsior (Ash)	Mature	1	300	10	4.0		4.0		4.0		4.0		Good	Good	Offsite tree	40+	B2	3.6	40.7
G146	0	Semi Mature		See Observations <small>com</small>	2	See Tree Survey Plan								Good	Good	Low level scrub Prunus ,Hawthorn ,occasional willow Height 2m 50mm stem diameter	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T154	Crataegus monogyna (Common Hawthorn/Quick/May)	Mature	2	290	8	4.0		4.0		4.0		4.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	40+	C2	3.5	38.6
G155	Elder Hawthorn and bramble	Early Mature		See Observations	4	See Tree Survey Plan								Fair	Fair	Dense low level scrub Elder Hawthorn and bramble Height 4m Average stem 150mm	40+	C2	See Tree Survey Plan	See Tree Survey Plan
T156	Fagus sp. (Beech sp.)	Mature	1	1500	15	9.0		9.0		9.0		9.0		Good	Good	n/a	40+	A2	15.0	706.9
T157	Pinus sylvestris (Scots Pine)	Mature	1	900	15	8.0		8.0		8.0		8.0		Good	Good	Offsite tree Ivy on stem.	40+	A2	10.8	366.4
T158	Larix decidua (European Larch/Common Larch)	Mature	1	580	9	4.0		6.0		3.0		2.0		Fair	Good	Leaning to west Historic loss of central leader	40+	B2	7.0	152.2
T159	Tilia cordata (Small Leaved Lime)	Mature	1	600	10	6.0		6.0		6.0		6.0		Good	Good	n/a	40+	A2	7.2	162.9

# Tree Survey Schedule

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						N	NE	E	SE	S	SW	W	NW							
T160	Crataegus monogyna (Common Hawthorn/Quick/May)	Mature	1	260	5	3.5		3.5		3.5		3.5		Fair	Fair	Ivy on stem. Ivy encroaching into and competing with crown of tree.	40+	C2	3.1	30.6
T161	Tilia cordata (Small Leaved Lime)	Mature	1	900	12	6.0		6.0		6.0		6.0		Fair	Good	Partially occluded wound on Eastern side	20+	B2	10.8	366.4
G162	Mixed broadleaves including alder, birch and conifers	Mature		See Observations	14	See Tree Survey Plan								Good	Good	Group of mixed broadleaves including alder, birch and conifers Unaccessible offsite trees Est height 14m Estimated stem diameter 450mm	40+	B2	See Tree Survey Plan	See Tree Survey Plan
T163	Crataegus monogyna (Common Hawthorn/Quick/May)	Mature	1	290	4	2.5		2.5		2.5		2.5		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	40+	C2	3.5	38.0
T164	Salix sp. (Willow sp.)	Mature	1	1500 com	10	8.0		8.0		8.0		8.0		Fair	Fair	Ivy on stem. Ivy encroaching into and competing with crown of tree.	20+	C2	15.0	706.9
T165	Salix sp. (Willow sp.)	Post Mature	3	1860	10	8.0		12.0		8.0		8.0		Poor	Poor	One stem has failed but is regrowing Major trunk decay Ivy on stem. Ivy encroaching into and competing with crown of tree.	20+	U	15.0	706.9
T166	Salix sp. (Willow sp.)	Mature	1	890	10	8.0		8.0		8.0		8.0		Poor	Poor	One stem has failed Major trunk decay Ivy on stem. Ivy encroaching into and competing with crown of tree.	20+	U	10.7	358.3
T167	Salix sp. (Willow sp.)	Late Mature	1	890 com	10	8.0		8.0		8.0		8.0		Poor	Poor	Central leader has failed Major trunk decay present	20+	U	10.7	358.3
T168	Salix sp. (Willow sp.)	Late Mature	2	1740 com	10	8.0		8.0		8.0		8.0		Poor	Poor	Central leader has failed Major trunk decay present in both stems, Southern stem being held up by Ash tree	20+	U	15.0	706.9
T169	Fraxinus excelsior (Ash)	Mature	3	490	4	4.0		4.0		4.0		4.0		Poor	Poor	Major trunk decay	10+	U	6.0	112.0

# Tree Survey Schedule

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VTA – Visual Tree Assessment	Non-invasive method of examining the health and structural condition of individual trees.
com – Combined stem diameter	In accordance with BS5837:2012

