

North Northamptonshire Planning Committee (South) 18 October 2023

Application Reference	NE/22/00851/OUT
Case Officer	William Tysterman
Location	Land East of A6 And Roundabout At, Bedford Road, Rushden
Development	Outline: Erection of up to 450 dwellings, a community / retail / and or health facility, improvement works to the existing A6 / Bedford Road roundabout including provision of shared pedestrian / cycle access, parking, landscaping, drainage features, open space, and associated infrastructure (All matters reserved except access from the A6 / Bedford Road)
Applicant	Bellway Homes Limited
Agent	Marrons Planning - Mr Richard Cooke
Ward	Rushden South Ward
Original Expiry Date	7 November 2022
Agreed Extension of Time	20 October 2023

Scheme of Delegation

This application is brought before the Planning Management Committee (South Area) because it falls outside of the Council's Scheme of Delegation. This is because it is of a departure from the current North Northamptonshire Joint Core Strategy (JCS) (2016) and Rushden Neighbourhood Plan (2018) (although is allocated within the Emerging East Northamptonshire Part 2 Local Plan), has received more than 10 objections from members of the public and objections from Parish Councils.

1. Recommendation

- 1.1 **APPROVE** subject to delegated officers agreeing a final Early Years Education contribution and the prior completion of a Section 106 obligation relating to affordable housing, provision of open space, highway improvements, education, air quality, education sports contributions and subject to conditions to include those listed below with only minor alterations where necessary delegated to officers.
- 1.2 In the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period for determination, or on the

grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable the development should be refused.

2. The Proposal

- 2.1 This is a planning application for the erection of up to 450 dwellings, a community / retail / and or health facility, improvement works to the existing A6 / Bedford Road roundabout including provision of shared pedestrian / cycle access, parking, landscaping, drainage features, open space, and associated infrastructure. The proposal is for the residential development of the site as an allocation in the emerging Local Plan Part 2 for East Northamptonshire. This application is in outline with 'access' the only matter to be considered in detail at this stage. The final layout, scale, appearance and landscaping are 'Reserved Matters' to be considered at a future date (should outline permission be granted).
- 2.2 The following documents and plans have been submitted as part of the application, some of which were updated throughout the determination period:
- Location Plan;
 - Parameters Plan
 - Topographical Plan
 - Illustrative Masterplan
 - Design and Access statement
 - Planning Statement
 - Statement of community involvement
 - Health Impact Assessment
 - Archaeology report
 - Contaminated Land Assessment
 - Utility Assessment
 - Ball Impact Assessment
 - Noise Assessment
 - Lighting assessment
 - Biodiversity net gain calculations
 - Travel Plan
 - Transport Assessment
 - Flood Risk Assessment
 - Soil Management Plan
 - Environmental Statement detailing the following sections
 - Introduction
 - EIA Approach and Methodology
 - Site and Surroundings
 - Proposed Development
 - Landscape and Visual
 - Biodiversity including
 - Badger report
 - Breeding Bird Report
 - Wintering Bird report
 - Information to inform Habitat Regulations Assessment
 - Bat survey
 - Great crested Newt report
 - Arboricultural report
 - Agricultural land
 - Water Environment and Drainage
 - Highways and Accessibility
 - Noise and Vibration
 - Air Quality
 - Summary and effects of mitigation

- Non Technical Summary of Environmental Statement

3. Site Description

- 3.1 The Site is approximately 23.70ha in size, adjacent to the south eastern edge of Rushden, east of the A6/ Bedford Road. To the north and east of the Site are further agricultural fields, with a golf range and course located to the south east, to the north of Bedford Road (A6). The land adjacent to the east of the Site was previously subject to a planning application for the use of a community facility, which included 4 rugby pitches. This has now been withdrawn.
- 3.2 The Site is largely enclosed in character yet close to the existing residential edge of Rushden to the west, ribbon residential development to the south (Bedford Road), east (The Avenue) and north (Newton Road) as well as the heavily trafficked A6 transport corridor immediately west and south. The Site is located a short distance south of the allocated Rushden East Sustainable Urban Extension, which lies to the east of the A6 and north of Newton Road which is current subject of a pending planning application ref 20/01453/OUT.
- 3.3 The site is in agricultural use with a ditch and established hedgerow with trees along the valley, running through the Site's centre. The edge of Rushden Town is clearly beyond the A6 immediately adjacent to the western site perimeter and residential properties along Bedford Road (A6) immediately to the south are also visible. Rushden Primary Academy occupies a large, modern and visually dominant building to the west of the site and Rushden and Higham Rugby Club, with its high perimeter fence line, also forms local views to the south-west.
- 3.4 The Site lies on the slopes of a localised valley, land rises to north-east, east and south east affording a perception of the site being reasonably well-contained overall. Landform slopes gently across the Site, rising to localised ridgelines in the north-east, at 90-95m AOD, and the east and south-east at 85-90m AOD.
- 3.5 In terms of constraints, the Site is not covered by any statutory or non-statutory designations for landscape character and there are no Tree Preservation Orders ('TPO') covering any trees within the Site. The Site is not covered by any national statutory or non-statutory heritage designations. Rushden Conservation Area and listed buildings are located to the north west of the Site within Rushden, while a Scheduled Monument and Listed Building are located to the south east. The Site is not covered by any national statutory or non-statutory designations for ecology. The site is situated 3.3km to the south east of the Upper Nene Valley Gravel Pit SPA / RAMSAR / SSSI. The Site is wholly located in Flood Zone 1, which means that it is at low risk of fluvial flooding. Public footpath UK9 crosses the Site, linking Rushden in the west to Higham Park in the east.

4. Relevant Planning History

- 4.1 None Relevant, although the site has been subject to pre application
- 4.2 Adjacent to the site:
20/01174/FUL - Erection of new rugby club house with four playing pitches and provision of new access road from existing roundabout, including creation of new pedestrian crossing and 3m wide shared footway and cycleway on adjacent highway (Resubmission of 19/01974/FUL) – Withdrawn

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

5.1 Rushden Town Council – No objections – comments summarised below:

- Draft allocation within the emerging Part 2 Local Plan.
- Policy CL7 of Rushden Neighbourhood Plan supports developments which provide new community facilities.
- Recognise that the NHS Clinical Commissioning Group confirm that there will not be sufficient capacity in the local primary healthcare system
- Concerns are raised over the description of development on this basis, as it appears there is a health need which should be met in line with Policy CL7 of the Neighbourhood Plan; and the Town Council's preference is a health facility be provided on the site.
- Town Council are in favour of the applicant's intention to provide access to the new community building and four sports pitches proposed on adjoining land.
- Sport England requested that financial contributions be made by the developer, in line with their Sports Facilities Calculator to meet likely demand for sports facilities. The Town Council request that any such contributions be directed toward the new Community facility and sports pitches which will provide dedicated facilities to meet a current deficit in sports provision across Rushden, in line with policy EN28 of the Part 2.
- The Council's Part 2 Local Plan, and the Infrastructure Delivery Plan which informs it, provides flexibility on such matters when dealing with open space requirements, which are based on the recent KPP standards that are to be used in conjunction with other targeted strategies.
- Much of the open space provision proposed on the development site is proposed for sustainable urban drainage purposes, and whilst such use can provide biodiversity and visual amenity benefits it will otherwise be unusable for future residents.
- Consideration also needs to be given for potential noise mitigation measures in respect of the A6
- The Town Council request that the planning authority keep them engaged on any S106 matters relating to open space and sports provision.
- Subject to the above matters being agreed, and the planning authority being satisfied that the application will not prejudice the ability of the allocated site at Manor Road to be brought forward as development for up to 200 homes (as set out within the Rushden Neighbourhood Plan) in tandem with the proposed Community / Rugby Club development, then the Town Council is happy to support this application 'in-principle'.
- The applicant is proposing a minimum of 30% affordable housing, which is in accordance with policy RNP2 of the Rushden Neighbourhood Plan.

5.2 Wymington Parish Council:

- Difficult to get in/out of the Wymington Lane/Bedford Road junction and building here will make it worse, the Parish Council would like to see North Northants Council working with the developers to install a roundabout at this position
- Wymington village is already a well-used rat run for Rushden residents to get to Milton Keynes (Wymington/Podington/Bozeat and onto the A605). Both Rushden Road and the High Street suffer from speeding issues, and these dwellings are likely to continue to exacerbate the situation. The Parish Council would like to see funding for traffic calming measures

- 5.3 Raunds Town Council
- Supports improvements to the A6 roundabout but otherwise have no further comment.
 - Noted amended information
- 5.4 Irthlingborough Parish Council - OBJECTION on the following grounds: -
- With respect to Highways comments Irthlingborough Town Council would like to see the single carriageway extended to a dual carriageway.
 - The community facility area of 610 square metres is considered to be too small - it is felt that a minimum of 750 square metres should be allocated to D1 use.
 - Support Rushden Town Councils views
- 5.5 North Northamptonshire Council – Environmental Health (Noise) – comments summarised below:
- Further noise assessment needed prior to determination. It is likely that a noise barrier (fence/bund) will be required along the boundary with the A6 as a minimum. Noise at the façade of some dwellings cannot be mitigated unless they are set back from the A6 or protected by other means.
 - The assessment of noise at occupational phase indicates those dwellings close to the A6 on the western boundary will be exposed to unacceptably high façade noise levels. Greater than 60dB(A).
 - To protect the majority of people being moderately annoyed during the daytime the level should not exceed 50dBLAeq. The development should be designed to aspire to the lower level of 50 dBLAeq and no gardens shall exceed 55dBLAeq.

Following the above, revised information was submitted and further comments are summarised below:

- The technical note has focussed on noise in the gardens ignoring the very high façade levels, especially the dwellings proposed nearest to the A6 Rushden Bypass and in the vicinity of the roundabout and site access.
- Suggested mitigation in the noise assessment is as follows:
 - o Reliance on a small distance buffer between houses and the A6.
 - o The nearest dwelling is only around 25 metres from the edge of the A6. Noise at the façade of some dwellings cannot be mitigated unless they are set back some distance from the A6.
 - o An appropriate site layout.
 - o Appropriate building material.
 - o Overreliance on the built form and glazing element with windows having to remain closed.
 - o On plot garden fences.
 - o This would not protect all the gardens from excessive noise levels.
- The applicant has not explored any measures to mitigate traffic noise at source by the use of noise bunds and fences.

Following the above, revised information was submitted and further comments are summarised below:

- Based on the findings of noise Technical Note 2 there is no longer an objection.
- Additional modelling of acoustic barriers alongside the A6 has been carried out by the acoustic consultant.
- The height of any acoustic barrier will need to be at least 4 metres depending on the final layout of the site. This could be an acoustic fence, bund or combination of both.
- Suggested conditions for detailed noise design at Reserved Matters stage

- 5.6 North Northamptonshire Council – Archaeology
- The applicant has submitted a desk based assessment
 - The applicant should commission a field evaluation using fieldwalking (if conditions are suitable), geophysical survey and trial trenching, as the proposals have the potential to affect undesignated heritage assets.

Following a further reconsultation, further comments were received which are summarised below:

- Further to previous comments, no objections, subject to a condition.

- 5.7 North Northamptonshire Council – Environmental Health (lighting) – comments summarised below:

- Initially objected to the application due to the lack of information relating to the current and future potential impacts of light pollution from other sources.
- The applicant should produce a lighting assessment for the site and include the current baseline lighting levels.

Following a further reconsultation, further comments were received which are summarised in the report below.

- 5.8 North Northamptonshire Council – Environmental Health (Contamination) – comments summarised below:

- No objections, comments summarised within the main report, request a contamination condition.

- 5.9 North Northamptonshire Council – Environmental Health (Air Quality) – comments summarised below:

- No objections, comments summarised within the main report, subject to conditions.

- 5.10 North Northamptonshire Council – Wildlife officer – comments summarised below:

- Initially objected - the biodiversity net gain metric calculations need to be submitted prior to determination, both for the council to review and as evidence for the public record.
- A great crested newt licence will be required but the licensing route (i.e. standard or district) has yet to be determined and I'm satisfied that this can be resolved at reserved matters.
- Stated a CEMP would be required either as a condition

Following the submission of further information, the Wildlife officer has no objection, comments summarised below:

- The net gain assessment demonstrates that the proposal would deliver approximately 25% biodiversity gain: this will need to be secured by condition
- Suggest the soft landscaping plan condition should refer to the net gain assessment and recommend a Habitat Management Plan condition to ensure the net gain is delivered and maintained over the 30-year minimum period.

- 5.11 North Northamptonshire Council – Housing Officer - No objections in principle, comments summarised within the report section below:

- The application proposes 30% (135 dwellings) of these as affordable housing as required under Policy 30 of the North Northants JCS.
- Increase in the need for 4 bed houses for rent from applicants on the Keyways housing register. This need is also recognised in the emerging Housing Economic Needs Assessment (HENA).

- The emerging HENA has also recommended the need for at least 10% of all homes to be built as accessible homes.
- Among the affordable housing, the tenure mix should be 70 homes for rent, 25% First Homes and 5% other low-cost home ownership (LCHO)/Intermediate housing.
- Therefore, based on the above needs evidence and policy requirements, we would require the following indicative mix to be provided on this site.
 - Affordable rent 70% (94 homes)
 - 12 x 1 bed maisonettes
 - 4 x 1 x bed bungalows
 - 8 x 2 bed bungalows
 - 25 x 2 bed houses
 - 30 x 3 bed homes
 - 15 x 4 bed homes

Low cost home ownership 30% (41 homes)

First Homes (25%) (34 homes)

14 x 2 bed houses

20 x 3 bed houses

Rent to Buy (preferred) or Shared Ownership (7 homes)

3 x 2 bed houses

4 x 3 bed houses

- As previously stated, we would also expect the following:
- One bedroom houses or maisonettes with individual entrances are required rather than flats with communal areas to prevent higher services charges and can produce management issues.
- All properties should be built to National Space Standards. Policy 30 of JCS.
- All affordable rented properties should be capped at the local housing allowance level including service charges.
- Rent to Buy units are to be allocated to households through Keyways and the other LCHO properties are to be promoted in the first instance to local households who have indicated an interest in affordable home ownership.
- Shared ownership homes (where provided) are to be advertised from the minimum share available. For homes funded through grant, this is 10% and for other homes this is 25%. We do not expect to see service charges on low cost home ownership properties.
- Where there is affordable housing being provided for rent, 10% of those should meet the M4(3)b (fully wheelchair accessible) category. These can take the form of bungalows, ground floor flats or houses depending on overall mix and site constraints.
- All Ground floor units must have level access showers (or wet rooms, where used to meet M4(3) accessibility requirement). Affordable bungalows must include a wet room to meet the accessibility needs of the likely occupants, which may be older persons or those with a disability.
- We would expect there to be adequate curtilage parking for the affordable housing units. Tandem parking and parking courts are not encouraged. Private roads or designated parking areas are also not encouraged for the affordable housing as these can cause management issues and incur service charges which can affect the affordability of homes for tenants.
- The Section 106 will require that we agree to the proposed registered provider. Registered Providers will also need to agree to a list of required standards set by North Northants Council in order to be approved.
- Affordable housing should be blended into the scheme with no more than 15 affordable homes in any one parcel
- The provision of window blinds at least on the front elevations of all the affordable housing would be very welcome.

