

North Northamptonshire Strategic Planning Committee 24th April 2023

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

1.1 That the reserved matters be APPROVED

2. The Proposal

- 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.
- 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).

| | 2-bed | 2-bed bungalows | 3-bed | 4 bed | Total |
|----------------------|-------|--------------------|-------|-------|-------|
| Market Dwellings | 8 | 9 | 129 | 32 | 178 |
| Affordable Dwellings | 26 | 8 | 37 | 6 | 77 |
| Total | 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

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).

- 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.
- 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

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) - APPOVED 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

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;

- 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.

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 appellant.

- 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 be 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 CI) 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 appellant 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

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 <u>Kettering Site Specific Part 2 Local Plan</u>

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 <u>Draft Desborough Neighbourhood Plan</u>

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

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 1st 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;

<u>Layout</u> - 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)

<u>Appearance</u> – 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.

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

<u>Landscaping</u> – 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 20th 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 "revisited" 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 fourbedroom 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 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 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 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 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 In relation to the proposed bat and bird boxes, it is WLT) are acceptable. 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 lse 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.

<u>Noise</u>

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.

<u>Archaeology</u>

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 Chang e 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

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

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

11. Conditions

- 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

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:

| Title | NK Ref. | Agent's Ref | Received Date |
|-----------------------------------|------------|--------------------------------------|------------------|
| 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' | 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 |

| | 16/09/2022 |
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| | 16/09/2022 |
| | 16/09/2022 |
| | 16/09/2022 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0230A D5 – P5 | 17/11/2022 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0230B- D5-P5 | 17/11/2022 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0230C- D5-P5 | 17/11/2022 |
| 18883-DBOR-5-SK009-F | 17/11/2022 |
| 18883-DBOR-5-SK010-F | 17/11/2022 |
| 18883-DBOR-5-SK011-D | 17/11/2022 |
| Dated October 2022 Rev B | 03/11/2022 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0237- S2-P1 | 10/02/23 |
| PR214-01 Rev L | 14/02/23 |
| PR214-03 Rev J | 14/02/23 |
| SES September 2021 | 21/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0231A- D5-P5 | 22/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0231B- D5-P5 | 22/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0231C- D5-P5 | 22/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0232A- D5-P5 | 22/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0232B- D5-P5 | 22/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0232C- D5-P5 | 22/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0233A- D5-P5 | 22/02/23 |
| ROTRD-MCB-ZZ-ZZ-DR-A-0233B- D5-P5 | 22/02/23 |
| | D5 – P5 ROTRD-MCB-ZZ-ZZ-DR-A-0230B-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0230C-D5-P5 18883-DBOR-5-SK009-F 18883-DBOR-5-SK010-F 18883-DBOR-5-SK011-D Dated October 2022 Rev B ROTRD-MCB-ZZ-ZZ-DR-A-0237-S2-P1 PR214-01 Rev L PR214-03 Rev J SES September 2021 ROTRD-MCB-ZZ-ZZ-DR-A-0231A-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0231C-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0232A-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0232C-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0233A-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0233A-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0233A-D5-P5 ROTRD-MCB-ZZ-ZZ-DR-A-0233B- |

| 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 |







