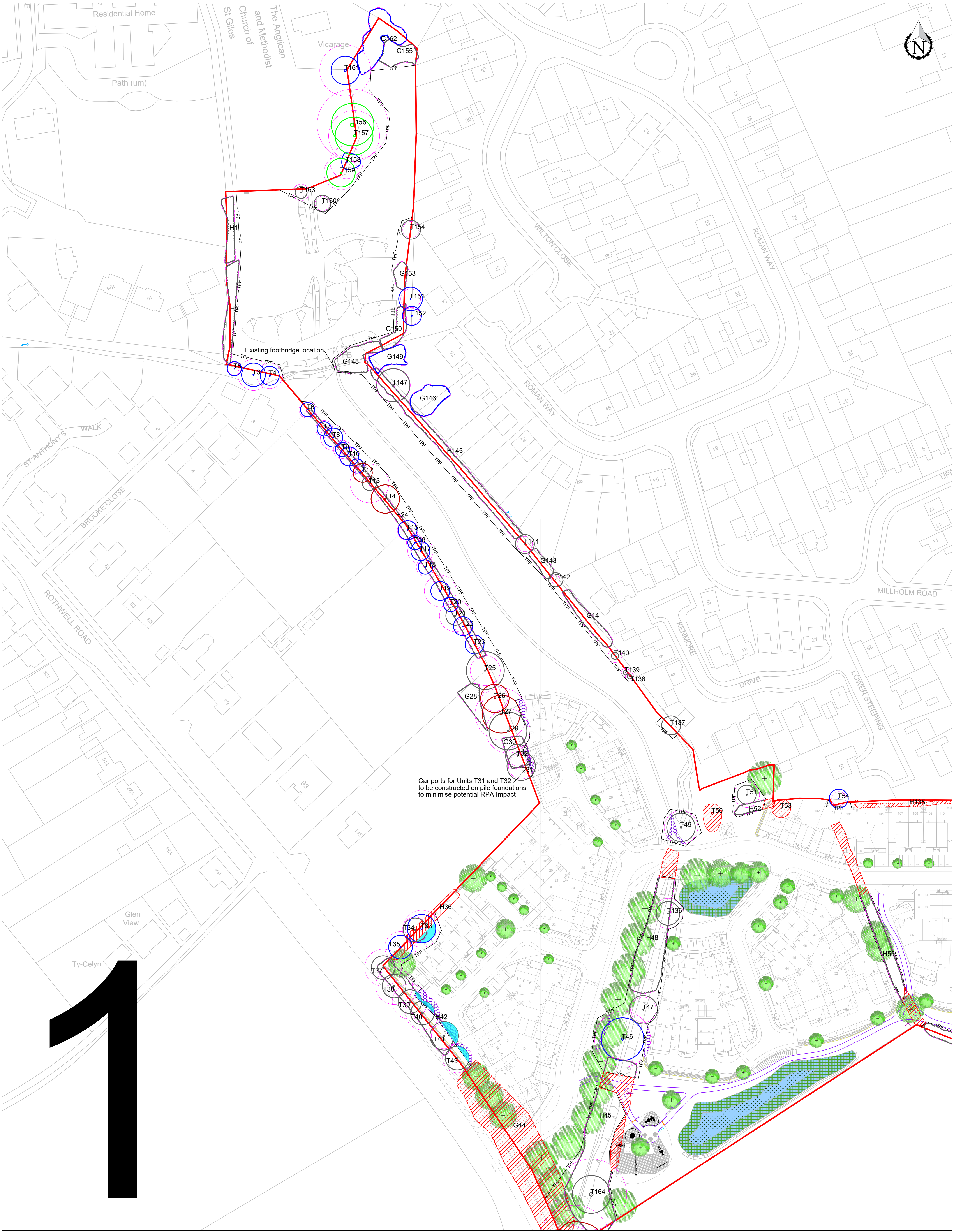
Tree No.	Species	Life Stage	No of Stems	Stem Diameter - DBH (mm)	Height (m)	Crown Spread (m)								Structural Condition	Physiological Condition	Observations	Life Expectancy	BS5837 Category	RPA Radius (m)	RPA Area (m2)
						N	NE	E	SE	S	SW	W	NW							
T170	Fraxinus excelsior (Ash)	Mature	1	650	10	7.0		7.0		7.0		7.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	40+	C2	7.8	191.1
G171	Salix sp. (Willow sp.)	Mature		See Observations	12	See Tree Survey Plan								Fair	Fair	Group of Riverside willows Densely ivy clad Some collapsed stems Average stem diameter 430mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
T172	Salix sp. (Willow sp.)	Late Mature	1	860	14	8.0		8.0		8.0		8.0		Fair	Fair	Ivy encroaching into and competing with crown of tree. Ivy on stem.	40+	C2	10.3	334.6
T173	Salix sp. (Willow sp.)	Late Mature	1	2100	14	8.0		8.0		8.0		8.0		Good	Good	Veteran willow	40+	B2	15.0	706.9
G174	Salix sp. (Willow sp.)	Mature		See Observations	12	See Tree Survey Plan								Fair	Fair	Group of Riverside willows Some collapsed stems Average stem diameter 530mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan
G175	Salix sp. (Willow sp.)	Mature		See Observations	12	See Tree Survey Plan								Fair	Fair	Group of Riverside willows Some collapsed stems Average stem diameter 530mm	20+	C2	See Tree Survey Plan	See Tree Survey Plan

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**Appendix 4: Tree Protection Plan (TPP)**

**See attached plan on the following page**



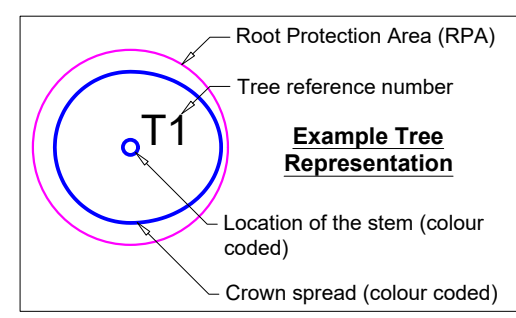
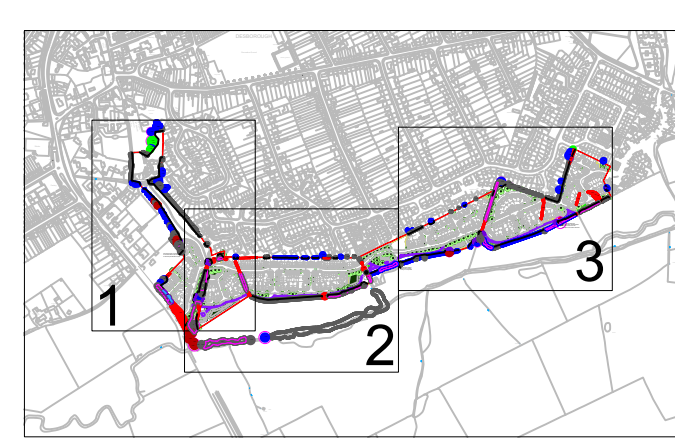


Car ports for Units T31 and T32 to be constructed on pile foundations to minimise potential RPA Impact

**Legend**

- Category A - Trees of high quality** with an estimated remaining life expectancy of at least 40 years
- Category B - Trees of moderate quality** with an estimated remaining life expectancy of at least 20 years
- Category C - Trees of low quality** with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm
- Category U - Trees unsuitable for retention**  
Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years
- Group of trees (G) / hedgerows (H) / woodlands (W) / shrubs (S)** - Colour coded according to categories above
- Root Protection Area (RPA)**
- Survey boundary line**
- Trees to be removed**
- TPF** - Tree Protective Fencing (TPF)
- Facilitation crown pruning/cutback**