- Fully open plan living areas in family homes should be avoided. Where separate dining rooms are not provided, kitchen diners rather than lounge diners are preferred.
- For market housing there should be a mix of 1-4 bedroom homes. However, we would advise against an over-emphasis on large properties which is contrary to Policy 30 of the JCS which places the emphasis on small and medium sized dwellings (1-3 bedrooms).
- Overall, across both tenures there is a need for older person housing, which given this location would be best delivered as bungalows. Bungalows, both market and affordable, should include a proportion of wheelchair accessible housing and all should have level access showers.

5.12 North Northamptonshire Council – Transport officer – comments summarised below and within report.

Initially objected

Transport Assessment.

- The traffic flows detailed in Tables 1, 2, 4 and 6 have been compared to the flows reported in Appendix C and they have been calculated accurately. However, ATC data for Tables 3 and 6 (Bedford Road) is not included in Appendix C. The applicant will be required to share the missing traffic count data for Bedford Road.
- The data contained in Appendix C does not correspond with the analysis presented in Section 3.4. The list of collisions in Appendix C includes 54 collisions, not 44 quoted in Section 3.4 of the TA.
- The applicant will be required to examine and plot all recorded collisions and examine the contributory factors for the fatal and serious collisions and whether any remedial measures are required.
- While the future assessment scenarios are reasonable, we request the applicant to test 2022 base year scenario. Otherwise, the standalone junction models cannot be calibrated accurately.
- The TA should consider the cumulative impacts of committed developments, which means development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years. It is understood that the applicant used the NSTM outputs for this. However, the TA should include details of what other sites have been included in the future year's scenarios.
- Rushden East development is a concern. Although its impacts are not determined yet, the TA should show what assumptions have been made for it.
- Having checked the geometry parameters against the layout provided in Drawing 22279-02d there are the following discrepancies:
 - o The hard shoulder on should be excluded from the measurement of approach road half-width on Arm A (A6 North).
 - o Both the TA and Drawing 22279-02d state that the site access road would be 6.75m wide. However, the Junctions 10 model assumes 3.75 metre approach road half-width.
 - o The entry width of Arm C (A6 South) is overestimated. Drawing 22279-02d indicates two lanes at entry and hatched markings adjacent the splitter island. The markings should be excluded from the measurement.
 - o The model assumes no pedestrians using the proposed toucan crossing. A reasonable number of pedestrians should be used based on the forecast number of pedestrian trips between Rushden and the development sites (trips to schools, leisure, journeys to work on foot, etc.)
- With regards to the junction modelling of A6 / John Clark Way and Chowns Mill Roundabout, we disagree with this approach. The junctions were identified in the Scoping Note conversation that they should be assessed. As the number of movements is not insignificant and every little increase in flows

adds up, The applicant will be required to provide a standalone Junctions 10 model / LinSig model of the junctions and geometry plans for review.

- The Travel Plan is currently unapproved

Access.

- The 3-metre shared cycleway should be extended further than the rugby club access, to Maye Dicks Road.
- The applicant will be required to provide plans of widening of the footway along the A5028 Bedford Road to upgrade it to a 3 metre shared footway/cycleway and clarify whether this is a part of the proposals. We also request the applicant to provide details of the footway adjacent to the A6 Bedford Road shown in drawing 22279-02 Revision D.
- The drawing includes a 2 metre footway adjacent to the eastern edge of the A6 to the south of the A6 /A5028 roundabout. This is labelled as a “potential new 2m footway to connect to existing”. The applicant should clarify whether the footway is a part of the proposed development and if this can be achieved.
- The 2-metre footway to the south is an essential link, there also needs to be a crossing point within the new site access so pedestrians from the south can access the toucan crossing.
- Once all comments regarding the access and improvements to the roundabout have been taken into account, the applicant will need to undertake a Stage 1 Road Safety Audit. The brief and auditor CVs should be sent to the LHA for approval prior to the commencement of the RSA1.
- Given the number of units off a single point of access we will need a southern and north loop / alternative ways of getting an emergency vehicle through if the main carriageway was blocked. The spine road should measure 6.75m to enable emergency vehicles easier access.

Internal Layout.

- While the Internal layout does not form part of this application, please find the Standard Highway Layout Specification (August 2019) and NNC Adopted Parking Standards (September 2016) attached to be passed on to the applicant for more information.

Following the submission of amended information, the following comments are summarised below

Transport Assessment (DN/NS/22279-07b - June 2023)

- The additional ATC data for Tables 3 and 6 (Bedford Road) of the Transport Assessment (July 2022) has now been provided.
- The applicant has now provided clarification on the number of collisions listed in Appendix C of the Transport Assessment (July 2022). However, the applicant will be required to examine and plot all recorded collisions and examine the contributory factors for the fatal and serious collisions and whether any remedial measures are required and if so, what they are.
- Please note that drawing no. 22279-02-3 as referenced on the Site Access Plan (Drawing no. 22279-06) does not appear to have been submitted as part of this consultation.

Travel Plan (Ref: 22279-04e - October 2022)

- Whilst the developer has reflected a 20% reduction in Table 3 this information hasn't been updated in the action plan table which still only evidences a 10% reduction in car driver trips. At this time the Travel Plan remains unapproved, and we request the developer update this. Once this change has been made then it can be approved.

Road Safety Audit

- The Road Safety Audit (RSA) brief and Auditor CV's have been reviewed and accepted by the Audit Team.
- The Response Report has been reviewed by the Road Safety Audit Team and the designer's response is accepted. However, before this can be

signed, the name on behalf of the Overseeing Organisation will need to be changed to Matthew Barratt, Traffic Engineering Team Leader.

Public Transport.

- The nearest bus stop is located 400 metres from the site access and could be up to double this distance from some areas of the site. The proposed development as whole, is further than 400 metres from public transport links and is not within a desirable walking distance. The current bus provision is more frequent than assumed within in the Transport Assessment and does not explain how the site will be served by buses. The bus stops opposite the golf course are currently not adequately equipped to serve an additional 450 dwellings. The applicant is required to propose measures to improve bus accessibility at the site.

Following amended information, further comments are below:

Transport Assessment (22279-07b - June 2023)

- The access arrangements as indicated on drawing no. 22279-06 will need to be secured by a suitably worded condition, subject to a technical audit process and approval which is separate to the planning process.
- The footway/cycleway improvements and toucan crossing as indicated on drawing no. 22279-02 Rev E and 22279-02-2 Rev E will need to be secured by a suitably worded condition, subject to a technical audit process and approval which is separate the planning process.

Travel Plan (22279-04f – August 2023)

- The latest revision of the travel plan has been reviewed, please note the following observations;
 - o Regarding the target for sustainable travel, we would like to understand the rationale for the figures contained within the travel plan. We would like to understand how the figure for the public transport element of the trip generation was accounted for. How the rail and bus figures were arrived at. Additionally, what impact the frequency and days of operation have on the trip figure for buses.

Road Safety Audit (22279-09 – May 2023)

- The Road Safety Audit (RSA) brief and Auditor CV's have been reviewed and accepted by the Audit Team.
- The Response Report has been reviewed by the Road Safety Audit Team and the designer's response is accepted.

Public Transport

- The bus stop arrangements on the A6 would seem to be the only opportunity for the enhancement of the journey by bus. This would involve the purchase of bus shelters for inclusion in the bus shelter contract, (covering future revenue costs). These shelters would have RTI as part of the North Northamptonshire contract.

S106 obligations are set out in the report below and within the proposed Heads of Terms.

A condition was recommended for a construction management plan and an informative about a Public Right of Way

5.13 North Northamptonshire Education – Comments summarised within the report below:

No objections subject to contributions secured within the Section 106

- 5.14 Lead Local Flood Authority – Comments summarised below:
- No objections, comments summarised within the report below, suggested conditions include further surface water drainage details and drainage maintenance.
- 5.15 Anglian Water – No objections, comments summarised within the report below.
- Suggested conditions regarding surface water and foul water drainage and informatives.
- 5.16 The Environment Agency – Comments summarised below:
- No objections subject to a condition regarding foul water drainage.
- 5.17 National Highways – No objections, comments summarised within the report below.
- 5.18 NHS Northamptonshire Clinical Commissioning Group –
- No objection subject to financial contributions secured within a Section 106, comments summarised within the report below:
- 5.19 Nature Space – Comments summarised below:
- No objections, subject to suggested conditions and the applicant applying for the relevant Great Crest Newt license route
- 5.20 Natural England – Comments summarised below:
- As submitted, the application could have potential significant effects on Upper Nene Valley Gravel Pits SPA and Ramsar. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:
 - o Appropriate mitigation strategy to inform a Construction Environmental Management Plan for the mitigation of silt, concrete and cement entering the watercourse.
 - o Soil management plan for Grade 2 and 3a Best and Most Versatile Agricultural Land.

Following the submission of further information, most of the points above have been resolved however Natural England have still requested a Construction Environmental Management Plan. – *This will be addressed by officers below.*

- 5.21 Sports England – Comments summarised below. Initially object –
- No ball strike risk assessment has been undertaken to establish if any mitigation would be required due to the proximity of the development to the adjacent golf facilities; and
 - No contributions towards indoor/outdoor sports facilities has been identified.
 - Sport England would also welcome confirmation as to whether the new rugby club site could be brought forward in advance of the proposed development.

Following the submission of further information, Sports England has no objection, comments summarised below

- Based on above and Sport England previous response no objection would be raised to the application subject to the following:
- A satisfactory approach being identified securing the mitigation measures set out within the Ball Escape Report inclusive of details of the netting system, implementation timeframe; management and maintenance arrangements.
- Off site contributions being secured towards indoor/outdoor sports facilities.

Officer comment: this will be addressed in the report below

5.22 Northamptonshire Police, Northamptonshire Fire and Rescue and the OPFCC – Comments summarised below

- No objections subject to financial contributions for Police and Fire Hydrants.

5.23 Northamptonshire Police – Comments summarised below:

- No objection to the planning application in principle.
- Made the following initial observations/recommendations subject to the indicative detail supplied and based on general 'Secured by Design' principles:
- Excessive permeability should be avoided. The balance needs to be struck between useful routes around and through the development, thus creating a pleasant environment where people feel safe and secure, and the provision of numerous paths duplicating each other and providing "escape routes"
- Pedestrian routes should, wherever possible, be well overlooked and designed with good sight lines.
- Residents parking should be in curtilage and convenient. Tandem parking should be avoided particularly where on street parking would cause safety issues or neighbour disputes as inconvenient parking facilities can lead to irresponsible parking and make access routes for emergency vehicles impossible.
- A lighting plan should be submitted for all external unadopted communal areas. The overall lighting can give a low level of illumination, but the uniformity required is around 0.4 but a min of 0.25.
- Boundaries of public open space should have clearly defined features to prevent unwanted access.
- Any affordable Housing should be arranged in small clusters, 10-12 dwellings max, to help to ensure integration and community cohesion.
- Any communal rear access alley ways should be avoided, these make properties more vulnerable to crime.
- Refuse bin storage must be safe, secure and allow easy transportation.
- Full boundary treatment details will need to be submitted and approved by the LPA after prior consultation with the Police Crime Prevention Design Adviser and with adherence to the principles of secured by design.
- All dwellings without garages should be supplied with cycle storage facilities.

Following a further consultation, the original comments remained unchanged.

5.24 Planning Casework Unit - Dept for Levelling Up, Housing & Communities

- No comments to make on the Environmental Statement

5.25 Bedford Borough Council – Comments summarised below

- No objection, but noted the issue of Highways and separation from Rushden Town by the A6

5.26 Campaign for Darker Skies – Comments summarised below:

- In due course, CFDS suspects that details of the proposed lighting schemes for the footpaths and roadways will be submitted Under Section 38 works plus any Section 278 works that may be required a part of this development.

5.27 National Gas

- There are no National Gas Transmission assets affected in this area.

5.28 Rushden primary School – No objection, comments summarised below:

- Would like opportunity to discuss timescales and other matters regarding crossings over the A6 from the development site.

Officer Comment: Officers would be happy to engage as part of any Reserved matters application.

- 5.29 Place Services (Urban Design Consultant) – No objection, but comments discussed in further detail within the report below
- 5.30 British Horse Society – Objects, comments summarised below:
- No mention of horse riding in travel plan/application, also a leisure activity
 - There are horse owners/livery yards/businesses and other horse owners located where plans are being considered for SUE development.
 - This development presents opportunity to create a link between bridleways UK17/UK7 and 'Avenue Road' by upgrading Footpath UK9 to a bridleway/multi-user route passing through the development increasing road safety for horse riders (also cyclists) highlighted in the Council's latest Rights of Way Improvement Plan (RoWIP).
 - Horse riders already cross the A6 where it meets the Three Shires way. An additional potential crossing point to bridleway UK17, would be less hazardous as traffic slows for the roundabout reducing use of main entrance
 - Opportunity to create a circular riding route within the open green space
 - Health Impact Assessment -Equestrians ought to be included as Active Travel and should be considered as vulnerable road users
 - Big cities e.g. London still has riding schools and inner park areas where people can still ride horses.
 - Equestrian trade industry survey 2019 states the horse industry in Northamptonshire contributes £145million to the economy, most of which supports local businesses.
 - Horse riding is a healthy form of physical exercise. Horse riding is a female dominated sport (74%), man riders are middle aged and/or disabled or children and would struggle to walk long distances or cycle but can still ride
 - Many other counties such as Oxfordshire, Shropshire and Buckinghamshire are now also including horse riders in their transport policies and plans.
- 5.31 The following consultees were consulted but no comments were made/received during the application:
- Cadent Gas
 - RHF - Rushden And Higham Chamber Of Trade
 - British Pipeline association
 - NNC Waste Management
 - NNC (Community Development)
 - Ramblers Association
 - RSPB - Royal Society For The Protection Of Birds
 - North Northants Badger Group
 - NNC (Conservation Officer - TPO)
 - NNC (Growth Management)
 - NNC (Minerals And Waste)
 - NNC (Community Safety)
 - East Of England Ambulance Service NHS Trust
 - Western Power Distribution
 - Knotting And Souldrop Parish Council
 - Melchbourne And Yelden Parish Council
 - Newton Bromswold Parish Council
 - Chelveston Parish Council
 - Stanwick Parish Council
 - Principal Conservation Officer

5.32 Neighbours and Public Consultation.

Over the course of the application determination period and the public consultations, 14 households have objected to the development (some multiple times) these are summarised below:

- Impact on local services, NHS/educational services at capacity
- Provision of "retail and or health facility" not enough
- Should be provision for walkers and cyclists but also horse riders, should be included under the government Active Travel scheme, site adjoins an existing bridleway.
- Loss of the open space area is local amenity for walkers and nature lovers, plus a habitat for wildlife.
- Additional traffic will place an even greater strain on the A6 and local roads, especially at peak times, increasing journey times, noise, congestion, nuisance and pollution.
- Localised flooding and drainage issues caused by the houses
- Single pedestrian crossing at the end of a dangerous straight road means the vast majority of transport will be via car which doesn't reduce in CO2.
- Poor connections to existing facilities, new residents separated by the A6
- The Travel Plan is flawed, does not mention the Rushden hopper buses, no provision for bus access at all on the proposed development, only bus stop is at the entrance.
- It discusses Wellingborough Railway station only. Bedford railway station closer to this end of Rushden, this increases morning/evening traffic on the A6.
- There is an existing footpath running across the centre of the development towards and across the A6; a footbridge could be provided to link with the existing footpath on the Rushden town side..
- The location of this development will drive more traffic onto the A5028 to access amenities in town or across town to the Lakes.
- Visual impact considering its scale and nature, be totally inappropriate.
- Noise and sound mitigation without merit and are ineffective.
- Woodland should not be allowed to be removed to allow this facility.
- The site of the proposed scheme is within an area listed under Appendix 3 of the Ancient Monument Schedule under the Acts of 1913-1953.
- This is a historic deer park and has great significant heritage value for Rushden.

