

Case Officer **Carolyn Tait****19/01355/OUT**

Date received	Date valid	Overall Expiry	Ward	Parish
<b>06 August 2019</b>	<b>20 August 2019</b>	<b>19 June 2020</b>	<b>Oundle</b>	<b>Oundle</b>

Applicant **Mr Matthew Harmsworth – Persimmon Homes**Agent **NA**Location **Land Between St Christopher’s Drive and A605 Oundle Bypass, Oundle, Northamptonshire**Proposal **Outline planning application for the erection of up to 65 dwellings and an extra care facility of up to 65 units on land at St Christopher’s Drive, Oundle, (all matters reserved except access).**

The application is brought before the Planning Management Committee because it is a “major” residential development as defined in legislation and falls outside of the Scheme of Delegation in Part 3.2 of the Council’s Constitution (2019).

## 1 Summary of Recommendation

- 1.1 Recommendation 1: If a satisfactory S106 legal agreement which secures obligations as set out in the original committee report (as amended by this report and that on 23<sup>rd</sup> March 2020) is completed by 1<sup>st</sup> July 2020 (or other date agreed in writing with the Local Planning Authority): GRANT planning permission subject to conditions.
- 1.2 Recommendation 2: If a satisfactory S106 legal agreement to secure obligations as set out in the original committee report (as amended by this report and that on 23<sup>rd</sup> March 2020) is not completed by 1<sup>st</sup> July 2020 (or other date agreed in writing with the Local Planning Authority): Delegate to Head of Planning Services to REFUSE planning permission.

## 2 Introduction

- 2.1 This application was on the agenda at the Planning Management Committee that was held on 23<sup>rd</sup> March 2020. However, due to the current Covid-19 pandemic, a decision was made to defer the determination of the application to allow interested parties the opportunity to be make representations on the application at a future meeting.
- 2.2 A report was prepared for the March Planning Management Committee and this should be read in conjunction with the ‘original committee report’ (13<sup>th</sup> November 2019) as well as this committee report. All relevant documents are appended to this report. The purpose of this committee report is to provide Members with a response / update in relation to any relevant considerations that have arisen since the publication of the 23<sup>rd</sup> March 2020 committee report. Any updates between the original committee report and the 23<sup>rd</sup> March committee report can be found at Appendix 1.

## 3 Extra Care Facility / S106 Requirements (update since 23<sup>rd</sup> March 2020)

- 3.1 The situation regarding the extra care facility remains unchanged from the 23<sup>rd</sup> March 2020 committee report at paragraphs 3.1 – 3.7. Work is continuing on the draft Section 106 Agreement to secure the relevant and necessary obligations.

#### **4 Five Year Housing Land Supply (update since 23<sup>rd</sup> March 2020)**

- 4.1 The Planning Policy Committee met on 17 December 2019 to consider the 2019 Annual Monitoring Report (AMR) and resolved to note the five year housing land supply calculation of 6.03 years.
- 4.2 Subsequent to this, an appeal decision relating to The Willows, Thrapston was received on 24.01.2020. Based on the evidence presented at the appeal, the Inspector concluded that East Northamptonshire Council was only able to demonstrate a 4.28 year housing land supply. Central to that decision was the question of whether sites not listed in the definition of 'deliverable' in the Glossary to the National Planning Policy Framework (NPPF) could, in principle, be considered. The Inspector ruled that he could not and discounted a large number of units from the supply.
- 4.3 Following the decision of the Inspector, East Northamptonshire Council lodged a S.288 Statutory Appeal. Having considered the grounds of the Appeal the Secretary of State conceded that the Planning Inspector had erred in his interpretation of the definition of deliverable within the glossary of the NPPF as a 'closed list'. It is not. The proper interpretation of the definition is that any site which can be shown to be 'available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years' will meet the definition; and that the examples given in categories (a) and (b) are not exhaustive of all the categories of site which are capable of meeting that definition.
- 4.4 As such, and on the basis that the 2019 AMR concludes that there is sufficient evidence to show those sites do meet the definition of deliverable, it is considered that East Northamptonshire Council can demonstrate a 5 year supply of deliverable housing sites. As such, policies related to the supply of housing can be considered up to date.
- 4.5 This recent decision does not alter the recommendation of this application as this was not a determining factor in the recommendation to approve planning permission. For clarification, Policy 11d of the NPPF is no longer relevant to this proposal as the relevant planning policies are not considered to be out of date as the Council can demonstrate a five year supply of deliverable housing sites. However, the proposal was not originally recommended for approval on the triggering of paragraph 11d so this does not change the recommendation to approve.