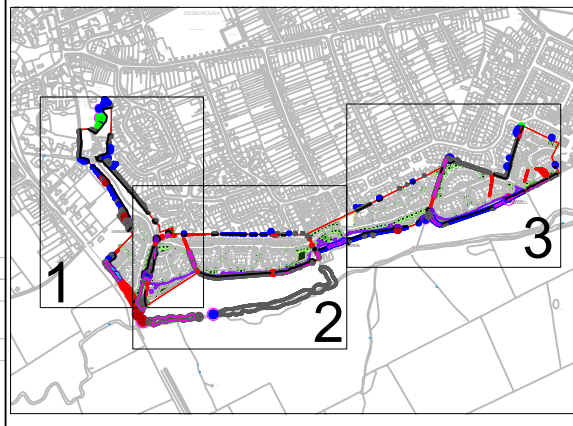
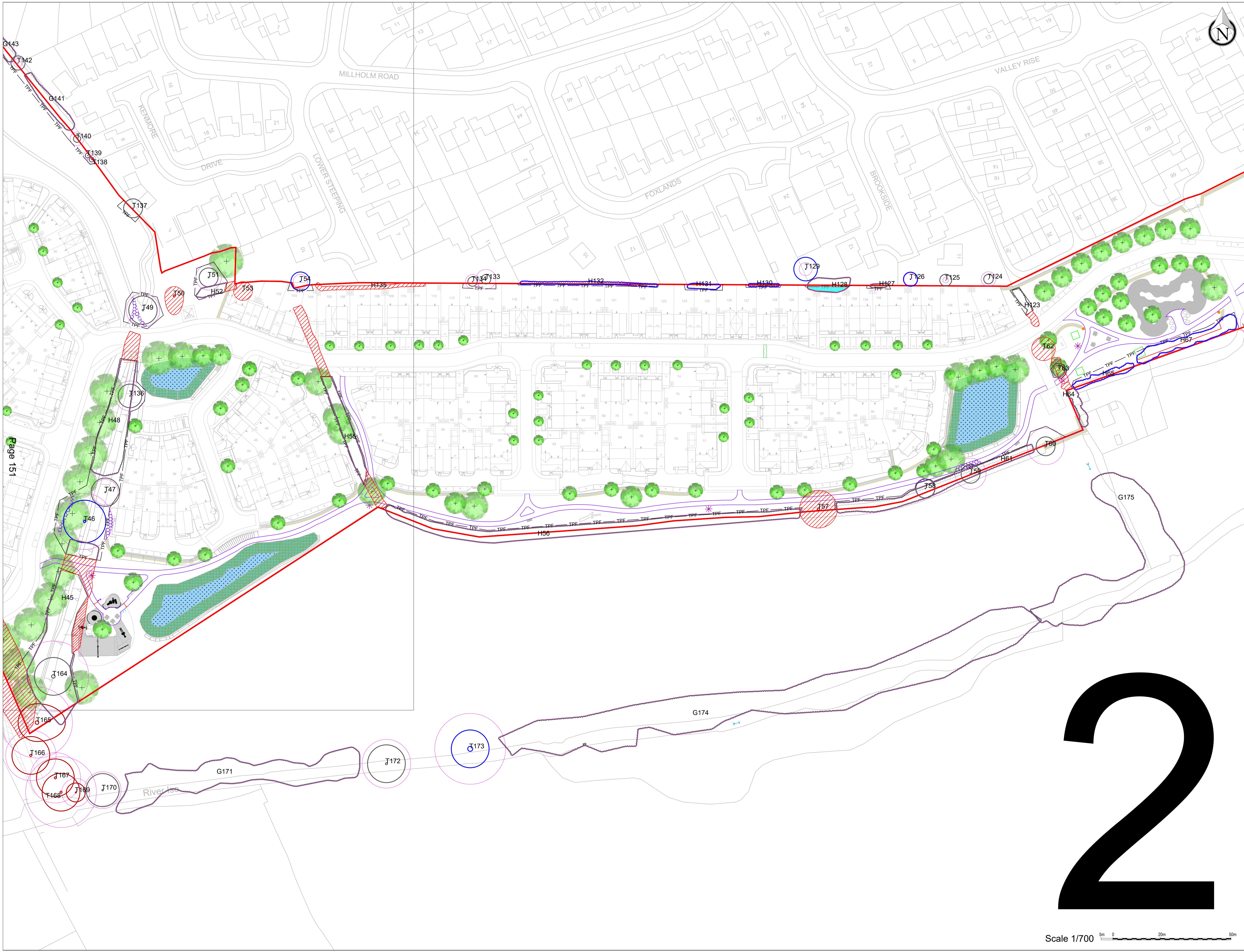
**RPA Incursions** - (Root investigations will be carried out under arboricultural supervision before the commencement of works in order to confirm if roots are present at these locations, with a view to minor root pruning, if necessary. If significant roots are identified at this location, then alternative 'no-dig' design solutions such as a cellular confinement system will be required)



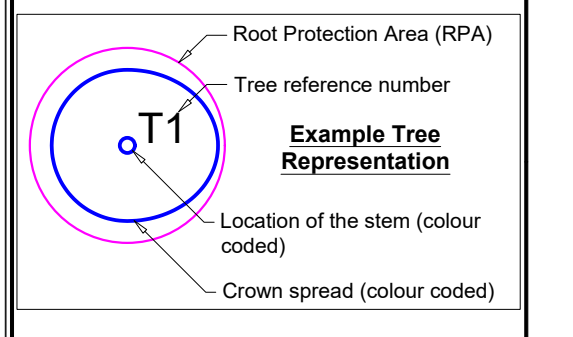
*This drawing was produced in colour - a monochrome copy should not be relied upon. Contractors must check all dimensions on site. Any discrepancies must be reported to the arboricultural consultant before proceeding.*

Rev	Update	Date
A	Layout DR-A-0220-S2-PS	01/02/23
Site		
Land off Rothwell Road, Desborough		
Client		
Bellway		
Drawing title		
Drawing 1 of 3 Tree Protection Plan		
Drawing no.	Scale	Date
TPP/Desborough Kett/02-03-23	1/700@A1	02/03/23
Revision	Drawn by	Checked by
A	TI	GM