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.

6.2 National Policy

National Planning Policy Framework (NPPF) (2023)
National Planning Practice Guidance (NPPG)

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 4 - Biodiversity & Geodiversity
- Policy 5 - Water Environment, Resources & Flood Risk Management
- Policy 7 - Community Services & Facilities
- Policy 8 - North Northamptonshire Place Shaping Principles
- Policy 9 – Sustainable Buildings

- Policy 10 – Provision of Infrastructure
- Policy 11 - The Network of Urban & Rural Areas.
- Policy 12 – Town Centres and Town Centre Uses.
- Policy 15 – Well connected Towns, Villages and Neighbourhoods.
- Policy 28 – Housing Requirement.
- Policy 29 – Distribution of New Homes
- Policy 30 – Housing Mix and Tenure (30% Affordable Housing within Growth Towns).

6.4 Rushden Neighbourhood Plan (Made Version) (2018)

- H1 – Settlement Boundary
- H2 – Location of new housing development
- H4 – Market housing type and mix
- EN1 – Design in Development
- EN2 – Landscaping in development
- EN5 – Funding public realm improvements
- EN6 – Gateway sites (development proposals on the vicinity of)
- T1 – Development generating a transport impact
- R1 – Town Centre Uses
- CL2 – Provision of new open space and amenity space.
- CL7 – New Community facilities

6.5 Emerging East Northamptonshire Part 2 Local Plan - Submission Draft March 2021

- Policy EN1 – Spatial development strategy
- Policy EN2 – Settlement boundary criteria – urban areas
- Policy EN10: Enhancement and provision of open space
- Policy EN11: Enhancement and provision of sport and recreation facilities
- Policy EN12: Health and wellbeing
- Policy EN13 - Design of Buildings/Extensions.
- Policy EN22: Impact test thresholds for retail development.
- Policy EN28: Land east of the A6/ Bedford Road, Rushden (allocation policy)
- Policy EN29: Delivering wheelchair accessible housing
- Policy EN30: Housing mix and tenure to meet local need.
- Policy EN31: Older people's housing provision
- Policy EN32: Self and custom build housing

6.6 Supplementary Planning Guidance / Documents (SPG/SPD):

- Trees and Landscape SPD, 2013
- Upper Nene Valley Gravel Pits Special Protection Area SPD, 2016
- Planning Out Crime in Northamptonshire (SPG), 2003
- Developer Contributions SPD (2006)
- Open Space SPD (2011)
- North Northamptonshire Sustainable Design SPD (2009)
- Biodiversity SPD (2016)
- Open Space Standards and Playing Pitch Strategy by KKP Consultants
- Domestic Waste Storage and Collection Supplementary Planning Document (2012).
- Northamptonshire County Council Planning Obligations Framework and Guidance Document (2015) and S106 Technical Update Note (2021)

7. Evaluation

7.1 Principle of Development

- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This is echoed within Paragraph 47 of the NPPF 2023.
- 7.1.2 The development plan consists of the North Northamptonshire Joint Core Strategy (JCS) (adopted 2016), the saved policies of the East Northamptonshire District Local Plan (adopted 1996), and the Rushden Neighbourhood Plan (made 2018). Material considerations include the National Planning Policy Framework 2023 (NPPF) and the emerging East Northamptonshire Local Plan Part 2 (Submission Plan – March 2021).
- 7.1.3 Policy 28 of the JCS identifies a need for 8,400 homes in the district of the former East Northamptonshire within the Plan period (2011 – 2031). It states that Local Planning Authorities will work proactively with applicants to bring forward sites to meet these identified housing requirements in line with the spatial strategy set out in Policy 11. Policy 29 of the JCS states that *“New housing will be accommodated in line with the Spatial Strategy (Table 1) with a strong focus at the Growth Towns as the most sustainable locations for development, followed by the Market Towns.*
- 7.1.4 Table 1 of the JCS identifies Rushden as a Market Town and its role is to provide a strong service role for the local community and the wider rural hinterland. Policy 11 adds to this stating that *“The Market Towns will provide a strong service role for their local communities and surrounding rural areas with growth in homes and jobs to support regeneration and local services, at a scale appropriate to the character and infrastructure of the town”.*
- 7.1.5 The proposal is for a residential led development, with supporting facilities and infrastructure including ‘potential’ community, retail and or health uses. The application site is located outside of the current built up area of the town of Rushden. The site is considered to be located within the countryside and therefore does not meet the requirements as set out in Policy 11 of the North Northamptonshire Joint Core Strategy (2016) of which small scale infill development would normally be permitted within the rural area in the built up areas of a settlement where material harm to the character and appearance of the settlement would not occur.
- 7.1.6 Policy H1 of the Rushden Neighbourhood Plan (2018) provides guidance on the settlement boundary of the town and states that outside of the settlement boundary, new housing will only be allowed on sites covered by Policy H2 (the site is not allocated in this policy) or within the Rushden East Sustainable Urban Extension, or as infill or redevelopment of sites on Bedford Road, Avenue Road and Newton Road where:
- i. the development closely follows the existing pattern of development (i.e. linear)
 - ii. has a frontage on to the highway
 - iii. Demonstrates a depth similar to adjoining residential curtilages
- 7.1.7 Development in the open countryside is restricted to the limited and sporadic opportunities as provided for in other policies of the Development Plan. Policy 13 of the North Northamptonshire Joint Core Strategy (2016) only allows for development in the open countryside where the building is of an exceptional quality / innovative design or where the dwelling is for a rural worker at or near

their place of work where a dwelling would allow the person in full time employment in agricultural, forestry or similar business to meet the essential need of the enterprise concerned. Therefore, the principle of the proposed development would be contrary to the current adopted policies within the development plan i.e. the JCS.

- 7.1.8 However, the application site is an allocation as part of Policy EN28 of the proposed the East Northamptonshire Local Plan Part 2 following main modifications and additional modifications sets out the main policy requirements for the allocation land.

Land to the east of the A6/Bedford Road, Rushden, is allocated for residential development together with associated supporting infrastructure, which should include a mix of ancillary retail, business or community uses to support the proposal.

A design led masterplan is to be agreed by the local planning authority as part of the application process, which will address all relevant policy requirements. The key principles of the proposed development will deliver the following:

- a) It is expected that the proposed allocation will deliver around 450 dwellings;*
- b) A housing mix which includes provision for both specialist and older persons housing, and on-site affordable housing (meeting the target of 30% of the total number of dwellings provided within a Growth Town);*
- c) Vehicular access to be provided directly from the Bedford Road/ A6 Bypass roundabout, with the proposals informed by a Transport Assessment subject to approval by the Highway Authority;*
- d) To maximise opportunities to improve connectivity to, and enhance the quality of, the public rights of way network; in particular:*
 - providing pedestrian and cycle connections to the surrounding urban area, and to adjacent sports and recreational facilities;*
 - improving local bus connections serving the site;*
 - delivering enhancements to the Rushden – Souldrop local green infrastructure corridor and net biodiversity gain; and*
 - delivering facilities to assist the sustainability of the allocation, in particular by supporting the creation of a community hub to enhance the relocation of the sports facilities, to be located on the eastern edge of the site boundary.*
- e) Appropriate mitigation measures, to avoid significant adverse impacts upon the integrity of the Upper Nene Gravel Pits Special Protection Area;*
- f) Provision of a landmark feature at the main access point, adjacent to the A6 / Bedford Road roundabout; and*
- g) Appropriate multi-functional structural landscaping to service the development, including sustainable drainage systems (SuDS) and suitable features along the western boundary to provide the necessary mitigation for noise and air pollution arising from the A6 Bypass.*

- 7.1.9 In terms of other relevant Policies within the Part 2 Local Plan, Policy EN1 (following main modifications) states:
Rushden will be the focus for major development, as the designated Growth Town, concentrated upon the delivery of the Rushden East Sustainable Urban Extension (Policy EN33) and land to the east of the A6/Bedford Road (Policy EN28).

- 7.1.10 Policy EN2 of the Part 2 Local Plan following main modifications states *Development proposals will be generally supported where they meet the following requirements/criteria:*
- (i) The site is allocated in the Local Plan or a made Neighbourhood Plan; or*
 - (ii) comprises infill development within a built-up area (as defined in the supporting text) or within a settlement boundary, where that is defined by a neighbourhood plan, and where the site is:*
 - (a) well-related to the principal built-form of the settlement (existing or committed) and is not protected for any other use; and*
 - (b) clearly distinct from the surrounding countryside, both physically and visually; and*
 - (c) bounded by existing or committed development on at least two sides, which should be adjoined by a highway and such that developing it would not extend the built form away from a highway to create a “backland” form of development.*
- In addition, all development proposals must meet the following criteria:*
- (iii) Development would not harm the settlement’s character, form, or the surrounding countryside, including the need to avoid comprising key views, heritage assets and their settings, respect the importance of open, greenspace areas within the built up form of the settlement and seek to conserve special landscape designations; and*
 - (iv) Development would not be disproportionate to the settlement’s size, form and range of facilities available.*
- 7.1.11 It is a material consideration that the East Northamptonshire Local Plan Part 2, (following examination and main/additional modifications) proposes to allocate the land (Policy EN28) for development. Weight should be accorded to the draft allocation in the emerging Local Plan in accordance with the following paragraphs of the NPPF.
- 7.1.12 *48. Local planning authorities may give weight to relevant policies in emerging plans according to:*
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)*
- 7.1.13 *49. However, in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:*
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.*
- 7.1.14 Considering the above NPPF paragraphs, the East Northamptonshire Local Plan Part 2 is at an advanced stage of the process prior to the adoption. The plan has been through examination and whilst it is not formally adopted, it has been found sound by the Planning Inspector. It is not considered that the development

proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process. It should also be noted that this report and one of the recommendations is for a resolution to grant permission subject to conditions and a S106, not for an immediate determination of the application.

7.1.15 It is clear from the proposed allocation that the Council wishes to see the land developed to deliver housing in the designated Growth Town of Rushden to meet the identified strategic housing needs for the former the East Northamptonshire area. The Plan has been through examination and there have been very few modifications to Policy EN28 other than minor administrative changes. The plan whilst not fully adopted, has been found to be sound and there are no unresolved objections in relation to this site. Whilst the policy does not carry full weight, it clearly carries substantial weight within the decision-making process. On this basis, the proposed development is supported by Officers in principle at the present time to ensure the Plan meets the minimum housing requirements as required within the Plan period up to 2031. Only a radical change in planning policy would impact this recommendation.

7.1.16 Turning to the non-residential element of this proposal, Policy 7 of the JCS states: *Development should support and enhance community services and facilities, where appropriate by: Providing on site where necessary or contributing towards accessible, new or enhanced community services and facilities to meet the needs arising from the development utilising, where possible, opportunities for the co-location of facilities or the use of existing suitable sites.*

Policy EN22 of the Part 2 Local Plan states: *Proposals for retail development outside the primary shopping areas of Rushden exceeding 280m² should be supported by an appropriate impact assessment.*

7.1.17 Currently the proposed use of the proposed commercial space has not been decided. In the event that a retail (Class E) planning use is proposed then a retail impact assessment would be required. This would be subject of a planning condition. It should be noted that the proposed commercial space whilst outside the current built up area of Rushden would not be located within the countryside if the whole development proposed comes forward, it would then be part of the future built up area of Rushden.

7.2 Housing Mix

7.2.1 Policy 30 - Housing Mix and Tenure: of the Joint Core Strategy states

- Housing development should provide a mix of dwelling sizes and tenures to cater for current and forecast accommodation
- The internal floor area of new dwellings must meet the National Space Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities.
- New dwellings must meet Category 2 of the proposed National Accessibility Standards as a minimum and the local planning authority will negotiate for a proportion of Category 3 (wheel-chair accessible) housing based on evidence of local needs
- Affordable Housing contributions for Growth Towns and Market Towns excluding Oundle should contribute 30% of total dwellings

7.2.2 Within the Part 2 Draft Local Plan Policy EN29 – Delivering Wheelchair accessible Housing and Policy EN30: Housing mix and tenure to meet local need, details similar requirements. Policy EN31 (Older people's housing provision) promotes 10% housing for older people (supported by Policy H4 of the Rushden Neighbourhood Plan).

- 7.2.3 The application proposes 30% affordable housing as required under Policy 30 of the North Northants Joint Core Strategy. This would equate to 135 dwellings. The Council's Housing officer has commented on the application and those comments are detailed within the Consultation section of this report above. The proposed affordable housing tenure split should be split into Affordable rent 70% (94 homes), Low cost home ownership 30% (41 homes). Overall, the tenure mix should also include Shared ownership /First Homes (25%) (34 homes) however this will be dealt with at Reserved Matters stage.
- 7.2.4 Given this is Outline stage only, the applicant has not provided details of housing mix and has instead advised that these details would be dealt with via future reserved matters applications. In this instance no site specific considerations or viability evidence have been submitted and the affordable housing offer is a policy compliant affordable housing provision. Therefore, whilst there are limited details regarding housing mix, the proposed level of affordable housing i.e. 30% is to be secured as part of a Section 106 agreement.

7.3 Transport

- 7.3.1 North Northamptonshire Council is the Local Highway Authority (LHA) with responsibility for non-trunked highways. National Highways is the body responsible for the strategic road network. This application has impacts on both the local and strategic networks as the A45 is a trunk road. National Highways have raised no objection to the proposal.

Paragraph 111 of the NPPF states: development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.3.2 Policy 15 of the JCS – Well-Connected Towns, Villages and Neighbourhoods states that:
“Connectivity will be strengthened within and around settlements by managing development and investment to:
a) Improve access from the edge of towns to their centres by focusing activity and investment on the main radial routes and rebalancing design towards pedestrians, cyclists and public transport.
c) Design development to give priority to sustainable means of transport, including measures to contribute towards meeting the modal shift targets in the Northamptonshire Transportation Plan”

Policy T1 of the Rushden Neighbourhood plan states: Planning permission will only be granted if development would not result in a significant residual impact on any aspect of the transport network.

Proposals will be assessed on their merits, taking account of advice from the Local Highway Authority and, where appropriate, Highways England. All proposals for new development will be encouraged to include infrastructure to facilitate the use of electric vehicles. Where viable, all new developments of greater than 10 dwellings or 1000m² (non-residential) should incorporate infrastructure to facilitate the charging of electric vehicles.