#### **5 Principle of Development – Policy Background – Emerging Plans Progress and Status (update since 23<sup>rd</sup> March 2020)**

- 5.1 The adopted Development Plan has not changed since the planning application was considered at the 13<sup>th</sup> November 2019 Planning Management Committee. However, significant changes have taken place which impact on emerging Plans relating to Oundle. The situation is set out in detail in the 23<sup>rd</sup> March 2020 committee report. However, a summary is provided below:
- 5.2 The Oundle Neighbourhood Plan Examiner concluded that the Oundle Neighbourhood Plan should not proceed to referendum and as such now carries no weight in the determination of applications.
- 5.3 Policy 29 / Table 5 of the JCS requires the allocation of further housing land at Oundle to deliver the current requirement (645 dwellings, 2011-2031). The Council appointed DLP to prepare a detailed sustainability assessment of potential development sites in Oundle (July 2019), which identified the St Christopher's Drive site as an appropriate location for

additional housing.

5.4 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)."

The Draft Local Plan is currently being prepared for pre-submission, which will represent the Council's Plan. The application site was endorsed as a proposed allocation by the Planning Policy Committee on 20th January 2020, some weight, although limited, can therefore be applied to the policy position in respect of this planning application.

## 6 Additional Representations / Consultation Responses

### Public Comments

6.1 The below is a summary of any comments that have been received since the committee report for the 23<sup>rd</sup> March 2020 was finalised:

6.2 Eleven further representations have been received (five objecting / raising concerns and six in support) which can be summarised as:

Concerns / Objections (It should be noted that many of these issues are already covered in the previous committee reports and update sheets)

- Over 282 homes proposed with one narrow access road for emergency services. What happens if this road (Ashton Rd) is blocked?
- Prospect of more than 150 cars and lots of delivery vehicles to the care facility using Ashton Road which is already heavily congested.
- A 4 storey Extra Care Facility (I have not been able to find a description of what this actually is) with an unreliable or non-existent bus service, overlooking existing residential homes.
- More cars parking along current roads. Staff, residents, and visitor parking provision at the facility is minimal.
- The risk of repeating original sewage problems on the estate with the need for a large storage tank to hold foul water.
- The need for a large drainage pond to retain surface water. A safety risk for children and possible health risk from pests.
- Persimmon's public record of unfinished roads, drainage and green areas in Newport, Pyle, Aberdare etc.
- It is a large estate tacked to the edge of Oundle.
- There are no affordable homes proposed.
- No increase in public transport.
- Not close to health services.
- Elderly will be affected by pollution from A605.
- Oundle has poor infrastructure.

- Increase in traffic / pollution.
- Risk to pedestrians / vehicles mounting kerbs / close to the school.
- Will create a rat run.
- The utilities will not cope with the increased demand.
- Persimmon leaves roads unfinished.
- The original application did not include a care home and as such the whole application should be re-submitted.
- Lack of parking across the site.
- Excavations for sewerage will cause disruption.
- Surrounding roads are congested.
- Access should be off the A605.
- No construction traffic should go by Sutton Road.
- Noise.
- Loss of property value.

### 6.3 Officer response:

- The application is for up to 130 units (65 dwellings and 65 Extra Care units). The Local Highway Authority has assessed the access to the site as being suitable for the proposed level of development as set out in the Appendices to this report.
- The design of the Extra Care facility is not for consideration at this outline stage and any future reserved matters application seeking approval for the Extra Care Facility will need to take in to account the impact on neighbouring amenity when designing the building. Public transport matters are addressed at paragraph 4.1 – 4.3 of the 23<sup>rd</sup> March 2020 committee report.
- The parking layout is not a matter for consideration at this stage. Any future reserved matters application would have to demonstrate a layout which can accommodate an appropriate level of parking for the number of units.
- The Lead Local Flood Authority, Anglian Water and the Environment Agency do not raise any concerns with regards to foul water or surface water drainage subject to the use of the recommended conditions.
- Detailed plans of the drainage pond would be submitted at a later stage. Any concerns with regards to pests could be reported to the Council, but SuDS use is common in modern developments and not typically associated with pest nuisance. In addition, the use of SuDS is covered by the recommended conditions.
- Developer's intentions / previous track records are not material considerations. Suitable conditions ensure that a development is carried out appropriately and the Council can enforce against non-compliance if necessary. Details of all internal roads are to be submitted for later consideration at the reserved matters stage, but they will have to be constructed to an adoptable standard.
- The suitability of the location of the site is addressed throughout the committee reports.
- The proposed extra care facility would accommodate affordable extra care units, providing affordable housing. Should this not be provided then a legal agreement is being secured for affordable housing to be provided as an alternative.
- A developer contribution has been requested towards public transport.
- Oundle has health facilities including a doctors' surgery.
- An Air Quality Assessment has been submitted as part of the application and the Council's Environmental Protection team has been consulted. Neither raise any