- Legend**
- Category A - Trees of high quality with an estimated remaining life expectancy of at least 40 years
  - Category B - Trees of moderate quality with an estimated remaining life expectancy of at least 20 years
  - Category C - Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm
  - Category U - Trees unsuitable for retention  
Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years
  - G Group of trees (G) / hedges (H) / woodlands (W) / shrub (S) - Colour coded according to categories above
  - Root Protection Area (RPA)
  - Survey boundary line
  - Trees to be removed
  - TPF - Tree Protective Fencing (TPF)
  - Facilitation crown pruning/cutback
  - RPA Incursions - (Root investigations will be carried out under arboricultural supervision before the commencement of works in order to confirm if roots are present at these locations, with a view to minor root pruning, if necessary. If significant roots are identified at this location, then alternative 'no-dig' design solutions such as a cellular confinement system will be required)



This drawing was produced in colour - a monochrome copy should not be relied upon.  
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Southern Ecological Solutions,  
 Sudbury Stables Downham,  
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 Website: www.ses-eco.co.uk

Rev	Update	Date
A	Layout DR-A-0220-S2-PS	01/02/23

Site	Land off Rothwell Road, Desborough	
Client	Bellway	
Drawing title	Drawing 2 of 3 Tree Protection Plan	
Drawing no.	Scale	Date
TPP/Desborough Kett/02-03-23	1/700@A1	02/03/23
Revision	Drawn by	Checked by
A	TI	GM

Scale 1/700 
5m
0
20m
50m



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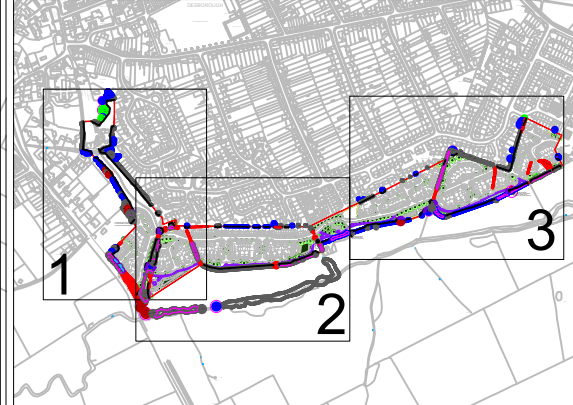




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Existing path location:  
RPA of T66 therefore  
unlikely to be impacted

Crown of T85 retrenched:  
Theoretical RPA of T85 therefore  
likely to be reduced in size  
and impact of incursions lessened.



**Legend**

- Category A - Trees of high quality with an estimated remaining life expectancy of at least 40 years
- Category B - Trees of moderate quality with an estimated remaining life expectancy of at least 20 years
- Category C - Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm
- Category U - Trees unsuitable for retention. Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years
- Group of trees (G) / hedgerows (H) / woodlands (W) / shrub (S) - Colour coded according to categories above
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- Survey boundary line
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- TPF - Tree Protective Fencing
- Facilitation crown pruning/cutback
- RPA Incursions - (Root investigations will be carried out under arboricultural supervision before the commencement of works in order to confirm if roots are present at these locations, with a view to minor root pruning, if necessary. If significant roots are identified at this location, then alternative 'no-dig' design solutions such as a cellular confinement system will be required)

Root Protection Area (RPA)  
Tree reference number  
Example Tree Representation  
Location of the stem (colour coded)  
Crown spread (colour coded)

This drawing was produced in colour - a monochrome copy should not be relied upon.  
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Rev	Update	Date
A	Layout DR-A-0220-S2-PS	01/02/23

Site: Land off Rothwell Road, Desborough

Client: Bellway

Drawing title: Drawing 3 of 3 Tree Protection Plan

Drawing no.	Scale	Date
TPP/Desborough Kett/02-03-23	1/700@A1	02/03/23

Revision	Drawn by	Checked by
A	TI	GM

# 3

Scale 1/700 5m 0 20m 50m



## **Appendix 5: Tree Protection Barriers & Ground Protection Design**

Barriers should be fit for the purpose of excluding construction activity and appropriate to the degree and proximity of work taking place. The default specification will be in accordance with *Section 6.2.2.2 of BS 5837:2012*, as set out below.

### **5.1 Specifications**

Barrier shall be a minimum 2 m high. It shall consist of a vertical and horizontal scaffold framework, well braced to resist impacts, as illustrated below. The vertical tubes should be spaced at a minimum interval of 3 m and driven securely into the ground. Onto this framework, welded mesh panels should be securely fixed. See Figure 2 overleaf.

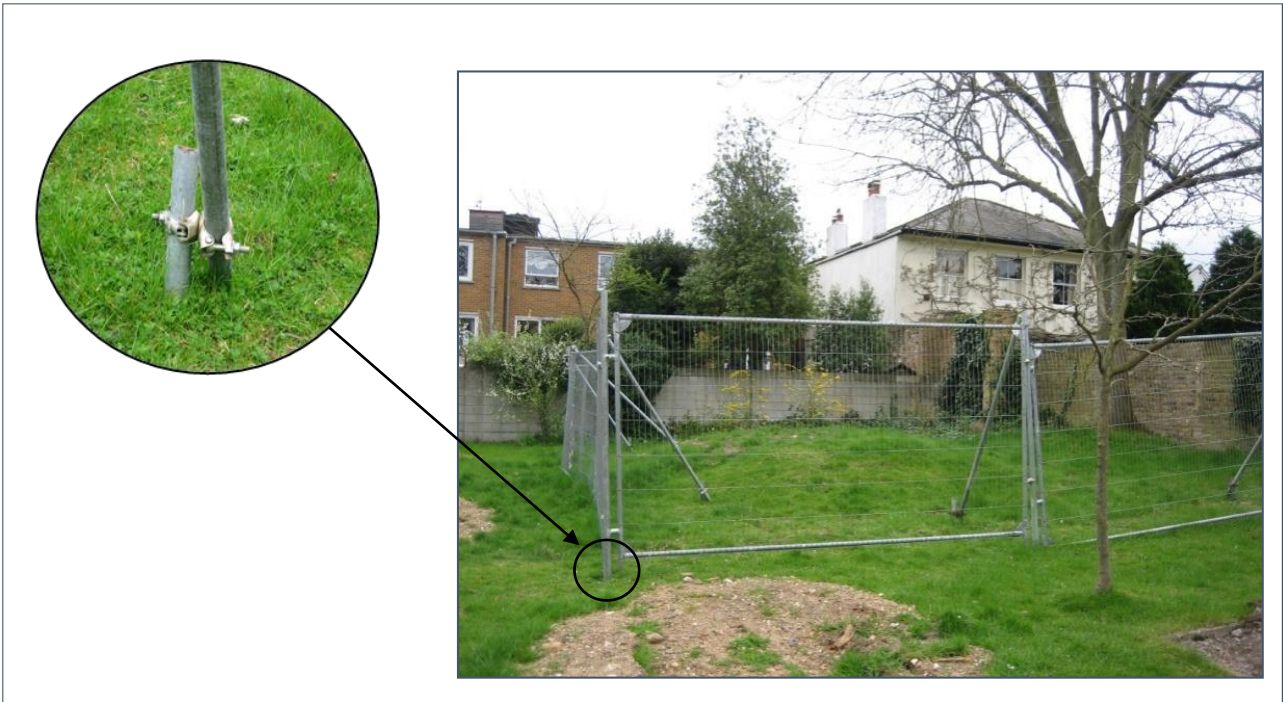
Where site circumstances and the associated risk of damaging incursions into the RPA do not necessitate the default level of protection, an alternative specification may be used if agreed with the local authority. An example would be 'Heras' type welded mesh panels on rubber or concrete feet. The panels should be joined together using a minimum of two anti-tamper couplers, installed so that they can only be removed from inside the fence. The panels should be supported on the inner side by stabiliser struts. See Figure 3 overleaf. All-weather notices should be attached to the barrier with words such as 'TREE PROTECTION ZONE - NO ACCESS'.