- 7.3.3 The Local Highway Authority has commented on the application, concerns regarding highway safety were also raised by residents within the public consultation. Whilst the Local Highway Authority originally objected to the

proposal as outlined in the consultation section above, following amendments and additional information, they now raise no objection to the proposal.

- 7.3.4 The development site will be served off the A6/ Rushden Road roundabout. The A6 is a single carriageway each direction and subject to a national speed limit. The speed limit reduces to 40mph on approach to the A6/ Bedford Road roundabout. It routes in generally a north-south direction around Rushden connecting to the A45 to the north and then continuing to Bedford to the south.

The A6/ Bedford Road roundabout has two lane approaches on the A6 north and south arms and a one lane approach on Bedford Road arm. Street lighting is located at the roundabout. Bedford Road to the west of the site is a single carriageway and subject to a 30mph speed limit. It generally routes in a north to south direction providing access into the town centre. The road is generally well lit with street lighting provided on both sides of the carriageway. The road is for local access only with HGVs prohibited from using the road. There is a shared footway/ cycleway along the eastern side of Bedford Road between the A6 and Barrington Road.

- 7.3.5 Trip Rate Information Computer System (TRICS) data identifies that there will be an average of 241 two-way vehicle movements during the peak evening hours from the proposed development. The data further identifies that there will be 254 two-way trips during the morning peak hour. The traffic generated would also be split between the two proposed access points. It confirms the development would generate modest vehicular movements during the morning and evening peak. Nearby junctions have been assessed and are forecast to operate within capacity during the morning and evening peaks. Vehicle movements would not have a severe impact on Highway safety.

- 7.3.6 In terms of upgrading the Highway infrastructure to accommodate the development, the existing field gate on the eastern side of the roundabout would be improved. The arm will comprise of a 6.75m wide access road with two lane approach to the roundabout and a 3m footway/ cycleway on the northern side of the carriageway. There will be some flaring on the A6 northern and southern arms to increase capacity at the roundabout.

A 3m footway/ cycleway will be provided on the northern side of the access road and around the A6/ Bedford Road roundabout and extended along the Bedford Road to connect into the existing footway provision on Bedford Road, which will in turn be improved to a footway/ cycleway within available public highway. It will cross the A6 via a signalised Toucan Crossing. Whilst this is an outline application, the parameters plan and illustrative masterplan have been updated to achieve an internal loop arrangement. The final design and details of the internal road layout will be determined at the Reserved Matters Stage.

- 7.3.7 As stated above, the Local Highway Authority following amendments now have no objections to the proposal. The access arrangements as indicated on drawing no. 22279-06 and the footway/cycleway improvements and toucan crossing as indicated on drawing no. 22279-02 Rev E and 22279-02-2 Rev E within the Amended Transport note (submitted June 2023) are acceptable and will be secured by condition. The works subject to a technical audit process and approval which is separate to the planning process.

- 7.3.8 The Travel Plan following amendments is considered to be acceptable and compliance with this document is also to be secured by condition. The Road Safety Audit (RSA) brief and Auditor CV's have been reviewed and accepted by

the Audit Team. The Response Report has been reviewed by the Road Safety Audit Team and the designer's response is accepted.

- 7.3.9 Regarding improvements to Public Transport, the bus stop arrangements on the A6 are an opportunity for the enhancement of the journey by bus. This would involve the purchase of bus shelters for inclusion in the bus shelter contract, (covering future revenue costs). These shelters would have RTI as part of the North Northamptonshire contract. For existing bus stops located within 400 metres the Local Highway Authority require improvements in the form of a shelter and raised kerbing, with a commuted sum for maintenance. In order to facilitate the improvements to the existing bus stops, the applicant will be required to enter into a Section 278 agreement. The applicant has agreed to this and would be secured as part of a S106 agreement.

Other benefits and mitigation of the proposal would be: a one-month Megarider ticket for the local area, one per unit on first occupation, for a period of 6 months. It should be noted that there is no local bus service on Sundays. A contribution of £1,000 per dwelling will be required in order to provide enhancements to the existing service. This will also need to be secured via a Section 106 agreement.

The walking routes to the bus stop should be away from the main road. A network of green routes should be available for walking and cycling and should provide access to the bus stops in a distinct manner, (not just the pavements). The addition of a route through the site in the event of land being developed to the north of the site would substantially improve the current offer. This would be dealt with as part of any reserved matters application. LHA officers have also recommended a condition for a construction management plan which is considered reasonable and necessary during the construction period.

- 7.3.10 Public Right of Way
The applicants propose to retain this Right of Way with no diversion proposed. Details of this will be required at the reserved matters stage. No objections have been raised at this stage by the Local Highway Authority with regards to the PROW, however an informative will be added to the decision notice.
- 7.3.11 Overall subject to conditions and S106 contributions, the proposal is considered to have an acceptable impact in terms of Highway Safety.

7.4 Design, layout and impact on the character of the area

- 7.4.1 The application is submitted as an outline application with matters of appearance, scale and layout reserved for later consideration. However, an indicative masterplan layout has been submitted as part of the application as well as a Landscape and Visual Impact Assessment. It is important to ensure that these matters have the potential to be satisfactorily addressed at a later stage as it is not good practice to grant outline approval for something which cannot be brought forward at a later date. Hence, the indicative layout provided by the applicant has to be given some weight with regard to informing comments from consultees.
- 7.4.2 Section 12 of the NPPF sets out that planning policies and decisions should support the creation of high quality buildings and places. Paragraph 130 states that "*planning policies and decisions, should ensure that developments*" amongst other things:
- "*will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - "*are visually attractive as a result of good architecture, layout and effective landscaping;*

- *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change...*
- 7.4.3 For ease of reference, JCS Policy 3(a) (Landscape Character) states that development should:
“conserve and, where possible, enhance the character and qualities of the local landscape through appropriate design and management”
- 7.4.4 JCS Policy 8(d) (North Northamptonshire Place Shaping Principles) states that development should:
“Create a distinctive local character by:
I. Responding to the site’s immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation;

II. Responding to the local topography and the overall form, character and landscape setting of the settlement; and

III. The creative use of the public realm through the use of measures such as incidental play spaces, bespoke street furniture and memorable features.”
- 7.4.5 In addition, Neighbourhood Plan Policy EN1 (Design in Development) requires that all new developments be of a high quality design, and sets out further design criteria. Neighbourhood Plan policies also address landscaping in new development (Policy EN2) and the creation of safe and attractive public spaces (Policy EN4).
- Design Policies with the Part 2 Local Plan (following main modifications) are broadly consistent with the adopted policies above.
- 7.4.6 Officers and the Council’s Urban Design consultants have reviewed the proposal and the submitted masterplan in detail. The proposed layout is generally considered logical in terms of bringing access off the existing A6 Bedford Road roundabout. Furthermore, officers considered it positive to see large areas of open space integrated both within the layout and at the site boundaries to provide a buffer and transition to the countryside. The proposed block structure is considered legible, spatially efficient and provides potential to create pedestrian permeability, definition of the street and well-overlooked open spaces. The consideration of a hierarchy of streets is also welcomed.
- 7.4.7 It is noted that the existing settlement of Rushden is well contained by the A6 and therefore the Council’s Urban design advisors noted the A6 has the potential to become a barrier feature. Vehicle and pedestrian access are discussed separately in this report. Given the context potential future development within the area, with the emerging proposals for a sustainable urban extension to the north, the inclusion of future onward road connections in the northern part of the layout is important for detailed design stages.
- 7.4.8 Furthermore, the development of the site also creates an opportunity to upgrade the A6 crossing point for Footpath UK9 which is proposed to be integrated within the layout, as the footpath is considered to provide good connectivity potential to encourage active travel to key destinations such as Rushden Primary Academy and Manor Park.
- 7.4.9 The application includes the proposal for a community/retail and/or health facility this is welcome as an opportunity to provide value to the development. The proposed location is considered appropriate for a retail use given the ability to

receive external traffic from the A6, however, other uses such as a community or health facility would be considered more appropriate further within the site. Details of the proposed of the proposed community or commercial use are acceptable in principle at outline stage and further details about the proposed use would come forward at Reserved Matters stage. The Design and Access Statement submitted as part of the application has provided greater detail on the emerging proposals however these proposals would be considered following any outline planning permission.

7.4.10 In summary, and based on the submitted plans and supporting information, the proposals have presented some positive indications of good design principles, including a detailed Design and Access Statement and an illustrative Masterplan, Development Framework, Parameters Plan and a Green Infrastructure plan which all indicate how the site could be developed. These are currently for indicative purposes only at this stage and will all need to be further developed through any detailed applications. From an urban design perspective, officers are satisfied the emerging outline proposals are considered appropriate subject to reasonable and necessary conditions for materials, landscaping outlined below.

7.5 Landscaping and trees

7.5.1 Within Section 5 of a submitted Environmental Statement, a Landscape and Visual Impact Assessment (LVIA) has been carried out for the proposed development by FPCR Environment and Design Ltd (FPCR). Concerns about landscaping, loss of open space etc were also raised by residents within the public consultation. The submitted LVIA states that while the proposed development would inevitably result in some effects upon the local landscape and visual resource, few extremely localised effects will be significant in the longer term with the majority ultimately being mitigated to bring forward an acceptable residential development for Rushden with a range of amenities, including a local centre, recreation, and biodiversity opportunities.

7.5.2 Existing landscape features of mature trees, scrub and hedgerows are proposed to be retained, as far as practicable, reinforced, and enhanced to strengthen the character of the site. Green Infrastructure would be implemented to include new perimeter landscape planting, proposing a green edge to the development and additional containment from the wider countryside to the north and east. Planting would also be introduced along green corridors within the scheme, creating development parcels, connected with each other as well as areas of open space including the large recreational areas at the heart of the development and in the north which encompass equipped children's play and SuDS features.

7.5.3 The retained hedgerow, drainage features and PRoW running through the site would form a link. New tree planting would be introduced along the primary road, as well as more minor roads where practicable throughout the proposed development, and within the public open space. Existing and new landscaping would help to break up the built development roofscape and soften the overall appearance of the new buildings, as well as increased visual and physical connectivity to the established site vegetation. Additionally, the proposed development recognises the recommendations for open space provision within North Northamptonshire and provides 9.94ha of Green Infrastructure.

7.5.4 The proposed development would be fairly well related to the existing settlement edge of Rushden through its considered layout. While the scheme would change the character of the site, it is considered that it would not be out of context with the nature of the local landscape, being within an area influenced by its urban surroundings, most notably the edge of Rushden and the A6. No landscape

quality designations cover the site or lie within close proximity and there is minimal visibility with the Rushden Conservation Area.

7.5.5 In both landscape and visual terms, the proposed development would be well contained by localised landform combined with layers of field boundary and roadside vegetation together with existing built development. The scheme will result in a loss of green fields and a permanent effect upon the local landscape and visual resource however these will be localised and therefore limited in extent. Being located at the edge of Rushden town, the majority of views of the proposed development would be in the context of the existing urban area with the new housing seen as part of the overall settlement. While there will be some adverse residual visual effects that are assessed as being significant, the receptors affected are limited to users of PRoW 'UK9' and are extremely limited and localised only with the majority of available views contained to when passing through the site or close to its east/ west boundaries.

7.5.6 Whilst this application is submitted as an outline, some key principles have been proposed to ensure that the development does not result in a detrimental visual impact on the character and appearance of the surrounding area. Overall, it is considered that a well designed scheme could be accommodated on the site without resulting in a detrimental visual impact on the character and appearance of the surrounding area. Further detailed landscaping matters would be submitted as part of future reserved matters applications and conditions are recommended below.

7.5.7 Trees

The applicant submitted a Tree Survey and Arboricultural Impact Assessment (AIA). There are no trees covered by TPOs within the Site. The survey records the tree cover present and assesses its arboricultural value. The report identifies arboricultural constraints and opportunities to inform development design.

Conclusions are summarised below:

- No significantly mature trees were recorded in the Site. The trees present were mostly young to semi-mature. They provide some limited structural diversity, but the trees have been identified as being of no more than Local importance.
- Dense scrub dominated by bramble was present along the south western boundary and within the very southern corner of the Site.
- None of the hedgerows met the criteria to be classified as 'Important' under the Hedgerow Regulations 1997
- A large proportion of tree cover can be retained and incorporated into the landscaping scheme, with the trees retained subject to sound Arboricultural management as informed by British Standards

New tree planting should include native and ornamental tree species. Native species should be specified to contribute towards net biodiversity gain

7.5.8 The AIA concludes that subject to the implementation of the advice contained within the AIA the proposed development is acceptable from an arboricultural perspective. The loss of trees and hedgerow can be readily mitigated and the retained trees can be adequately protected during construction activities to sustain their health and longevity. New tree and hedgerow planting would deliver a net gain in tree and shrub species diversity and canopy cover at the site. An Arboricultural Method Statement and finalised Tree Protection Plan would be required. This can be secured by condition and submitted later as part of a reserved matters application.

7.6 Heritage Assets

- 7.6.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced. Paragraph 199 of the NPPF 2023 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.6.2 Whilst there are a number of heritage assets including Rushden Conservation Area and listed buildings within the town of Rushden itself, the site is located far enough away from the Conservation Area and Listed Buildings not to result in harm to its character or setting. Therefore the development has a neutral impact on heritage assets. The Council's heritage officer because of this did not comment on the application.

7.7 Open Space

7.7.1

Open Space Typology	Accessibility Standards (Table 7)	Level of Provision to support new development (ha per 1,000 population) (Table 8)	Land East of Rushden Max Requirement (1,080 – 2.4 *450 homes)	How Land East of Rushden Requirement Met
Natural and Semi Natural	1,200m (15min walk time)	1.38ha	1.49ha	Met though: 9.94ha on site provision
Amenity Greenspace	400m (5 min walk time)	0.58ha	0.63ha	
Parks and Gardens	1,200m (15min walk time)	1.12ha	1.21ha	None proposed
Children and Younger People	800m (10 min walk time)	0.04ha minimum	0.04ha minimum	Met through: 0.13ha on site provision: 1 x LEAP of 600sqm; & 1x LEAP of 700sqm
Allotments	1,200m (15min walk time)	0.38ha	0.41ha	None proposed

- 7.7.2 Whilst the final layout would be determined at Reserved Matters, the applicant has proposed open space in the table above. However, the submitted parameters plan, for which approval has been sought, includes 9.94ha of 'Green Infrastructure'. This includes proposed public open space, retained and proposed vegetation, hydrology and drainage features. The 9.94ha provision far exceeds the open space requirement for a development of this scale which is 3.78ha. The specific typologies can be determined at reserved matters stage having regard to the 'Suitable Alternative Natural Greenspace' (SANG) requirements, albeit the site is outside the 3km Zone of Influence of the Upper Nene Valley Gravel Pits PSA / Ramsar site / SSSI (discussed in the Ecology section below); the Council's open space requirements at that time; and the open

space being proposed as part of the nearby Rushden East SUE development. Any shortfalls in specific typologies would need to be considered in light of provision nearby and any over provision of other typologies on site.