- concerns and a condition is recommended to include air quality measures.
- It is not clear what is meant by the term 'infrastructure' in the comment received, but Oundle has a number of services including schools and a doctors' surgery. In addition the Local Highway Authority has not objected to the application on the basis of highway safety.
  - There would be an increase in traffic associated with the proposal, but the Local Highway Authority do not object to this as it would not result in any detrimental harm on highway safety.
  - Many housing sites are close to schools. This enables children to walk rather than being taken in a car. It is possible for a car to mount a pavement in any location, so this is not seen as a reason for justifying refusal of this application.
  - The proposal would not create a rat run as there is only one vehicular access to the site.
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- The impact on existing utilities is not a planning matter.
  - Relevant conditions and technical approvals will ensure that the roads are constructed to an adoptable standard, where this is required. Where the developer does not comply with such requirements then it is possible for necessary action to take place to ensure that they are complied with.
  - There was a previous application on this site that did not include a care facility. However, this does not mean that the current application should be re-submitted as the applicant is now applying for a different proposal, which they are entitled to do.
  - The layout of the site is not up for consideration and therefore the level of parking cannot be confirmed at this stage. An indicative layout has been submitted to demonstrate how the site *could* look, but this is not confirmed. Members should be aware that this is an outline application with all matters reserved except for access. The level of parking can be assessed at the later reserved matters stage.
  - Excavation works for building are not covered by planning, however, a condition has been recommended for a Construction Management Plan to ensure that any construction work causes minimal disruption.
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- The Local Highway Authority has not identified the surrounding roads as being congested. This does not raise any concerns.
  - The access to the site has been considered as acceptable off St Christopher's Drive and as such it is unreasonable to request that the applicant amends this to be off the A605. IN addition there may be concerns with having an access off an A road which haven't been considered as they have not been relevant to this application.
  - It has been requested that no traffic should go by Sutton Road. A condition is recommended for a Construction Management Plan that will detail the routing of all construction traffic. However, it may not be possible to rule out Sutton Road, but the detail will be considered when discharging the relevant condition.
  - The matter of noise is addressed within the committee reports and raises no concerns subject to the use of the recommended conditions.
  - Loss of property value is not a material planning consideration.

#### 6.4 Letters in Support

- All outstanding issues have been addressed in the officer's reports.
- The extra care facility is urgently needed.
- There is no local extra care available.
- The application for the extra care facility is supported.
- Officers have recognised the need for older people's housing in Oundle.
- Local objectors should understand that not everyone can afford to buy their own

home.

- This is a proposed allocated site as endorsed by the Planning Policy Committee and as such development should go ahead.
- There is a lack of extra care housing in the town.
- It is a quiet and peaceful area for elderly people who cannot live totally independently.
- The scheme has the support of the Local Highway Authority.
- There will be a subsidised mini-bus service which nearby residents could use to cut down on car usage and pollution.

6.5 A further letter has been received from a landowner within Oundle and is set out as follows:

“At the 20th January 2020 Policy Committee, Members endorsed the preferred site allocations for Oundle to be included within the Submission Draft Local Plan. This included the application site at St Christopher’s Drive as one of the three preferred sites.

This site has unresolved objections from the non-statutory eLP consultation held between November 2018 - February 2019. There has not yet been a statutory public consultation into the selected sites. We understand this may occur during Summer 2020 at the Regulation 19 consultation stage.

To inform the preferred site selection at Oundle, Officers commissioned additional evidence in the form of the Oundle Site Assessment Report, dated July 2019 undertaken by DLP. This 2019 DLP Report sought to re-assess the Oundle site options to support the results of the Interim Oundle Sustainability Appraisal dated December 2018 by Aecom on behalf of East Northamptonshire Council (ENC).