### **5.2 Location**

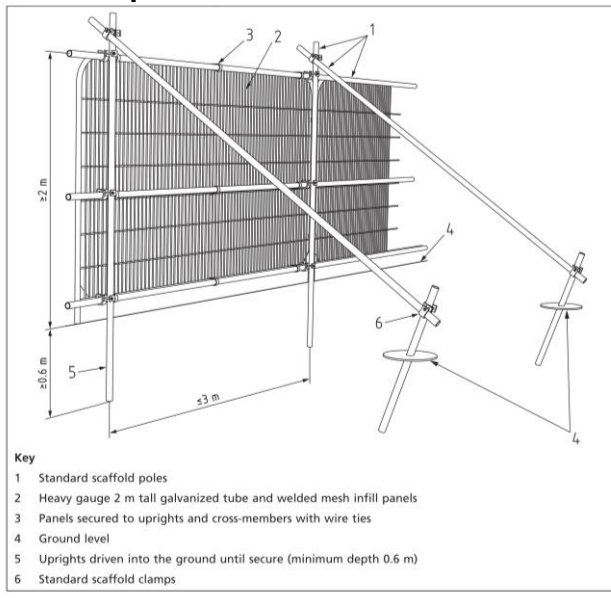
Barriers shall be positioned on the perimeter of the Root Protection Area to define the Construction Exclusion Zone or as specified in the Tree Protection Plan.

The Tree Protective Fencing is represented on the Tree Protection Plan by a black linetype containing the letters 'TPF'.

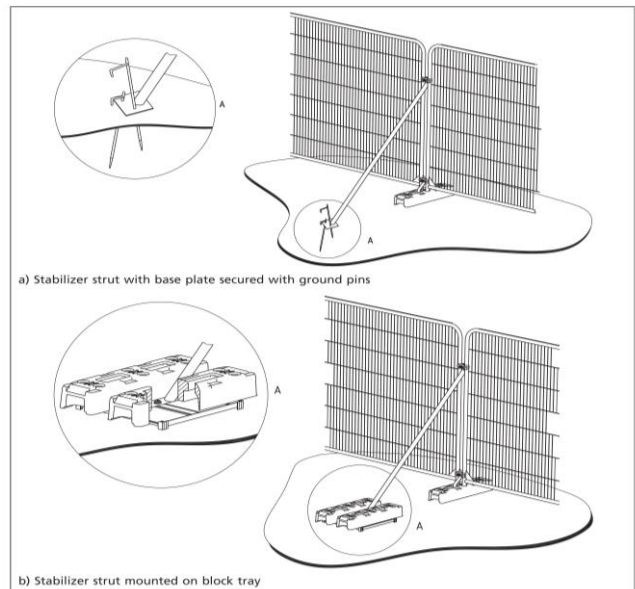
**Figure 1 Example of welded mesh barriers in use**



**Figure 3 Default specification or protective barrier**



**Figure 2 Examples of above-ground stabilizing system**



*Figures above are reproduced with the permission of the British Standards Institute.*

### 5.3 Ground protection

In areas where it is not possible to erect protective fencing, ground protection must be used to protect the CEZ of trees. Where it has been agreed during the design stage, and as shown on the tree protection plan, that vehicular or pedestrian access for the construction operation may take place within the CEZ, the possible effects of construction activity should be addressed by a combination of barriers and ground protection. The position of the barrier may be within the CEZ at the edge of the agreed working zone, but the soil structure beyond the barrier to the edge of the CEZ should be protected with ground protection. This must be installed before any site activity takes place to protect soil structure and tree roots.

Ground protection must be fit for the purpose of supporting any traffic entering or using the site without being distorted or causing compaction of underlying soil. It might comprise one of the following:

- *“for pedestrian movements or the erection of scaffolding within the RPA the installation of ground protection in the form of a single thickness of scaffold boards either on top of a driven scaffold frame, so as to form a suspended walkway, or on top of a compression-resistant layer (e.g. 100 mm depth of woodchip laid onto a geotextile;*
- *for pedestrian-operated plant up to a gross weight of 2 t, proprietary, inter-linked ground protection boards or panels placed on top of a compression-resistant layer (e.g. 150 mm depth of woodchip), laid onto a geotextile membrane; or for wheeled or tracked construction traffic exceeding 2 t gross weight, an alternative system (e.g. proprietary systems or pre-cast reinforced concrete slabs) to an engineering specification designed in conjunction with arboricultural advice, to accommodate the likely loading to which it will be subjected.*

The following is a list of suppliers of temporary ground protection including polymer, metal or wooden panels. Other companies supply similar products, and the following are given only as an example:

- [www.ground-guards.co.uk](http://www.ground-guards.co.uk)
- [www.trakmatseurope.com](http://www.trakmatseurope.com)
- [www.centriforce.com](http://www.centriforce.com)
- [www.marwoodgroup.co.uk](http://www.marwoodgroup.co.uk)
- [www.groundtrax.com](http://www.groundtrax.com)

Cellular confinement no-dig systems can also be used.