- 7.7.3 Sport England commented on the proposal. The site abuts 2 golfing facilities (Rushden Golf Range and John White Golf Course). The adjacent rugby club application site has been withdrawn as outlined above. In relation to the golfing facilities, initially the application provided no evidence that the indicative masterplan has been informed by a ball strike assessment, which would assess the risks from stray golf ball impacting people and property of the proposed development. However following additional information a Ball Strike assessment was submitted.
- 7.7.4 Sport England noted that the applicant's consultant identifies measures to mitigate the risk of errant balls entering the development site such as bunding and 6m high ball stop fencing within the applicants landownership. It is considered that a condition should be added that as part of any reserved matters application, further details of mitigation measures shall be demonstrated by the applicant as part of the future masterplan.
- 7.7.5 The population of the proposed development is estimated to be 1,107 based on 2.46 occupancy per dwellings. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.
- 7.7.6 Sport England's Sports Facilities Calculator (SFC) can provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 1,107 in this local authority area will generate a demand for:
Pools: 11.94 sqm of pool space costing £234,516
Halls: 0.31 courts costing £212,506
Artificial Grass Pitches: 0.03 pitches costing £32,236 for 3G or £29,320 if sand.
- 7.7.7 In addition/separately to the above Sport England accepted that the need for this scale of investment would fall away if it were shown that existing sports facilities were of sufficient quantity and quality to be able to absorb this new growth. The development's need to invest in local sporting infrastructure can be met in two ways (or a combination of both);
o Through the provision of sports facilities within their development; or
o through investment to increase the capacity of the local sporting infrastructure.
- 7.7.8 At present the development proposals includes a new community facility which could accommodate a community hall, however details of the proposed commercial space have not been decided and would come forward as part of a Reserved Matters application. However, if a sports court is not incorporated within the site then an offsite contribution should be secured alongside pool and artificial grass pitch provision to meet the increased demand.
- 7.7.9 To consider the impact of this projected increase in demand for built sporting facilities, consideration needs to be given to how existing provision is currently used. The development will also increase the demand for playing pitches and the indicative masterplan displays no onsite sporting provision. As the East

Northamptonshire's Playing Pitch Strategy identifies existing and future shortfalls in football, rugby and cricket then an offsite contribution should be sought.

- 7.7.10 However, whilst the proposal does not result in the loss of any sports facilities, there is a requirement for the proposal to contribute towards existing facilities which are viable. Rushden Town Council has been contacted to provide details of any additional sports facilities which would justify a contribution towards the improvement of them as a result of the proposal. The Town Council responded by stating there were some project ideas to potentially come forward in the future but nothing viable currently (following the withdrawal of the adjacent rugby club application). Therefore without specific projects for sports pitch contributions to go to, officers cannot reasonably request further offsite contributions for sports pitches beyond the contributions set out in Para 7.7.6.
- 7.7.11 Notwithstanding this the above, Open space contributions and Sports England contributions for Pools and Halls and an artificial pitch to invest into existing facilities will be secured as part of a S106 agreement. A final layout would be agreed as part of a Reserved Matters application. The proposal is therefore considered acceptable in this regard.

7.8 Residential amenity

- 7.8.1 Officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed without having a detrimental impact on neighbour's amenity, and that satisfactory standards of internal and external living environments and outdoor areas can be provided for future occupiers. As discussed above it is considered the site is able to accommodate up to 450 residential units and a commercial/community unit. In terms of built development, the reserved matters application(s) will fully assess the impacts of matters such as overlooking, overshadowing and loss of privacy. It is however accepted that the quantum of development sought could be accommodated by the application site without significant harm to residential amenity, by virtue of the separation distances to neighbouring properties and boundary planting.
- 7.8.2 As the site is located adjacent to the A6 and due to the scale of development proposed, the application is accompanied by an Air Quality (AQ) Assessment which has been reviewed by Environmental Health officers. The report states that the developer intends to provide mitigation measures in line with the guidance by the provision of one Electric Vehicle (EV) charging point per residential dwelling with dedicated parking, provision of secure cycle storage facilities, construction of new pedestrian routes and cycleways within the site, to link into existing local networks, provision of a Travel Plan to encourage sustainable modes of travel and discourage private combustion engine vehicle use and maintain / introduce green infrastructure to absorb pollutants. At the time of the report the proposed development's energy strategy was yet to be finalised, however it is suggested that it will include the use of non-emitting, Ground Source Heat Pumps (GSHPs) for heating and hot water generation, for approximately half of the proposed residential units. Given this is an outline application, it is considered reasonable and necessary for the above measures to be secured by condition.
- 7.8.3 Environmental Health officers also agree with the report findings that the occupation of the proposed development is not anticipated to cause an overall significant adverse effect on local air quality. Nonetheless, the EMAQN Air Quality and Emissions Mitigation guidance¹ requires all large classified developments to offset their emissions through a package of mitigation measures to commensurate the cost of the development's air quality related 'damages'. Emissions damage cost calculation, calculated using Defra's air quality appraisal toolkit totals £126,054.

This is considered this is reasonable and necessary to be secured as part of a S106 agreement.

- 7.8.4 It is proposed that during construction the developer will adopt the recommended mitigation measures as the guidance of the IAQM and GLA state in order to mitigate dust nuisance. Subject to the above and further measures to be considered at detailed design reserved matters stage there are no objections regarding Air Quality.
- 7.8.5 Lighting
Environmental Health officers have reviewed the application regarding lighting and initially raised concerns due to a lack of information. Rushden Golf Range is a source of lighting, the planning application (20/01174/FUL) consisting of four rugby pitches and a training pitch has been withdrawn. The Rushden Golf Range operates a set of floodlit bays that are facing towards the development site and are within 200 metres of the nearest potential receptor (as per the illustrative masterplan - CSA/4914/108).
- 7.8.6 The National Planning Policy Framework (NPPF) 2023 states;
o (187) Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.
- 7.8.7 Without assessing the impacts of the lighting from the existing driving range it cannot be concluded that there will not be an adverse impact on any new receptors within the application site. This could result in 'unreasonable restrictions' being placed on the driving range initially which is clearly at odds with the NPPF. Furthermore, at this stage it has not been clearly demonstrated that the proposed development can integrate effectively with the existing and proposed facilities. The NPPF clearly places responsibility on the applicant (or 'agent of change') who must ensure that the development can integrate into the pre-existing community and associated facilities.
- 7.8.8 Following the above, a lighting impact assessment was submitted during the determination period. This report assesses the impacts of the existing light from the driving range on potential receptors and the impacts of light from the application site on nearby receptors.
- 7.8.9 Despite the information that has been presented in the above report Environmental Health officers still had concerns. The report acknowledges that 'for the properties directly opposite the golf range there will be some glare from the lights.' Tree planting is the only mitigation offered. There are issues with tree planting that mean that it is not an effective form of mitigation. For example, the trees that will be planted will likely be deciduous meaning the leaves will drop during the winter months. The months that the report acknowledges will be the most problematic. It is unlikely that evergreen trees would be planted as the tree belt but even if they were there are issues around maintenance that would make this solution difficult to maintain in the long term. Monitoring locations 28 and 29 both have lighting levels above the 5-lux pre-curfew levels contained in the ILP GN01/21 which shows the light from the driving range will be problematic. However, these levels do not factor in the impacts of dazzle and glare on the proposed residential receptors.

- 7.8.10 It should be noted that guidance from DEFRA states; 'If... a sports club premises is served with an abatement notice and they've used the best practicable means to stop or reduce the light nuisance, they may be able to use this as one of the following: grounds for appeal against the abatement notice or a defence, if prosecuted for not complying with the abatement notice.' It is, therefore, of significant importance to ensure that the existing light installations do not make the proposed location for development a living environment that would be unsuitable due to light pollution or obtrusive light because the defence of best practicable means could be used by the pre-existing golf premises.
- 7.8.11 Furthermore, the potential for the proposed development to be adversely affected by obtrusive light, light pollution, dazzle and glare remains. At this stage Environmental Health officers are not confident that mitigation measures offered ensure that the existing light installations will not adversely impact the proposed development or that internal and external areas of the proposed dwellings would be supplied with a satisfactory living environment.
- 7.8.12 However whilst it is clear that there are concerns about how the existing lighting will interact with the proposed development and there is still some work to be done on this, with the space afforded on the site this is an issue that may be dealt with at reserved matters stage and once an up to date masterplan is submitted. It is considered reasonable and necessary to add conditions below for further details as part of any Reserved Matters application.
- 7.8.13 Noise
As the site is located adjacent to the A6 road and given the scale of the development proposed, the application is accompanied by a Noise Assessment which has been reviewed by Environmental Health officers.
- 7.8.14 With regard to 'adverse impacts' the NPPF refers to the 'Noise Policy Statement for England' (NPSE), which defines three categories, as follows:
'NOEL - No Observed Effect Level'
 - This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.LOAEL - Lowest Observed Adverse Effect Level
 - This is the level above which adverse effects on health and quality of life can be detected.SOAEL - Significant Observed Adverse Effect Level
 - This is the level above which significant adverse effects on health and quality of life occur'.
- 7.8.15 The first aim of the NPSE states that significant adverse effects on health and quality of life should be avoided. The second aim refers to the situation where the impact lies somewhere between LOAEL and SOAEL, and it requires that all reasonable steps are taken to mitigate and minimise the adverse effects of noise. However, the requirement to mitigate and minimise the adverse effects of noise does not mean that such adverse effects cannot occur.
- 7.8.16 The Planning Practice Guidance provides further detail about how the effect levels can be recognised. It is identified that above the NOEL, noise becomes noticeable, however it has no adverse effect as it does not cause any change in behaviour or attitude. Once noise crosses the LOAEL threshold it begins to have an adverse effect and consideration needs to be given to mitigating and minimising those effects, taking account of the economic and social benefits being derived from the activity causing the noise. Increasing noise exposure

further might cause the SOAEL threshold to be crossed. If the exposure is above this level the planning process should be used to avoid the effect occurring by use of appropriate mitigation such as by altering the design and layout.

- 7.8.17 The Noise Policy Statement for England refers to the World Health Organisation (WHO) when discussing noise impacts. The WHO Guidelines for Community Noise 1999 suggest guideline values for internal noise exposure which take into consideration the identified health effects and are set, based on the lowest effect levels for general populations. Guideline values for annoyance which relate to external noise exposure are set at 50 or 55 dB(A), representing day time levels below which a majority of the adult population will be protected from becoming moderately or seriously annoyed respectively. The following guideline values are suggested by WHO:
- 35 dB LAeq (16 hour) during the day time in noise sensitive rooms
 - 30 dB LAeq (8 hour) during the night time in bedrooms
 - 45 dB LAm_{ax} (fast) during the night time in bedrooms
 - 50 dB LAeq (16 hour) to protect majority of population from becoming moderately annoyed
 - 55 dB LAeq (16 hour) to protect majority of population from becoming seriously annoyed
- 7.8.18 The British Standard 8233 "Guidance on sound insulation and noise reduction for buildings" 2014 bases its advice on the WHO Guidelines and draws further upon the guideline values with regards to internal and external noise levels. For internal noise, the British Standard 8233 sets out: "Where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved".
- 7.8.19 With regards to external noise, the BS8233, 2014 sets out: "For traditional external areas that are used for amenity space such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq, with an upper guidance value of 55 dB LAeq, which would be acceptable in noisier environments such as inner cities. However considering the site is next to a major transport route, it could be considered a noisier environment. It is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited".
- 7.8.20 When the application was submitted, concerns were raised by Environmental Health officers regarding Noise. An initial assessment of noise and vibration was submitted in support of the planning application (within Chapter 10 of the Environmental Statement). It was quite clear from the noise assessment and other documents submitted in support of this planning application that the impact of traffic noise, on the development, was not given due consideration at outline stage. In section 10.5.2 of Chapter 10 of the assessment mitigation, it stated 'Details of the specific measures will be informed by further noise assessment undertaken at Reserved Matters stage, once the final layout is confirmed.'. However Environmental Health officers disagreed with this approach. The design and layout of the development should follow sound acoustic design principles as promoted by Pro-PG:2017 - Planning and Noise (Pro-PG), which provides practise guidance with respect to new residential development exposed to transport noise.

- 7.8.21 Initially the assessment of noise at occupational phase indicated those dwellings close to the A6 on the western boundary will be exposed to unacceptably high façade noise levels. Greater than 60dB(A). This was not acceptable without mitigation as residents would not be able to have windows open without being adversely impacted by traffic noise. Following the submission of further information and discussions with Environmental Health and the applicant's noise consultants Environmental Health removed their objection from the scheme.
- 7.8.22 Additional modelling of acoustic barriers alongside the A6 was carried out by the acoustic consultant based on the illustrative masterplan for the site. The modelling looked at the effect of varying heights of acoustic barriers at 2.5, 3 and 4 metres high. The two barriers modelled are strategically placed alongside those dwellings closest to the A6. These are in the northern part of the site and a section approaching the roundabout with the Bedford Road. A more continuous barrier along the full length of the western boundary was modelled but offered no additional protection than the pair of barriers. Modelling was undertaken for ground and first floor heights. This is taken as 1.5 and 4 metres above ground level respectively.
- 7.8.23 Sound level difference contour plans which demonstrate the predicted reduction in noise levels provided by the two barriers. To visually demonstrate the noise reduction provided by the barriers, compared to no barriers in place, outputs from the modelling have been provided showing the predicted noise levels across the site with the barriers in place. The conclusions of the most recent Technical Note state that barriers will need to be at least 4 metres in height to provide any material benefit at first floor level. Only a small to moderate benefit is provided at ground floor level from barriers of 2.5 and 3 metres in height. Therefore, the height of any acoustic barrier will need to be at least 4 metres depending on the final layout of the site. This could be an acoustic fence, bund or combination of both. With the installation of the acoustic barriers, in conjunction with good acoustic design, Environmental Health officers considered noise should not give rise to significant adverse impacts on health and the quality of life.
- 7.8.24 The submitted information demonstrates that the site is capable of accommodating a development where external private amenity areas would be below the maximum 55db threshold. Environmental Health have therefore recommended a condition to ensure any reserved or full application shall be accompanied by an acoustic report completed by a competent person detailing mitigation measures and how the layout and design will ensure that all dwellings and amenity areas meet with government guidelines as determined by noise levels in the World Health Organisation Guidelines for Community Noise and British Standard 8233 including details on alternative ventilation.
- 7.8.25 At this stage it has been identified that a mix of mitigation measures including a potential barrier as well as good acoustic design could be used to ensure internal and external noise levels meet guideline values at the site. At the detailed design stage consideration will need to be given to both internal and external noise levels as well as overheating where the noise environment means that windows would need to be kept closed for suitable internal noise levels to be achieved and alternative ventilation required.
- 7.8.26 Due to the size of the proposed development and the proximity of current residents to the site, the Environmental Health officer has recommended that construction times and deliveries during the construction and demolition/clearance phases are restricted in line with HDC guidance to the predominantly business hours and Saturday mornings. They have also advised that prior to any work commencing on site a Construction Management Plan

(CMP) shall be submitted to, and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the control of pollution (including, but not limited to noise, dust and lighting etc.) during the construction and demolition/clearance phases. These conditions are considered reasonable and necessary and meet the statutory tests.