As the 2019 DLP Report has not been publicly consulted upon, there has been no opportunity to formally comment on its content. The eLP has not yet reached its Regulation 19 consultation stage, has not been submitted or examined by an Independent Inspector and accordingly it cannot be afforded any change in weight in decision-making at the current time. The fact that Planning Policy Committee Members have now endorsed the Oundle site options for inclusion within the Regulation 19 submission draft consultation does not alter the weight to be afforded to it at the Planning Management Committee. The Officer report for 19/01355/OUT suggests an increased weight can now be attributed to the eLP (paragraph 7.7 of the officer report to committee). However, there has been no material change for decision-making purposes at the current time.

It continues to be relevant that there are clear factual errors within the 2019 DLP Report that may have a direct impact upon the three sites selected as the preferred options for allocation within the future submission draft eLP. The 2019 DLP Report extract is reproduced below, for completeness. It shows the 3 highest performing sites ranked on their comparative performance against the chosen criteria, concluding that they should go forward for allocation.

It has apparent that there is an inherent mistake within two of the assessed criteria, namely the availability and achievability criteria 9 & 10 for three of the sites for development, one of which is our clients site at Herne Road, Oundle -Site 221b. This site was known to ENC to be available for development through the earlier work on the Oundle Neighbourhood Plan, with Herne Road being re-affirmed through a pre-application enquiry submitted to ENC by the landowner on 5 July 2019. Despite landowner support for development, this site scored negatively against the availability and achievability criteria by DLP, marked down as being unavailable for development on the basis that the landowner had not responded to a June 2019 questionnaire. For Herne Road, it has come to light that neither the landowner nor

their agent was contacted during this site re-assessment process. The evidence base relied upon by Policy Committee Members when considering the Oundle options was flawed. This factual mistake seeks to highlight the concerns with the eLP site selection process for Oundle which includes reliance upon the 2019 DLP Report that has not yet been subject to any public or independent scrutiny.

The impact of this single change is significant, in that it has the effect that it alters the site score of some Oundle sites by 16 points, including Herne Road, changing its relative sustainability ranking from 5<sup>th</sup> to 2<sup>nd</sup> with a total of 24 points. The consequential change to the St Christopher's Drive site's relative performance on this point alone is that it effectively moves to 3<sup>rd</sup> position after the other sites have also been corrected.

Surprisingly, the committee report does not acknowledge the recent resolution to approve the Cotterstock Road application (19/01327/OUT) at the February Planning Management committee or the Secretary of State call in request that is under consideration. We would have expected this resolution to be listed as material to the consideration of this application within section 7 and paragraph 9.2 of the officer report on the basis that once committed, the potential site requirement within the eLP would be reduced and St Christopher's Drive would no longer fall within the top two best performing sites for accommodating further growth at Oundle.

We consider it important that Planning Management Committee Members have the correct information and are made fully aware of these issues and deficiencies with the eLP work before taking any decisions on the St Christopher's Drive application in order to make an informed decision on the planning balance and judgement.

Specifically, in light of the Cotterstock Road application Call-in request, and the similarity of the issues, we recommend that a decision on this application at St Christopher's Drive is deferred until the outcome of the Secretary of State Call-in request for 19/01327/OUT is known".

Planning Policy Manager response:

- 6.6 "The Council received many representations of objection and support in relation to the Local Plan Part 2 consultation undertaken between November 2018 and February 2019.

All representations were subsequently reported to meetings of the Planning Policy Committee held throughout 2019. A meeting of the Planning Policy Committee held on 20 January 2020 further considered the approach to future housing allocations for Oundle following the published outcome of a public hearing into the Oundle Neighbourhood Plan, which had taken place in October 2019.

The report to the Planning Policy Committee set out detailed evidence supporting an approach to future development in Oundle, which led to three proposed housing site allocations being recommended at Cotterstock Road, Stoke Doyle Road and St Christopher's Drive.

Members of the Committee resolved to agree the report's recommendations, which led to the endorsement of the proposed housing allocation sites referred to above. In effect this provides a response to those representations made during the draft Local Plan consultation.

Following the response to the draft consultation a pre- submission Local Plan Part 2 is now being prepared, which the Local Development Scheme sets out consultation to take place in summer 2020. The Council's approach to the pre-Submission Plan in respect of housing

allocations proposed for Oundle has been clarified following the resolution of the 20 January 2020 meeting.