**Figure 4 Examples of proprietary ground protection panels**





## **Appendix 6: Methods of Work Close to Trees**

### **6.1.1 Guidance for working within RPAs**

(This chapter sets out the general principles that must be followed when working in RPAs).

### **6.1.2 Removal of hard surfaces within RPAs**

All structures including hard surfaces, walls and fences within CEZs must be removed following the methods detailed below to minimise damage to tree roots.

The use of conventional tracked and wheeled machinery causes damage to soil structure from compaction and damage to roots from excavation and must not be used within the CEZ. All areas of hard surfacing requiring removal within a CEZ will be broken up using a hand-held pneumatic drill or mounted hydraulic breaker attached to a digger located outside the CEZ. The broken rubble will then be removed by hand.

The only exception to this is where the hard surface is of such a size as not to be reachable from outside the CEZ. In this situation, a rubber tracked mini digger will be used. The maximum working height of the machine must be less than the lowest branch of any overhanging trees.

The mini digger will work from the existing hard surface pulling the debris away from the tree/s.

No excavation of existing soil beneath the hard surface will take place.

Immediately after removal of the hard surface, topsoil or sharp sand must be used to cover the soil surface and any roots to prevent drying out.

Upon completion, the protective fencing must be moved out to the edge of the CEZ or ground protection used if access is required.

### **6.1.3 Services**

The location and direction of new services should be designed to allow for services to be routed away from the RPAs of retained trees.

If any services need to run through a CEZ, the main contractor must contact the project arboriculturist before any works are undertaken. The agreement will then be sought from the LPA tree officer on methodology. Works will only begin with the agreement of the LPA. The methodology used must comply with *NJUG Volume 4: Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees*, which can be summarised as:

- *hand excavate only;*
- *work carefully around roots only cutting as a last resort;*
- *do not cut roots over 25 mm in diameter without referring to the project arboriculturist, and*
- *for roots, less than 25 mm in diameter use a sharp tool to make a clean cut leaving as small a wound as possible.” (BS5837:2012)*

#### **6.1.4 New hard surfaces within RPAs**

Where it has been agreed with the LPA that hard surfaces are acceptable within RPAs of retained trees, these will require designing to be of above ground, no-dig construction to minimise the impact on tree roots and soil structure. In addition, finished surfaces of the car parking and paved areas will need to be of a porous design to allow water and an air passage in and out.

An illustrative example of a cellular confinement no-dig system can be found below. The actual system will need to be designed by a structural engineer to accommodate the loadings anticipated

The principles to follow are:

- *“no excavation other than the removal of existing hard surfaces if required, or the removal of surface vegetation and no more than 50 mm of leaf litter, vegetation debris etc.;*
- *a method to spread and support the load of the hard surface and anticipated usage without causing compaction of the soil structure beneath;*
- *the use of a porous sub-base and finishing layer to allow water and air diffusion in and out of the soil;*
- *porosity must be designed to be long-term and not to block with fine particles in the short-term; therefore irregular, no-fines aggregate must be used; and*
- *the pH of the aggregate must be considered as many conventional road stones have very high pH values which can damage susceptible trees and therefore aggregates with a near neutral pH should be preferred.” (BS5837:2012)*



6.2 Examples of a Cellular Confinement System

Figure 5 Cellular Confinement System - Transition detail (Ramp)

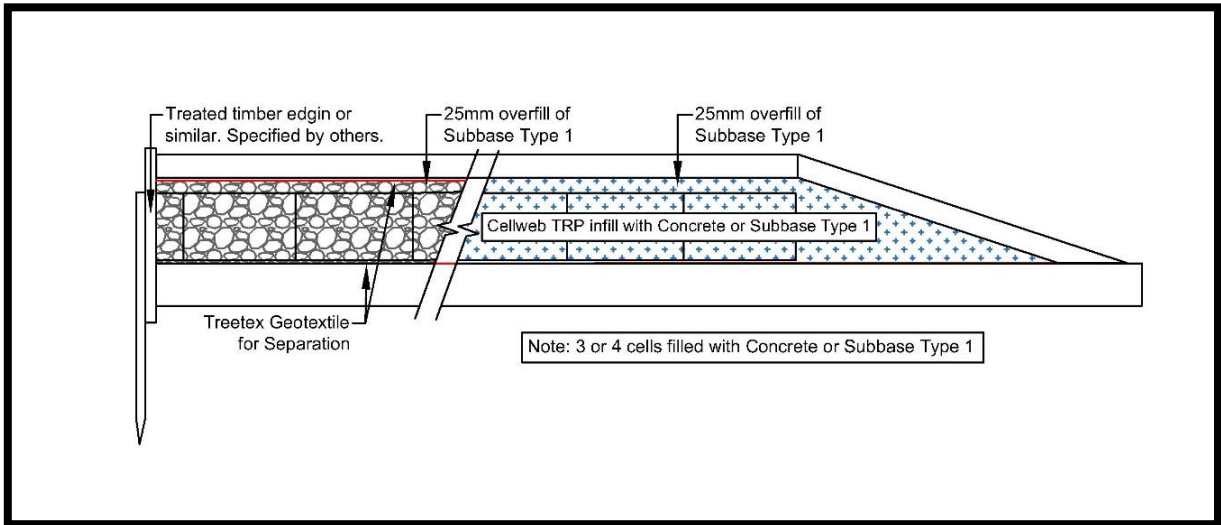


Figure 6 Cellular Confinement System - Transition detail (Flat)