7.9 Archaeology

7.9.1 The Council's Archaeology officer has commented on the proposal. The applicant has submitted a desk based assessment which indicates that there is potential for prehistoric and Roman sites to be present within the application area. Given the number of sites of these periods in the vicinity the Archaeology officer agrees with this conclusion. In particular evaluations to the north and southeast have identified a number of sites, and cropmarks recorded in the surrounding landscape suggest that more are present than are currently confirmed by fieldwork.

7.9.2 At the time of the pre-app consultation the archaeology officer advised, that the applicant should commission a field evaluation using fieldwalking (if conditions are suitable), geophysical survey and trial trenching, as the proposals have the potential to affect undesignated heritage assets. The illustrative masterplan does show areas of open space and these can be utilised to preserve any areas of complex archaeological remains if necessary, but the information which an evaluation would provide is needed in order to discuss this along with any other mitigation measures which may be needed. The evaluation could provide sufficient information to identify if any areas of national significance were present within the development area that would form a constraint on development.

7.9.3 However on further review of the application, it has been agreed that in light of the geophysics results, the evaluation trenching can be carried out by condition, followed by any mitigation works which may be needed. This will require a pre-commencement condition as the trenching and mitigation will need to be carried out ahead of construction. Subject to this condition which meets the 6 statutory tests, the proposal is considered to be in accordance with the aforementioned policies.

7.10 Flood risk and Drainage

7.10.1 Policy 5 of the Joint Core Strategy 2016 states:
Development should contribute towards reducing the risk of flooding and to the protection and improvement of the quality of the water environment. This will be achieved through the following criteria:

- a) Development should, wherever possible, be avoided in high and medium flood risk areas through the application of a sequential approach considering all forms of flooding for the identification of sites and also the layout of development within site boundaries;*
- b) Development should meet a minimum 1% (1 in 100) annual probability standard of flood protection with allowances for climate change unless local studies indicate a higher annual probability, both in relation to development and the measures required to reduce the impact of any additional run off generated by that development to demonstrate that there is no increased risk of flooding to existing, surrounding properties;*
- c) Development should be designed from the outset to incorporate Sustainable Drainage Systems wherever practicable, to reduce flood risk, improve water quality and promote environmental benefits;*
- d) Where appropriate, development should, subject to viability and feasibility, contribute to flood risk management in North Northamptonshire;*

- e) Following any identified mitigation, development that would lead to deterioration or may compromise the ability of a water body or underlying groundwater to meet good status standards in the Anglian River Basin Management Plan (required by the Water Framework Directive) is unlikely to be permitted;*
- f) Development will only be permitted where it can be demonstrated that adequate and appropriate water supply and wastewater infrastructure is available (or will be prior to occupation).*
- 7.10.2 Drainage concerns were raised by residents within the public consultation. The Lead Local Flood Authority (LLFA), and Anglian Water have reviewed the application and offered no objections. The LLFA consider that after reviewing the Flood Risk Assessment (FRA), and in accordance with publicly available mapping, the proposed development is identified to be located wholly within Flood Zone 1 with a high risk of surface water flooding. The pluvial flood extents are considered to be associated with an ordinary watercourse which runs throughout the development Site.
- 7.10.3 The proposed development would attenuate surface water within two basins and a swale before discharging to an existing ordinary watercourse which bisects the Site. The development has been split into two drainage catchments (north and south) based on the Site topography, with an estimated impermeable area of 60% within the developable areas, including an additional 10% for urban creep. The applicant has provided MicroDrainage Source Control Calculations using FEH data to calculate the storage volumes of the attenuation basins needed for the northern and southern sub-catchments of the development. The calculations show the surface water flows to be controlled by a complex discharge control which reflect the greenfield (Qbar) runoff rate from the Site to provide long term storage for all runoff volume greater than the greenfield volume. Where the applicant has stated 'original' discharge rate within the report, it is assumed that this means the pre-development discharge rate. The northern sub-catchment discharges at the pre-development discharge 1 in 100 year runoff rate at 70.7l/s whilst the southern sub-catchment discharges at the pre-development discharge 1 in 100 year runoff rate at 94.6l/s. It should be noted that the applicant will need to obtain an ordinary watercourse consent agreement with the LLFA at a later design stage.
- 7.10.4 The development is underlain by Sandstone, Siltstone and Mudstone with superficial deposits of Diamicton. The FRA states that the potential for surface water to discharge via the Site from infiltration is considered to be low. The LLFA request that infiltration is undertaken at the next design stage in accordance with BRE Digest 365 design guidance to confirm the potential use of infiltration testing at the development Site.
- 7.10.5 An indicative maintenance schedule for the proposed attenuation basins and swale on-Site has been provided within the submitted FRA. The applicant has stated that a private management company is expected to be used to maintain the sustainable drainage features on-Site with piped networks to be adopted by Anglian Water, subject to the detailed design phase. Evidence has been submitted which demonstrates that due consideration has been given to over ground surface water flow routes for an exceedance or system failure event. This plan should be revised at the detailed design stage once the masterplan has been fixed.
- 7.10.6 Anglian Water have made a number of comments on the application regarding Anglian Water assets. Other comments relating to Surface Water drainage involve ensuring the LLFA are consulted (which is discussed above). A condition for foul water drainage was recommended as well as a number of informatives.

The Environment Agency (EA) was also consulted on the proposal and raised no objection subject to a foul water drainage condition.

- 7.10.7 Subject to reasonable and necessary conditions regarding surface and foul water drainage recommended by LLFA the EA and Anglian Water, the proposal is in accordance with the aforementioned policies.

7.11 Contamination

- 7.11.1 Paragraph 183 of the NPPF is clear in that planning decisions should ensure the site is suitable for its proposed use taking into account ground conditions and any risks from contamination. Further to this any environmental report submitted to the Local Planning Authority should be mindful of Paragraph 183c) of the NPPF which seeks to ensure that site investigation information is prepared by a competent person. Paragraph 184 of the NPPF states that where a site affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner.

- 7.11.2 The Council's Environmental Health officer commented on the proposal. A Phase I desk based study with walkover survey has been submitted in support of this planning application. There is no known historic land use other than agriculture that may pose a risk of contamination being present. The applicant's environmental consultant has noted the historic brickworks to the west, on the other side of the A6, however does not fully document the extent of the landfill site associated with this. The Council's Environmental Health officer considers the landfill may extend under the A6 to a point on the boundary with the application area. There is a known risk of ground gas, carbon dioxide and methane, associated with the landfill site.

- 7.11.3 Notwithstanding the above further investigation is recommended to be carried out. This includes an investigation and assessment of the risks from ground gas. The Council's Environmental Health Officer has recommended that a condition is imposed to secure site investigation for potential contamination and remediation where required. Therefore any issue of contamination can be dealt with prior to the commencement of development. Subject to the imposition of this condition, the proposed development is considered to be acceptable.

7.12 Ecology

- 7.12.1 Paragraph 174 of the NPPF states planning policies and decisions should contribute to and enhance the natural and local environment. This includes by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 7.12.2 Policy 4 – Biodiversity and Geodiversity of the JCS states:
A net gain in biodiversity will be sought and features of geological interest will be protected and enhanced through:

- *Protecting existing biodiversity and geodiversity assets*
- *Enhancing ecological networks by managing development and investment*
- *Supporting, through developer contributions or development design, the protection and recovery of priority habitats and species linked to national and local targets. Such measures could include the retention of, and provision of areas of open green space, and hard and soft landscaping to address habitat and visitor management.*
- *Developments that are likely to have an adverse impact, either alone or in combination, on the Upper Nene Valley Gravel Pits Special Protection Area*

or other European Designated Sites must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified. Mitigation may involve providing or contributing towards a combination of the following measures:

- i. Access and visitor management measures within the SPA;*
- ii. Improvement of existing greenspace and recreational routes;*
- iii. Provision of alternative natural greenspace and recreational routes;*
- iv. Monitoring of the impacts of new development on European designated sites to inform the necessary mitigation requirements and future refinement of any mitigation measures.*

These requirements are echoed through the Part 2 Local Plan.

- 7.12.3 The application is accompanied by Chapter 6 of Environmental statement assessing Biodiversity to review the existing baseline ecology of the site and the impact and effects resulting from the proposed development on Land east of A6 / Bedford Road, Rushden. The submitted surveys are outlined within the first section of this report.
- 7.12.4 The application site is within an ecologically sensitive area due to its proximity to the Upper Nene Valley Gravel Pits Special Protection Area (SPA), SSSI, Ramsar site (3.3km) and its associated Local Wildlife Sites and linked habitats. It is therefore of vital importance that the proposal adequately assesses the potential effects and avoids harmful impacts. Ecological concerns were also raised by residents within the public consultation.
- 7.12.5 A Habitats Regulations Assessment (HRA) was submitted which assessed the potential effect on the designated features of the Upper Nene Valley Gravel Pits (UNVGP) Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI) as required in Regulation 63 of the Conservation of Habitats & Species Regulation 2017 (the Habitat Regulations). The Local Planning Authority before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which - (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.
- 7.12.6 Although the proposed development is outside the 3km Zone of Influence included in the North Northamptonshire Joint Core Strategy, green infrastructure is proposed in order to provide suitable mitigation to avoid the potential impacts of increased recreation on the UNVGP. The provision of green infrastructure and natural green space is an accepted method of reducing or avoiding potential effects from increased recreational pressure. Where such measures are strictly required, it is generally accepted that the green infrastructure should be designed to meet the principles outlined for Suitable Alternative Natural Green Spaces (SANGs).
- 7.12.7 Whilst the application of the full SANGs requirements is not strictly necessary for this site, applying the 2.50-person occupation rate for a 450-house residential scheme would require 9ha of accessible Green Infrastructure. This area of accessible Green Infrastructure can be exceeded within the site as demonstrated in the Parameters Plan. This would be confirmed at Reserved Matters stage. To maximise the benefit of the open space to minimise potential daily recreational use of the designated site, the Green Infrastructure package would be designed to provide areas of natural green space with species rich grassland, areas of native species woodland / scrub planting and wetland areas. A network of

informal footpaths would be provided through the Green Infrastructure. These footpaths would link to existing public rights of way (PROW) surrounding the site and a new northern link will allow access to the Green Infrastructure package provided by the Rushden East SUE.

- 7.12.8 Impacts of the proposals upon the Upper Nene Valley Gravel Pits SPA/Ramsar/SSSI are considered and all potential impact pathways were scoped out with the exception of the potential for the site to provide Functionally Linked Land (FLL) to the designated site (i.e. whether the site provides foraging habitats for protected wintering bird species such as golden plover) and potential for recreational disturbance from increased visitor pressure on the designated sites. Extensive survey effort indicates that there is no evidence to suggest the site provides FLL.
- 7.12.9 The development applications 20/01453/OUT and 20/01160/OUT are all in close proximity to the site and therefore may influence the same populations of birds, bats and amphibians that use the site. They are however expected to provide measures to mitigate for their proposed potential effects and conclude no residual ecological effects on species assemblages (except skylark and yellowhammer, as above). Therefore, no cumulative effect on other ecological receptors is anticipated from these applications.
- 7.12.1
0 Overall the proposed development would have a Negligible effect on the integrity of the designated sites. No other statutory or non-statutory sites of nature conservation interest would be affected by the proposals. The total area of green infrastructure based on the amended layout totals 9.94ha and its overall design is as previously demonstrated, so meets many requirements of Suitable Alternative Natural Green Spaces (SANGs) to reduce or avoid potential effects from increased recreational pressure on the UNVGP SPA. Whilst this site is not required to adhere to all the standard SANG requirements, the green infrastructure proposed exceeds the minimum size needed according to the Natural England standard calculation for SANGs and can provide viable and appealing alternative resources for regular / daily recreation such as dog walking, therefore protecting the UNVGP from additional visitor pressure. This minor change in the proposed green infrastructure does not alter the scheme's ability to deliver >10% net biodiversity gain.
- 7.12.1
1 The Council's Ecology officer was consulted on the proposal and following the submission of additional information raises no objections to the proposal. The Ecology officer agrees with the recommendations of the specialist protected species reports (listed above). The net gain assessment demonstrates that the proposal would deliver approximately 25% biodiversity gain: this will need to be secured by condition. The Ecology officer also suggests the soft landscaping plan condition should refer to the net gain assessment and recommends a Habitat Management Plan condition to ensure the net gain is delivered and maintained over the 30-year minimum period in the legislation.
- 7.12.1
2 Natural England have commented on the application. There were initial concerns that the application could have potential significant effects on Upper Nene Valley Gravel Pits SPA and Ramsar. Natural England requested as Soil Management plan for Grade 2 and 3a Best and Most Versatile Agricultural Land, and a Construction Environmental Management Plan (CEMP), the former of which was provided and has found to be acceptable. On reconsultation with Natural England it was confirmed that a CEMP could be dealt with by way of a pre commencement condition. Subject to this, Natural England has no objection to the application.

7.12.1
3 The Council's Ecological consultant for Great Crested Newts – Nature Space has commented on the proposal. The Council's Consultants agree with the provided ecological information and that a Licence should be obtained for this development. This is primarily due to the great crested newt records in the surrounding area as well as the waterbodies present within 500m of the site and within the dispersal distance of great crested newts.

7.12.1
4 From assessing the proposal and the information that has been provided the following options are available to the developer. In line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must obtain a licence by one of the following routes:

- Nature Space District Licence route which is held by North Northamptonshire Council.
- Natural England European Protected Species Licence route.

7.12.1
5 Subject to the conditions mentioned above, it is considered the proposal would have an acceptable impact on Ecology and would be in accordance with the aforementioned policies.

7.13 Education

7.13.1 The Council's Education officer has reviewed the proposal based on the principal guidance in the adopted 'Creating Sustainable Communities - Planning Obligations Framework and Guidance Document (2015) (as amended)', which follows the tests of paragraph 57 of the National Planning Policy Framework (2021). Education capacity concerns were also raised by residents within the public consultation. Based on an average dwelling mix, it is expected that the proposed development will generate a pupil yield of approximately 72 Nursery / Pre-school pupils, 113 Primary School pupils, 86 Secondary and Sixth Form pupils and 5 pupils requiring Special Educational Needs & Disabilities (SEND) provision, based on our current adopted pupil generation multipliers.

7.13.2 Early Years Services

North Northamptonshire Council has a statutory responsibility to provide Early Years services (e.g. pre-school, play-group, and/or nursery provision) for children aged two, three or four. The 'sufficiency of capacity' evidence base for Early Years provision is currently being updated and it is therefore not possible to determine what the current capacity is and likely impact of this development on demand for places.

Education officers will provide an update on this position, if there is a lack of capacity identified for Early Years, a s106 contribution of £1,255,950 would be required, based on an average 3-bed dwelling mix, however it is recommended that any final figure is delegated to officers before any S106 is agreed and planning permission is granted.