The Council supports the St Christopher's Drive housing allocation, which is proposed to form a significant part of the response to meeting the outstanding housing requirements for Oundle as set out in the Joint Core Strategy. The proposal will also provide policy direction through the Council's statutory pre-submission Local Plan as an allocation. Consequently weight should therefore be attributed to the proposed housing allocation at St Christopher's Drive, Oundle.

The 2019 DLP Oundle Site Assessment report has been accepted as part of the evidence base to support the emerging Local Plan as part of the Council's resolution to agree the proposed housing site allocations for Oundle. The document forms part of a comprehensive set of evidence base documents that support the policy direction of the Local Plan. Evidence based documents will be submitted to the Planning Inspectorate as required by the statutory Local Plan Regulation 19 legislation, to enable representations to come forward that can be considered at examination.

Specifically, at the time of consulting land owners and site promoters on those sites contained within the DLP Oundle Assessment Report, the Council did not hold any contact details regarding the land south of Herne Road. Consultation emails were sent out on 11 April 2019. The pre-application enquiry for land south of Herne Road was not received until 5 July 2019, by which time the DLP Report was already published".

- 6.7 Members of the Planning Management Committee are also advised that application 19/01327/OUT for Cotterstock Road, Oundle, was not called in by the Secretary of State and that the above land owner letter was received prior to the 23<sup>rd</sup> March 2020 so is therefore not referenced in any other document. It has therefore been addressed as part of this latest report to ensure that the comments raised have been addressed.
- 6.8 Councillor Rupert Reichhold has also submitted a representation to the application, which can be summarised as:
- The application should not be considered until the High Court have decided on The Willows appeal decision.
  - Ashton Road could not accommodate the considerable additional traffic.
  - Bus and emergency access for firefighting and ambulance vehicles would be required and it is not at all clear where these would be put.
- 6.9 Officer response: These matters are addressed throughout the committee reports and update sheets. An update on The Willows is provided above. The level of traffic entering and exiting the site has not been raised as a concern by the Local Highway Authority based on the submitted Transport Assessment. Northamptonshire Fire and Rescue have not commented on the application and as such have not raised any concerns with regards to a fire appliance reaching the site.

## **7 Other Matters**

- 7.1 Discussions have taken place with the applicant, following the publication of the 23<sup>rd</sup> March 2020 committee report, regarding the wording of the recommended conditions. These have now been agreed, between the applicant and officers. A complete list of conditions is set out below.



## 8 Conclusion / Planning Balance

- 8.1 The updates / changes that are reported do not alter the previous recommendation made to the Planning Management Committee on 23<sup>rd</sup> March 2020.

## 9 Recommendation

- 9.1 Recommendation 1: If a satisfactory S106 legal agreement which secures obligations as set out in the original committee report (as amended by this report and that on 23<sup>rd</sup> March 2020) is completed by 1<sup>st</sup> July 2020 (or other date agreed in writing with the Local Planning Authority): GRANT planning permission subject to conditions.
- 9.2 Recommendation 2: If a satisfactory S106 legal agreement to secure obligations as set out in the original committee report (as amended by this report and that on 23<sup>rd</sup> March 2020) is not completed by 1<sup>st</sup> July 2020 (or other date agreed in writing with the Local Planning Authority): Delegate to Head of Planning Services to REFUSE planning permission.

## 10 Conditions (Revised List since 23<sup>rd</sup> March 2020)

- 1 Approval of the details of the siting, scale and appearance of the dwellings / Extra Care facility and the landscaping of the development (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before the development is commenced.

Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.

- 2 Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

Reason: Statutory requirement under section 91 of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The details required to be submitted by condition 1 above shall include the provision of a scheme for lighting the public and private areas of the development hereby permitted together with an implementation plan. The development shall thereafter be carried out in accordance with these approved details. Details shall include location, design, height and lux, uniformity level and a management and maintenance schedule to be adhered to perpetuity.

Reason: In the interests of amenity, crime prevention and biodiversity.

- 5 No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure, for each phase of the development, has been submitted to and approved in writing by the Local

Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable prior to the occupation of the associated phase of the development.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

- 6 A landscape and ecological management plan (LEMP) for each phase of the development shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development of each phase. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

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

Reason: In the interests of biodiversity.