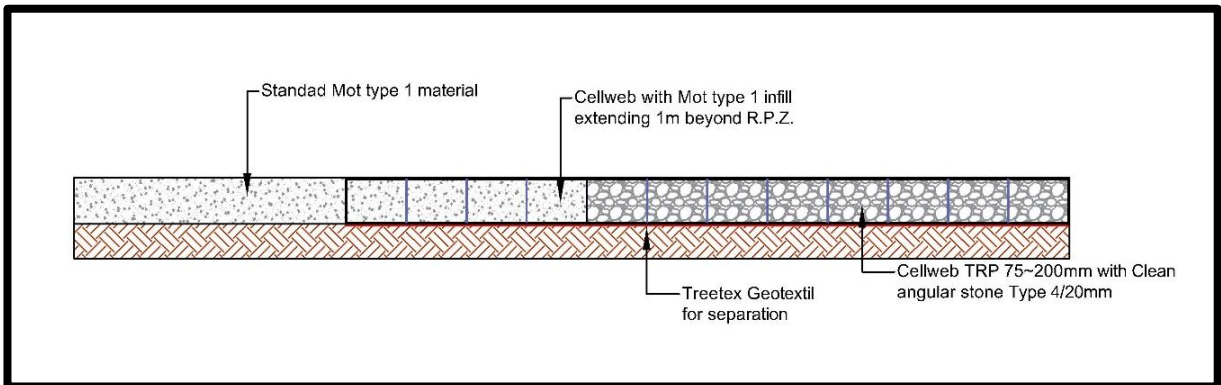
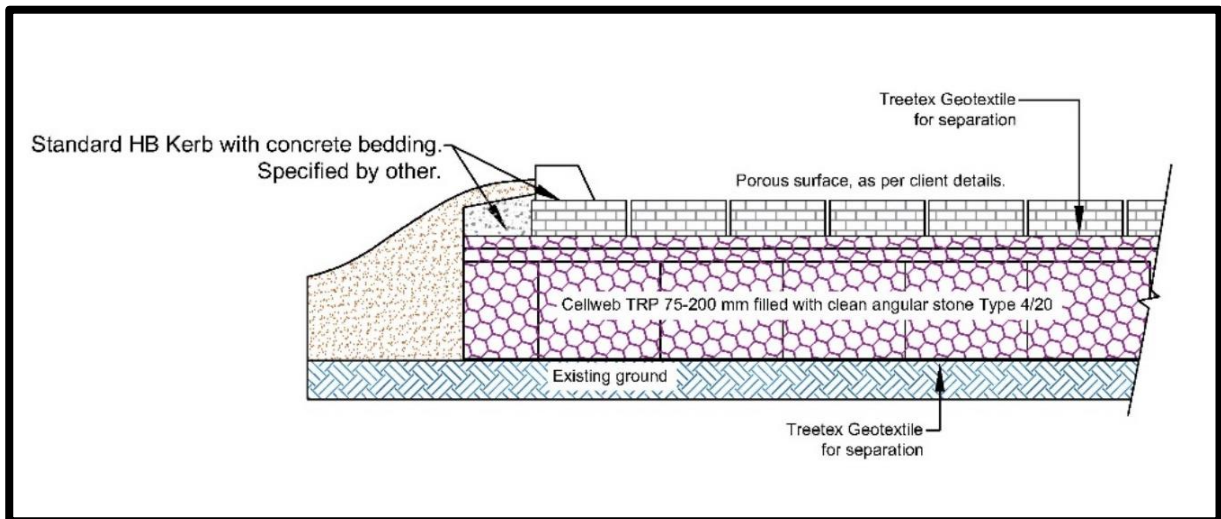
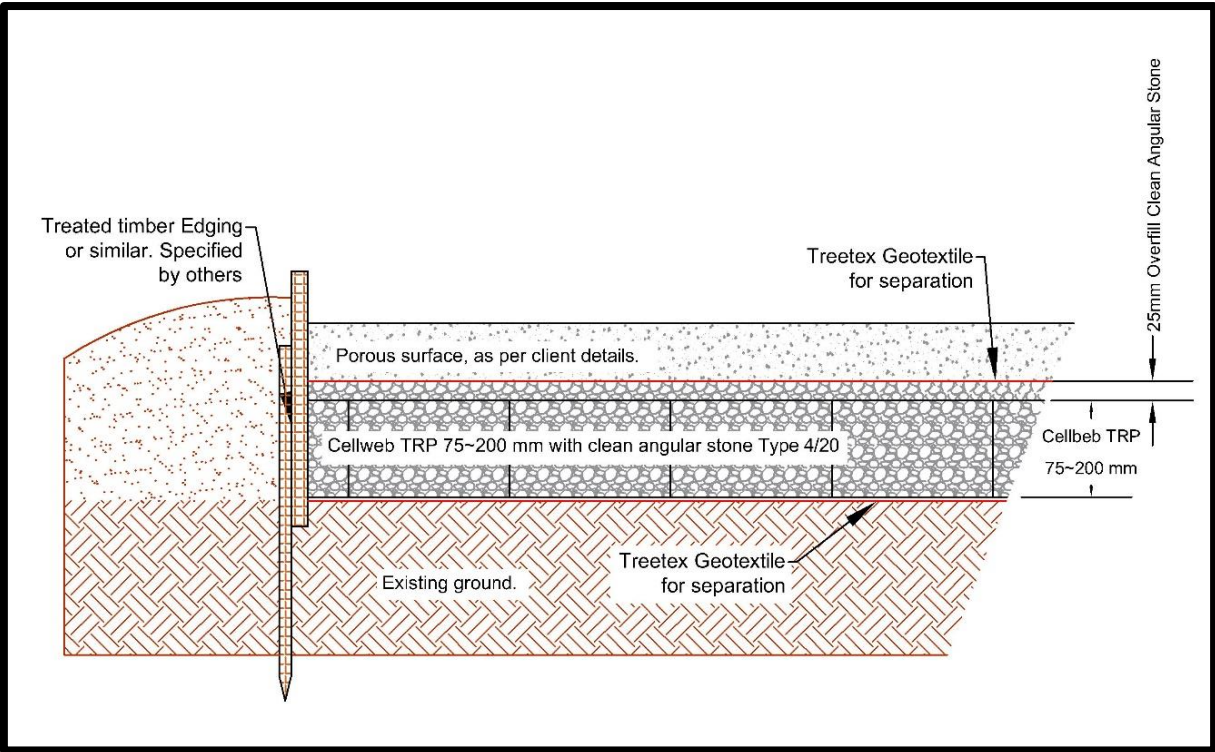


Figure 7 Cellular Confinement System - Kerb Edging



**Figure 8 Cellular Confinement System - Timber Edging**



**Figure 9 Examples of Cellweb filling with angular stone**



### **6.3 Fencing within RPAs**

Where posts are to be installed within RPAs, the holes must be dug carefully by hand. If roots with a diameter of 25 mm or greater are found, the position of the post must be moved. Roots smaller than 25 mm diameter can be cut with sharp tools leaving as small a wound as possible. The sides of the hole should be lined with an impermeable membrane such as plastic sheeting to prevent the caustic and toxic effects of wet cement in the concrete from damaging tree roots. In the event the of finding roots greater than 25 mm whereby the posts cannot be relocated, special construction methods will need to be used with onsite supervision. The detail of which will form part of the Arboricultural Method Statement.