7.13.3 Primary Education

The majority of primary schools operating at or above full capacity - including the two closest schools to the proposed development site (Rushden Primary Academy and South End Infants & Juniors). However a small number of schools in the wider Rushden area operating below their full capacity and with a greater proportion of surplus places available. Current forecasts produced by the Council's school place planning team, which consider latest birth rate and 3-year trend data, indicate that whilst demand in some areas is expected to remain high, there is expected to be a reduction overall in the number of children requiring primary education in the Rushden area in the short-medium term. This is

therefore expected to lead to a greater number of surplus places over and above those currently available, and it is probable that there will be sufficient capacity in the local area overall to meet the demand that this development would generate. As such, and based on current forecast data available, the Council will not require a S106 Contribution from the development towards provision of additional primary education infrastructure.

7.13.4 Secondary Education

With regards to Secondary Education, capacity across the Rushden area is limited, with both The Ferrers School and Rushden Academy seeing increased take up of places across all ages and continued high demand for places. Both schools are expecting to be operating at or above the Department for Education's recommended capacity thresholds with several year groups at or above full capacity, based on birth rate and three-year trend data alone. This position will be further exacerbated as a result of planned for housing development coming forward in the vicinity.

A S106 contribution towards provision of additional Secondary Education capacity and facilities is therefore required in order to adequately mitigate the impact of the proposed development and to ensure that children residing in the properties can be accommodated in a local school. The current Department for Education cost multipliers for Secondary Education are:

Size of Dwelling	1 bed	2 bed	3 bed	4 bed	5+ bed
Cost per Unit	£0	£1,201	£4,563	£5,763	£10,806

A S106 contribution towards Secondary Education of £2,053,350 will be required, based on an average dwelling mix; this figure will be reassessed once the mix of dwellings to be delivered on the site is confirmed through the planning process.

7.13.5 Special Educational Needs and Disabilities

The Council has seen a marked increase in the number of pupils across the area requiring Special Educational Needs and disabilities (SEND) facilities and services since 2010, with the total number of pupils with Education, Health and Care Plan (EHCP) increasing by 33.5% in the five years to 2021. As a result, SEND capacity in North Northamptonshire is extremely limited, with the area seeing a lack of capacity particularly across primary age ranges and an identified deficit in the number of places currently available. With high levels of demand for specialist and mainstream SEND facilities across all age ranges forecast to continue based on current trend and birth rate data alone, the impact of additional housing development is expected to exacerbate this position. As a result of this forecast growth in demand, the Council is progressing plans to extend and improve SEND facilities and services across the North Northamptonshire area, including at East Northamptonshire, through proposed extensions at existing provision whilst also exploring opportunities for delivery of new SEND facilities to meet the forecast demand.

It will therefore be necessary for a S106 contribution to be secured from this development to contribute proportionately towards the cost of providing such additional facilities, which will serve the development. The current adopted pupil cost multipliers for extended SEND facilities is included below:

Size of Dwelling	1 bed	2 bed	3 bed	4 bed	5+ bed
Cost per Unit	£0	£0	£657	£657	£657

Based on an average dwelling mix across the development, a S106 contribution of £342,900 will be required towards provision of additional SEND facilities and capacity in North Northamptonshire

7.13.6 The Council's Education officer also commented the proposed development is situated on the outskirts of an existing urban area, the site is clearly separated from Rushden by the A6, which appears to present a substantial barrier to promoting safe walking routes to schools. As discussed in the transport section of this report, the applicant has proposed to address this by installing a signalised crossing at the roundabout on the A6 / Bedford Road junction, however it is expected that there will continue to be a reliance on private vehicular travel for pupils to attend their local school. Whilst this is not an ideal aspect of the proposal, this is not a reason to refuse the application in its own right.

7.13.7 Libraries

North Northamptonshire Council is the Library authority for the area in which the application site is situated. Where a new development will generate additional need and library space requirement, the library service requires contributions towards the costs of providing new, extended and/or improved library facilities to support the delivery of growth. This may include contributions towards maintained library facilities and services, as well as community-managed libraries where applicable.

This development is expected to impact on the current level of library provision as the new residents moving into the developments utilise existing facilities. The Library service has adopted the National Library Tariff formula produced by the Museums Libraries and Archives Council (MLA). This includes:

- A minimum standard of 30 sq. metres of new library space per 1,000 Population.
- A construction and initial equipment cost on a per sq. metre basis (adjusted to reflect Northamptonshire building costs), based on BCIS building costs for public libraries.

7.13.8 In order to establish a proportionate cost towards the new works, the Library service utilises cost multipliers as per our adopted guidance. Local planning and library authorities are recommended to adopt a minimum tariff of £90 per person in new housing. This is adjusted for Northamptonshire to £88 per person, based on BCIS building costs. Further information on these calculations can be found in the adopted Creating Sustainable Communities - Planning Obligations Framework and Guidance Document (2015).

The following outlines the cost per dwelling type based on the expected numbers of residents for each type of unit:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per unit	£109	£176	£239	£270

A Libraries Contribution of £107,550 is therefore required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the development which would be secured as part of a Section 106 agreement.

7.14 **Health Impact**

7.14.1 POLICY 10 – PROVISION OF INFRASTRUCTURE of the Joint Core Strategy states development must be supported by the timely delivery of infrastructure, services and facilities necessary to meet the needs arising from the development and to support the development of North Northamptonshire.

7.14.2 Northamptonshire Clinical Commissioning Group have commented on the application. The CCG have confirmed there would not be sufficient capacity in the local primary health care system to absorb the anticipated increase in demand created by the proposed development. This concern was also raised by residents within the public consultation. Practices in the local area are already at the limit of

their capacity and the increase in population could push practices to the point that they are no longer able to accept new patients. If this were to be the case it could result in the population brought to the area by the new housing development experiencing difficulties accessing primary care health services. Therefore the CCG and NHSE are seeking a financial contribution towards infrastructure support to ensure the new population has access to good quality primary health care services.

- 7.14.3 The Practice (s) in closest proximity to the proposed development is/are Harborough Field Surgery therefore it is reasonable to assume this/these Practice (s) will be most affected by the increase in population and will need to develop existing premises to accommodate the new growth. Based on the number of dwellings proposed the figure requested is £228,782.07. It is considered reasonable and necessary for this contribution to be secured as part of a Section 106 agreements.

7.15 Sustainability

- 7.15.1 Policy 9 of the JCS 2016 states:
Development should incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All residential development should incorporate measures to limit use to no more than 105 litres/person/day and external water use of no more than 5 litres/person/day or alternative national standard applying to areas of water stress.
- 7.15.2 As part of any reserved matters application, an Energy Statement shall demonstrate that the design of the scheme will take into account the need to minimise the use of resources. A condition is recommended to ensure water use is limited to that specified by JCS Policy 9.

7.16 Loss of Agricultural land

- 7.16.1 Concern has been raised about the loss of the agricultural land (Grade 2/3) on this site. Whilst this is a valid concern, the loss of the agricultural land is outweighed by the need for housing in Rushden and the positives of the development. As discussed within the principle section of this report, the site is allocated for development and this issue is not considered significant enough for refusal.

7.17 Crime Prevention

Northamptonshire Police do not object to the principle of developing this site but have suggested some design guidance which should be followed when an application is submitted seeking approval of the reserved matters. It will be up to the applicant to demonstrate at that stage that crime will not be an issue associated with the development. Northamptonshire Police would be consulted again at the later stage in the planning application process, but the applicant is advised to address the comments of Northamptonshire Police in any future planning application.

7.18 Waste

- 7.18.1 Any application seeking approval of the reserved matters would need to demonstrate that a waste collection vehicle can travel around the site as well as bin collection points for shared drives. Any plans would need to identify the extent of the adopted highway so that a full assessment can be made. This is not a matter for consideration at this stage.

7.19 Fire Hydrants

- 7.19.1 Cambridgeshire Fire and Rescue Service require the provision of fire hydrants, this can be secured through the Section 106 or a planning condition.

7.20 Environmental Impact Assessment

- 7.20.1 According to the Regulations and the Planning Practice Guidance (PPG), 'Screening' is the procedure used to determine if a proposed development is likely to have significant effects on the environment. It is for the Local Planning Authority to determine whether a development is of a type listed in Schedule 1 or Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The PPG sets out the criteria and thresholds representing 'exclusion thresholds' in Schedule 2 of the Regulations, below which an Environmental Impact Assessment does not need to be considered (subject to the proposal not being in a 'sensitive area'). It also provides indicative criteria and thresholds to help to determine whether significant effects are likely. Under Schedule 2 the proposal is considered to comprise an Urban Development Project (development type 10b in the PPG Annex). Schedule 2 sets out the assessment criteria for these types of development as follows:
- (i) includes more than 1 hectare of urban development which is not dwellinghouse development; or
 - (ii) The development includes more than 150 dwellings; or
 - (iii) The overall area of the development exceeds 5 hectares.
- 7.20.2 A formal request for an EIA Screening Opinion was submitted to the Local Planning Authority on the 31st March 2021 to determine whether the proposals were deemed to constitute 'EIA development' and therefore, whether an ES was required to be submitted as part of the planning application. Officers issued a formal EIA Screening Opinion on 22nd June 2021, stating that the proposals were deemed to constitute EIA development.
- 7.20.3 A formal request for an EIA Scoping Opinion was submitted to officers on 7th July 2021 to determine the matters to be assessed through the EIA and the information to be included in the ES. A Scoping Opinion was sent to the applicants on 15th September 2021. The application was submitted with an ES and has been amended throughout the determination period. The application has been advertised accordingly.

8. Other Matters

- 8.1 *Concerns were raised within the Public consultation regarding a lack of mention of uses for equestrian riders. The final layout of the site is not determined at outline stage so further details could consider this issue at reserved matters stage. This development would also not people doing equestrian activities or attending riding schools.*

9. **Heads of Terms**

9.1 The following are the agreed heads of terms to be included in the Section 106 legal agreement which would be required should planning permission be granted.

Developer Contributions	
Affordable Housing	30% of the dwellings on site to be affordable housing.
Older Persons housing	10% of housing for older people
Custom Build Plots	5% of the plots should be made available on site as serviced custom build plots. These serviced plots should be offered for sale for custom (or self) build for a minimum of 6 months, after which these may be released for general market housing as part of the consented scheme
Open Space	A total of 9.94ha to be provided on site, including 0.13ha on site provision: 1 x LEAP of 600sqm; & 1x LEAP of 700sqm for children’s play space. The S106 Agreement would need to make provision for maintenance of open space, whether that be by way of a management company, or a financial contribution in the event that the open space is transferred to the Town Council.
Highways	<ul style="list-style-type: none"> • Section 278 agreement for existing bus stops located within 400 metres we will require improvements in the form of a shelter and raised kerbing, with a commuted sum for maintenance. • 4-week or one-month Megarider ticket for the local area, one per unit on first occupation, for a period of 6 months. • A contribution of £1,000 per dwelling will be required in order to provide enhancements to the existing service – up to £450,000.
Education	<p><u>Early Years</u> Size of Dwelling 1 bed 2 bed 3 bed 4 bed 5+ bed Cost per Unit £0 £1,744 £2,791 £3,314 £2,616 If there is a lack of capacity identified for Early Years, a S106 contribution of £1,255,950 would be required, based on an average 3-bed dwelling mix.</p> <p>The final Early Years education figure is to be delegated to officers prior to the determination of the application.</p> <p><u>Primary School</u> None</p> <p><u>Secondary School</u> Size of Dwelling 1 bed 2 bed 3 bed 4 bed 5+ bed Cost per Unit £0 £1,201 £4,563 £5,763 £10,806</p> <p>A S106 contribution towards Secondary Education of £2,053,350 will be required, based on an average dwelling mix; this figure will be reassessed once the mix of dwellings to be delivered on the site is confirmed through the planning process.</p>

	<p><u>Libraries</u> Size of Dwelling 1 bed 2 bed 3 bed 4+ bed Cost per unit £109 £176 £239 £270</p> <p>A Libraries Contribution of £107,550 is therefore required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the development.</p> <p><u>Special Educational Need and Disabilities (SEND)</u> Size of Dwelling 1 bed 2 bed 3 bed 4 bed 5+ bed Cost per Unit £0 £0 £657 £657 £657</p> <p>Based on an average dwelling mix across the development, a S106 contribution of £342,900 will be required towards provision of additional SEND facilities and capacity in North Northamptonshire.</p>
Sports Contributions	<p>Pools: 11.94 sqm of pool space costing £234,516 Halls: 0.31 courts costing £212,506 Artificial Grass Pitches: 0.03 pitches costing £32,236 for 3G or £29,320 if sand</p>
Air Quality	£126,054
Healthcare	£228,782.07

10. Planning Balance and Conclusion

- 10.1.1 This proposal would result in development outside of the built-up area of the settlement and would conflict with Policy 11 of the North Northamptonshire Joint Core Strategy (2016), Policy H1 and H2 of the Rushden Neighbourhood Plan (2018). However the site is allocated as part of Policy EN28 of the new Part 2 Local Plan which is at an advanced stage of the process prior to the adoption. The plan has been through examination and whilst it is not formally adopted, it has been found sound by the Planning Inspector. It is not considered that the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process.

S.38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004 and the Town and Country Planning Act 1990 (section 70(2)) require that, in dealing with planning applications, the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Para. 47 of the NPPF is clear that the Framework can override Development Plan policies which are not consistent with provisions of the NPPF and this is a material consideration in the determination of the application.

- 10.1.2 In terms of sustainability, regarding the social dimension, the site appears to have no physical constraints and is deliverable. It would also increase the supply of housing. There is a local and district wide identified need for both private and affordable housing. Whilst the Council can demonstrate a 5 year supply of deliverable housing land, the provision of market housing on the application site would amount to a moderate benefit in terms of providing a greater flexibility to the supply of housing. The benefit of 30% affordable housing weighs in favour of the proposal. The proposal would also generate the potential for employment from the 1500m² commercial space as well as above policy compliant levels of open space and education, health and sports contributions.

- 10.1.3 In terms of the environmental dimension of sustainable development, the proposal offers potential for additional planting and habitat enhancements and would achieve a net gain through open space onsite as well as air quality mitigation. The application site constitutes a sustainable location for the scale of development proposed in respect of access to local employment opportunities, services and facilities within the town of Rushden.
- 10.1.4 In terms of the economic dimension of sustainable development, the proposal would contribute towards economic growth, including job creation - during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/facilities. There will also be Council Tax receipts arising from the development. There would also be contributions to local transport infrastructure. The loss of this parcel of agricultural land is outweighed by the positive economic benefits of this development, in this location.
- 10.1.5 Having fully assessed all three dimensions of sustainable development; economic, social and environmental within this report it is concluded that the development of this site will:
- provide a supply of affordable and market housing to meet current and future generations;
 - have an acceptable impact on residential amenity
 - Have an acceptable impact upon highway safety
 - promote healthy, active lifestyle through green space provision;
 - maximise the available opportunities for use of public transport, walking and cycling;
 - minimise pollution;
 - manage flood risk and drainage effectively;
 - have no harm on archaeological interest which is also helped by the community benefits, particularly the provision of affordable housing;
 - have no significant adverse impacts on features of landscape or ecological value;
 - provide infrastructure to meet the needs generated by the development.