- 7 Before any above ground works commence in any phase a detailed design of surface water drainage scheme for that phase based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
  - ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
  - iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
  - iv) BRE 365 infiltration test results.
  - v) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.
  - vi) Confirmation of site specific soil conditions.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Joint Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

- 8 All subsequent reserved matters applications for the development plots shall make reference to the original approved Flood Risk Assessment ref AMA752 rev A dated October 2019 prepared by Infrastructure Design Ltd and shall be accompanied by a compliance statement with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site.

- 9 No occupation shall take place until the Verification Report for that phase of the development for the installed surface water drainage system for the site based on the approved Flood Risk Assessment ref AMA752 rev A dated October 2019 prepared by Infrastructure Design Ltd has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority. The report 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) Confirmation that the system is free from defects, damage and foreign objects;
  - f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place.

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

- 10 No development shall take place within the area of archaeological interest until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. This 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, unless otherwise agreed in advance with the Planning Authority;
  - (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, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 199.

- 11 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.

- 12 The details required to be submitted by condition No.1 above shall include, details and samples of the external roofing and facing materials to be used for the construction of the buildings hereby approved. The development shall thereafter be implemented in accordance with the approved details and retained in perpetuity.

Reason: To achieve a satisfactory appearance for the development.

- 13 The details required to be submitted by condition No. 1 above shall include the provision of boundary screening to the site. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before each respective dwelling / building is occupied and shall be retained and maintained thereafter in perpetuity.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

- 14 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 buildings 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.

- 15 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include full details of one bus stop to be located within the site and associated raised boarder and shelter. The details shall include the timing of the provision. The bus stop, raised boarder and shelter shall thereafter be erected in accordance with the approved details and be retained and maintained in perpetuity.

Reason: In the interests of connectivity, sustainability, air quality management and highway safety.

- 16 Notwithstanding the submitted details, no occupation of buildings 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:
- Electric vehicle charging provision for each dwelling;
  - 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;
  - Minimum standards for gas fired boilers;
  - Sustainability measures (including, but not limited to, the sustainable use of energy, electric vehicle charging provision, bicycle parking, the use of responsibly sourced materials and measures to limit water use) to be implemented for the Extra Care accommodation in the event that the Extra Care accommodation is provided.
- 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.

- 17 The details to be submitted for approval in writing by the Local Planning Authority relating to condition 1 above shall include a comprehensive landscaping scheme for the each phase of the development, including an implementation schedule, all hard and soft landscaping, existing and proposed contours of the land, use of materials, street furniture and details of any additional natural boundary screening to be planted. Landscaping shall thereafter be provided in accordance with the details so approved. It is expected native species, traditionally found in the locality shall be used.

Reason: To ensure a reasonable standard of development and visual amenity for the area.

- 18 Any trees or plants which within a period of 15 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

- 19 Notwithstanding the details submitted and prior to the commencement of each phase of the development a Construction Management Plan (CMP) for that phase shall be submitted to, and approved in writing by the Local Planning Authority. EachThe CMP shall include and specify the provision to be made for site procedures to be adopted during the course of construction, including:

- a. overall strategy for managing environmental impacts which arise;
- b. measures to control the emission of dust and dirt;
- c. control of noise emanating from the site;
- d. hours of construction work;
- e. construction traffic daily timetable, confirming no construction traffic will arrive on site before 7.30am and after 6.00pm Monday to Friday, before 7.30am and after 1.00pm on a Saturday and with no construction vehicles to attend the site on a Sunday or Bank Holiday;
- f. contractors compounds, material storage and other storage arrangements, cranes, and plant, equipment and related temporary infrastructure;
- g. designation, layout and design of construction access and egress points to minimise disruption or access for existing residents and new residents of the development;
- h. internal site circulation routes;
- i. directional signage (on and off site);
- j. provision for emergency vehicles;
- k. provision for all site operatives, visitors and construction vehicles loading and unloading plant and material;
- l. provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- m. details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- n. routeing agreement for construction traffic;
- o. storage of plant and materials used in construction;
- p. enclosure of phase or development parcel sites and the erection and maintenance of security hoarding including decorative displays and facilities for public

viewing, where appropriate;

- q. waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works;
- r. soil stockpiling and material crushing and sorting, control of dust and other emissions, construction noise and vibration from the development.

The provisions of the CMP shall cause minimum disturbance in the surrounding area. Construction of development shall only proceed in accordance with the CMP and the approved measures shall be retained for the duration of the construction works.

Reason: To maintain the amenities of the area in accordance with the NPPF.