### **6.4 Landscaping works within RPAs**

Landscape operations within tree protection zones have the potential to damage trees if not carried out with care; in addition, the removal of protective fencing to carry out landscape operations may allow other contractors in previously protected areas.

If protective fencing is taken down to facilitate landscaping operations, the area of the CEZ must be delineated by pins and marker tape, spray paint, or some other method to clearly show the extent of the CEZ.

The preparation of soil for planting and turfing must be carried out by hand where within CEZs. Cultivation should be kept to a minimum and new topsoil added must not exceed 100mm in depth within 1m of the stem of any tree.

Topsoil and other materials must be transported by wheelbarrow on running boards when working within CEZs.

## Appendix 7: Tree Work Schedule

Tree No.	Species	Proposed Works	Reason	BS5837 Category
G30	Fraxinus excelsior (Ash)	Facilitation Crown Pruning Cutback	To accommodate the layout	C2
T33	Tilia cordata (Small Leaved Lime)	Facilitation Crown Pruning Cutback	To accommodate the layout	B2
H36	Bramble hedgerow with occasional blackthorn	Removal	To accommodate the layout	C2
T39	Fraxinus excelsior (Ash)	Facilitation Crown Pruning Cutback	To accommodate the layout	C2
T40	Fraxinus excelsior (Ash)	Facilitation Crown Pruning Cutback	To accommodate the layout	C2
T43	Fraxinus excelsior (Ash)	Facilitation Crown Pruning Cutback	To accommodate the layout	C2
G44	Blackthorn, bramble and salix caprea group including offsite roadside ash	Removal	To accommodate the layout	C2
H45	Hawthorn, blackthorn and bramble hedge	Part removal	To accommodate the layout	C2
T47	Fraxinus excelsior (Ash)	Removal	To accommodate the layout	C2
T50	Salix fragilis (Crack Willow)	Removal	To accommodate the layout	U
H52	Hawthorn hedge	Part removal	To accommodate the layout	C2
T57	Salix fragilis (Crack Willow)	Removal	To accommodate the layout	U
T62	Fraxinus excelsior (Ash)	Removal	To accommodate the layout	C2
H64	Hawthorn hedge with occasional willow	Part removal	To accommodate the layout	C2
H84	Hawthorn and elder hedge	Part removal	To accommodate the layout	B2
T86	Robinia pseudoacacia (False Acacia sp./Black Locust)	Removal	To accommodate the layout	U
H87	Hawthorn and elder hedge	Part removal	To accommodate the layout	B2
G88	Fraxinus excelsior (Ash)	Removal	To accommodate the layout	C2
H90	Hawthorn elder and bramble hedge	Removal	To accommodate the layout	C2
T91	Pinus sylvestris (Scots Pine)	Removal	To accommodate the layout	C2
T92	Pinus sylvestris (Scots Pine)	Removal	To accommodate the layout	C2
T95	Fraxinus excelsior (Ash)	Facilitation Crown Pruning Cutback	To accommodate the layout	B2
H98	Hawthorn hedge	Removal	To accommodate the layout	C2
H107	Yew and juniper hedge	Removal	To accommodate the layout	C2
H113	Hawthorn and elder hedge	Part removal	To accommodate the layout	C2
H123	Hawthorn hedge	Part removal	To accommodate the layout	C2

Tree No.	Species	Proposed Works	Reason	BS5837 Category
H128	Hawthorn and pyracantha hedge	Facilitation Crown Pruning Cutback	To accommodate the layout	C2
H135	Hawthorn and bramble hedge	Removal	To accommodate the layout	C2



## **Appendix 8: Specific Report Caveat and References**

- 8.1 The survey is concerned solely with arboricultural issues.
- 8.2 Trees are dynamic living organisms whose health and the condition can change rapidly. Any changes to the tree or conditions close to the tree may change the stability and condition of the tree and a further examination would be required and may affect the validity of this report.
- 8.3 Hedges and dense tree belts often contain more than one species of vegetation and in certain circumstances it may not be possible (due to density, size, time of year) to identify all species within a hedge or dense tree belt. In this eventuality the tree schedule will identify this as may contain high water demanding species and, in these cases, a further survey will be required ahead of the design process.
- 8.4 Vegetation can establish very quickly on and off site. It is the responsibility of the client to ensure that prior to the design of hard landscaped areas, infrastructure and foundations where trees need to be considered as part of the design process, a walkover survey is instructed and undertaken to identify any vegetation that may alter the designs as required by the NHBC Guidelines Chapter 4.2 and any other building standard or regulation relevant to the proximity of trees and development.
- 8.5 The arboriculturist must be involved at all stages throughout the development process to ensure that any impacts to trees and from trees have been considered and that any design or layout changes are checked as soon as possible to avoid delays and changes that may be necessary after review.
- 8.6 In order for SES to provide comment in respect of impacts to trees within the Arboricultural Impact Assessment and the Arboricultural Method Statement we will require the most up to date details of the design and, where known the drainage and utility runs as soon as possible. SES cannot be held responsible in the event of changes to a design or layout that may affect the impact to trees or a negative response from planning authorities where the most up to date information has not been provided or is not received by us where time permits that we can assess the layout changes and provide our view.
- 8.7 When working with the constraints of trees the design should follow a mitigation hierarchy and look to avoid all root protection areas where possible. Where this can't be achieved the arboriculturist will provide advice in respect of retention, loss or working within a Root Protection Area.
- 8.8 This report is valid for 12 months.

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