The proposal would contribute to the economic, environmental and other social dimensions of sustainability. It is clear from the proposed allocation that the Council wishes to see the land developed to deliver housing in the designated Growth Town of Rushden to meet the identified strategic housing needs for the former the East Northamptonshire area. The plan whilst not fully adopted, has been found to be sound and there are no unresolved objections in relation to this site. Whilst the policy does not carry full weight, it clearly carries substantial weight within the decision-making process. On this basis, the proposed development is supported by Officers in principle at the present time to ensure the Plan meets the minimum housing requirements as required within the Plan period up to 2031. Overall, this is a significant material consideration and therefore it is recommended that permission should be granted.

11. Recommendation

: RECOMMENDATION

APPROVE subject to delegated officers agreeing a final Early Years Education contribution and the prior completion of a Section 106 obligation relating to affordable housing, provision of open space, highway improvements, education, air quality, education sports contributions and subject to conditions to include

those listed below with only minor alterations where necessary delegated to officers.

In the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period for determination, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable the development should be refused.

12. Conditions

1. Reserved Matters details

The first application for approval of the details of the Layout, Appearance, Scale and Landscaping of the site, (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

The development shall be carried out in accordance with the details approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended.

2. Reserved Matters time limit

The first application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended.

3. Implementation time limit

The development hereby permitted shall begin no later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended.

4. Maximum units

The residential elements of the development shall not exceed 450 units (C3 Use Class).

Reason: To define the scope of this planning permission.

5. Development in accordance – plans:

The development hereby permitted shall be carried out in accordance with Drawing Nos:

- Site Location Plan CSA/4914/111 Rev A received 4th July 2022
- Parameters Plan CSA/4914/107 Rev H received 2nd June 2023

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

6. Commercial space

Alongside any relevant reserved matters submission, details of the proposed indicative 1500m² community / retail / and or health facility hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and retained as such thereafter.

Development shall be carried out in accordance with the approved details.
Reason: To define the scope of this planning permission.

7. **Building Regulations**

Alongside any relevant reserved matters submission, details of (indicatively) 5% of affordable dwellings to be built to category M4(3)(2)(a) wheelchair adaptable standard and/or M4(3)(2)(b) wheelchair accessible shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Housing Enabling Officer. The works shall be carried out in accordance with the approved details and such provision shall be maintained for the lifetime of the development.

Reason: To help meet current and future needs for housing for people with disabilities.

8. **Materials**

Alongside any relevant reserved matters submission, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory external appearance and grouping of materials.

9. **Landscaping**

As part of any reserved matters, full details of:

- i. Hard landscape works, to include but not be limited to, full details of boundary treatments (including the position, height, design, material) to be erected and paved surfaces (including manufacturer, type colour and size).
- ii. Soft landscape works, to include planting plans, written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree pit details (where appropriate) including (but not limited to) locations, soil volume, cross sections and dimensions.
- iii. Full details of landscape maintenance regimes after completion of works.
- iv. An implementation programme for the landscape works.
- v. A timetable for the implementation have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in full in accordance with the approved details. Any trees or plants planted in connection with the approved soft landscape details which within a period of 5 years from planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species as those originally planted.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests

10. **Construction Method statement**

Prior to commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority for agreement in writing, after which any site clearance and construction shall be carried out in accordance with the agreed Construction Management Plan. The CTMP should include (but not be limited to):

- Details of the proposed construction access to the site. The gate must be set back sufficiently to allow the largest delivery vehicle to stop clear of the highway.

- Tracking is required to demonstrate access into / out of the site and sufficient set back of the gates. This is to be conducted with the largest construction vehicle that will be accessing the site.
- Details of routing to / from the site
- Details of hours of operation and delivery times
- Details of wheel washing and other measures to prevent the discharge of dust and other materials onto the public highway is needed. This is likely to include a wheel washing facility. Furthermore, road sweeping will be necessary if there is any debris deposited onto the highway (not just periods of wet weather) or notification is given from the local authorities.
- Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

11. **Levels**

The details to be submitted for approval in writing by the local planning authority in accordance with condition 1 above shall include drawings showing the slab levels and finished floor levels of the dwellings in relation to the existing and proposed ground levels of the site, the ground levels of the surrounding land and the slab and finished floor levels of the surrounding properties as well as identifying the proposed ridge height levels and the ridge heights of all neighbouring properties. The development shall thereafter be constructed in accordance with the details so approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings and the street scene.

12. **Tree protection**

No building operations, site preparation or the delivery of materials to the site shall commence until a tree protection strategy, including a tree protection plan and arboricultural method statement (in accordance with the BS 5837:2012 standard), have been submitted to and approved in writing by the Local Planning Authority. The protection measures recommended in the approved tree protection strategy shall be implemented prior to the commencement of building operations, site preparation or delivery materials and remain in position until the practical completion of the development. REASON: To safeguard the existing trees on site

13. **Archaeology**

No development shall take place until details of an implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) Approval of a Written Scheme of Investigation;
- (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
- (iii) Completion of a Post-Excavation Assessment report and approval of an approved

Updated Project Design: to be submitted within six months of the completion of fieldwork

- (iv) Completion of analysis, preparation of site archive ready for deposition at a store

(Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork.

Reason: to protect archaeological heritage assets.

14. **Drainage**

Prior to the commencement of development, details of the surface water drainage scheme for the Site, based on the approved Flood Risk Assessment - Ref: 2100930-02B, Ardent Consulting Engineers, (May 2022) and Flood Risk Addendum Report – Ref 2100930-07, Ardent Consulting Engineers (March 2023) shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

1. Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed surface water drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
2. Details of the drainage systems are to be accompanied by full and appropriately cross-referenced supporting surface water drainage calculations. Surface water drainage calculations should also include an assessment of a surcharged outfall.
3. Cross-sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all vortex flow control and other flow control devices.
4. Full details of the proposed surface water outfall location, where this crosses third party land details should be provided confirming the acceptability of this with landowner.
5. Operation and maintenance details, including the details of the party responsible for the ongoing maintenance and operation of the proposed SuDS should be made available.
6. Survey details confirming the level detail of the receiving watercourse outfall, including bank and bed level.

REASON: To ensure satisfactory and sustainable drainage within the site.

15. **Drainage Maintenance**

Prior to the commencement of development, a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site shall be submitted and approved in writing by the Local Planning Authority. Any maintenance plan that is approved in writing by the Local Planning Authority shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include:

1. a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
2. A site plan including access points, maintenance access easements and outfalls.
3. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
4. Details of the expected design life of all assets with a schedule of when replacement assets may be required.

Reason

To ensure that the drainage systems associated with the development will be adopted and maintained appropriately in perpetuity of the development, to reduce the potential risk of flooding due to failure of the proposed drainage system.

Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework

16. **Drainage verification report**

No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment - Ref: 2100930-02B, Ardent Consulting Engineers, (May 2022) and Flood Risk Addendum Report – Ref 2100930-07, Ardent Consulting Engineers (March 2023) has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.

The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV confirmation that the system is free from defects, damage and foreign objects.

Reason To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

17. **Foul Water Drainage**

Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason To prevent environmental and amenity problems arising from flooding

18. **Contamination**

The development hereby permitted shall not be commenced until details of a strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by the LPA. This strategy will include the following components, unless the LPA dispenses with any such requirements in writing:

1. A preliminary risk assessment which has identified:
 - o all previous uses
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management (LCRM)' (or any procedures revoking or replacing those procedures).

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

Agreement of remedial scheme (options appraisal)

3. Based on the risk assessment referred to in 2 an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken shall be submitted to and approved in writing by the LPA. No development shall take place until the LPA has given its written approval of the scheme.

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management (LCRM)' (or any procedures revoking or replacing those procedures).

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

Carrying out of remedial works

4. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from the approved scheme without the express written agreement of the LPA. The LPA must be given two weeks written notification of the date of commencement of the remediation scheme works.

Verification

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

Unexpected contamination

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: (common to all of the above) To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy 11 of the NPPF and Policies 6 & 8 of the North Northamptonshire Joint Core Strategy.

19. **Hours of work**

No construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays, Bank or Public Holidays unless otherwise agreed with the local planning authority.

Reason: To ensure the protection of the local amenity throughout construction works

20. **No burning**

There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity.

21. **Noise**
Any reserved matters application submitted pursuant to Condition 1 shall be accompanied by a Noise Mitigation Scheme, produced by a competent person, to demonstrate that the layout, design and mitigation measures (including any alternative means of ventilation or noise barriers) will ensure that noise levels do not exceed the levels set out in Table 4 of BS 8233:2014 in habitable rooms of dwellings proposed within that reserved matters application. In addition to the above, the Noise Mitigation Scheme shall demonstrate that noise levels in bedrooms in dwellings will not exceed 45 dB LAmax,F more than 10 times a night. The Noise Mitigation Scheme shall also demonstrate that exceedances of 55 dB LAeq,16 are not predicted in private garden areas in accordance with World Health Organisation Guidelines for Community Noise and British Standard 8233. The development shall be carried out in accordance with the Noise Mitigation Scheme and no dwelling shall be occupied until the mitigation measures associated with that dwelling, as identified in the Noise Mitigation Scheme, have been installed. Any site wide noise mitigation measures shall thereafter be retained in perpetuity.
Reason: To protect the amenity of future residents
22. **Fire Hydrants**
No development shall take place until a scheme and timetable detailing the provision of fire hydrants, their associated infrastructure and timetable for their implementation has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.
Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.
23. **Habitat Management Plan**
No development shall take place on any part of the site until a Habitat Management Plan (HMP) for the site has been submitted to and approved in writing by the Local Planning Authority. The content of the HMP shall contain the following;
- a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims, objectives of management which will (without limitation) include the provision biodiversity net gain within the Site;
 - d) Description of the management operations necessary to achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a works schedule, including annual works schedule;
 - g) Details of the monitoring needed to measure the effectiveness of management;
 - h) Details of the timetable for each element of the monitoring programme; and
 - i) Details of the persons responsible for the implementation and monitoring;
 - j) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets;
 - k) Identify reporting years with biodiversity reconciliation calculations at each stage.
- The HMP shall also include details of 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 HMP 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 HMP shall be strictly adhered to and implemented in full for its duration.

Reason: To ensure the proposal would achieve a net gain in biodiversity and would be in accordance with Paragraph 174 of the NPPF

24. **CEMP**

No development shall take place (including, 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: To prevent harm to wildlife mammals and protect existing biodiversity.

25. **Ecology recommendations**

The development hereby approved shall be implemented strictly in accordance with the recommendations/measures stated in the supporting documents Appendix 6.1 – Badger Report, by FCPR May 2022, Appendix 6.2 – Breeding Bird Survey Report by FCPR March 2022, Appendix 6.3 -Winter Bird/SPA Survey Report, by FCPR April 2022, Appendix 6.5: Bat Survey Report by FCPR October 2021, Appendix 6.6: Great Crested Newt Report, FPCR, August 2021), all received by the Local Planning Authority 4 July 2022.

Reason: To minimise the impacts of development on biodiversity, in accordance with Policy, paragraphs 174 and 180 of the NPPF, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006."

26. **GCN**

No works shall commence unless the local planning authority has been provided with a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2019 authorising the specified activity/development to go ahead; or, Written confirmation from Natural England to the effect that they do not consider that the specified activity/development will require a licence.

Reason: In the interest of protected species.

27. **Ball Strike**
As part of any Reserved Matters application, details of the mitigation to be provided adjacent to the existing golf range to the south of the site in order to prevent errant balls from entering the site; and a programme for its implementation and maintenance and management shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
Reason: To protect the amenity of future occupants
28. **Sustainability**
No occupation of dwellings shall take place until details have been submitted to and approved in writing by the Local Planning Authority which demonstrate the following sustainability measures for the new buildings:
a) Electric vehicle charging points (at least one per dwelling);
b) Measures to limit water use to no more than 105 litres / person / day / and external water use of no more than 5 litres / person / day.
Development shall only take place in accordance with the approved details and all measures shall be available for use upon first occupation of each respective property.
Reason: In the interests of sustainability and to mitigate the impacts upon air quality in the vicinity.
29. **Refuse**
Prior to any occupation of the development hereby permitted details of the storage and disposal of refuse/waste shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved storage and disposal of refuse/waste details and shall be retained for the lifetime of the development.
REASON: To safeguard the appearance of the property and the amenities of the area.
30. **Lighting**
Prior to the occupation of the development hereby permitted details of the provision of a scheme for lighting the public and private areas of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details in accordance with an implementation plan to be agreed. Details shall include location, design, height and lux, uniformity level and a management and maintenance schedule to be retained in perpetuity.
Reason: In the interests of amenity and crime prevention and biodiversity.
31. **Screening of lights**
As part of any reserved matters application, details of mitigation measures for dwellings to be screened from dazzle, glare or light pollution from the means of illumination that originates from the neighbouring golf facility shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
Reason: In the interest of residential amenity and reducing pollution in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.
32. **Post completion testing**
Prior to the occupation of any dwelling hereby permitted, details and results of light testing to demonstrate that the mitigation proposed is effective in

preventing any dazzle, glare of light pollution on any dwellings shall be submitted, in writing, to the local planning authority.

Reason: In the interest of residential amenity and reducing pollution in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

33. **Cycle Parking**

No building/dwelling/part of the development shall be occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

34. **Travel Plan**

The measures set out within the approved Travel Plan rev G received by the Local Planning Authority on 19 September 2023 shall be implemented.

REASON: To ensure safe access to and from the site to prevent an adverse impact on highway safety

35. **Highway details**

No development shall be commenced until full engineering, street lighting and constructional details of the access arrangement in accordance with drawing no 22279-06 within the Transport Note Rev B by DTA Transport Planning Consultants have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, and the works completed prior to first occupation of the development, unless otherwise agreed in writing with the local planning authority.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

36. **Highway improvements**

No development shall be commenced until the footway/cycleway improvements and toucan crossing details as indicated on drawing no. 22279-02 Rev E and 22279-02-2 Rev E within the Transport Note Rev B by DTA Transport Planning Consultants have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, and the works completed prior to first occupation of the development, unless otherwise agreed in writing with the local planning authority.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

13. **Informatives**

INFORMATIVE – Any Planning Permission will be accompanied by a Section 106 Planning Agreement.

1. INFORMATIVE - The use of trees as a mitigation measure is not considered adequate. It is advised that the applicant considers the layout of the site as a means to reduce the impact of obtrusive light. For example, the orientation of properties and the number of windows on facades facing the sports premises.

This will be reflected in the indicative masterplan and should consider both properties that face the lights directly as well as those to the side.

2. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
3. INFORMATIVE - Protection of existing assets –
A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
4. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
5. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
6. Informative - Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx> Once submitted, we will work with you in developing a feasible mitigation solution.

7. Informative: Please ensure that the applicant is made fully aware of their responsibilities in respect of Public Footpath No. UK9 and Bridleway No. UK17 both of which run in close proximity to the proposed. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements;
 - o The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.
 - o There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office, under Section 131 HA1980.
 - o If as a result of the development, the Right of Way needs to be closed, where a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from Northamptonshire County Council website, a fee is payable for this service and a period of six weeks' notice period is required.

Any new path furniture (e.g. gates preferred over stile) needs to be approved in advanced with the Access development Officer, standard examples can be provided.

o Please do not rely on the position of features on site for an accurate position of the public rights of way. This must be taken only from the Definitive Map and Statement 2016.