- 20 No drainage works shall commence until a foul water management strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the agreed details.

Reason: To prevent environmental and amenity problems arising from flooding.

- 21 The details required to be submitted for approval in writing in connection with condition 1 (above) shall include:
- i) Details of provision for cyclists;
  - ii) Connections to the right of way network;
  - iii) Improvements to the right of way UF6; and
  - iv) A pedestrian link to Prince William School. The details of the school link shall include appropriate safety measures with evidence that these have been informed by discussions with the school.

Reason: In the interests of connectivity and encouraging sustainable modes of travel.

- 22 Full engineering and construction details of the continuation of St Christopher's Drive into the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling or prior to the commencement of works above slab level for the extra care facility whichever is the earliest. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the first dwelling / Extra Care unit hereby approved.

Reason: In the interests of highway safety.

- 23 In the event that the Extra Care Facility does not come forward, then the following details shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development hereby permitted:
- i) Details of the proposed treatment of the 'Extra Care land' in the event that the Extra Care facility does not come forward;
  - ii) Details of the timescale / triggers in relation to i) above.
- Thereafter the agreed details shall be implemented and maintained / retained.

Reason: In the interests of visual amenity and safety.

- 24 Prior to the first occupation of any dwelling / Extra Care unit hereby permitted, a noise barrier shall be installed as detailed in the Spectrum Acoustics report Ref: MM588/17180/Rev.5 dated 10.03.2020. No changes shall be made to the hereby approved noise barrier without the written permission of the Local Planning Authority. The approved noise barrier shall be retained thereafter in perpetuity and maintained in a satisfactory state of repair to ensure efficient operation.

Reason: In the interest of residential amenity.

- 25 Any future reserved matters application for buildings hereby permitted shall include a noise assessment together with mitigation measures which shall be implemented in accordance with an agreed programme.

Reason: In the interest of residential amenity.

- 26 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed.

- 27 Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

- 28 Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

- 29 On completion of any remediation (where identified under condition 27 of this permission), two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

- 30 If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

- 31 The first application for 'reserved matters' (in connection with condition 1, above) shall include details of the phasing of the development. The development shall thereafter be carried out in accordance with the agreed details of phasing.

Reason: To ensure the development is delivered in a coordinated manner.

- 32 The details to be submitted under condition 1, above, shall be carried out in accordance with drawing reference numbers:  
 OUND/ASHR/3HP/100 Building Heights Parameter Plan received on 16.01.2020  
 OUND/ASHR/LS/100 A Landscape Strategy received on 16.01.2020  
 OUND/ASHR/LU/100 Land Use Plan received on 16.01.2020  
 OUND/ASHR/MBT/100 Mini Bus Tracking received on 16.01.2020  
 OUND/ASHR/PPL/100 Proposed Planning Layout received on 16.01.2020

Reason: To ensure that the development is carried out as permitted and to clarify the terms of the permission.

## 11 Informatives

- 1 The Lead Local Flood Authority advises (with respect to condition 7):

Details will be 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 maintenance scheme shall include:

- A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used;
- A site plan including access points, maintenance access easements and outfalls;
- 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;

Details of expected design life of all assets with a schedule of when replacement assets may be required.

- 2 The applicant's attention is drawn to the comments received 10.09.2019 from Northamptonshire Police (please refer to the Council's website) regarding detailed layout requirements.

- 3 Anglian Water advises:

- i. 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 6066087.

- ii. 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.
- iii. 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.

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.

- 4 With respect to conditions 4 (Lighting) 6 (Landscape and Environmental Management Plan) and 17 (Landscaping), the applicant is advised that the details submitted will be expected to include (but not be limited) to the following (as may be relevant to the condition):

- The development should incorporate native tree and shrub planting, including fruit and nut bearing species within areas of public open space or perimeter vegetation;
- New hedgerow planting should be incorporated where possible;
- Any grassland areas should consider native seed mixes;
- The creation of a continuous buffer of 10-15 metres wide along the retained woodland on the eastern and southern boundaries, to comprise native species shrub and tree planting;
- Ivy clearance from mature sycamore trees;
- Provision of a range of bat boxes;
- Implementation of controlled lighting to maintain dark corridors.

19/01355/OUT – List of Appendices for 10<sup>th</sup> June 2020 Committee Report

<b>Appendix</b>	<b>Content</b>
1	23 <sup>rd</sup> March 2020 Report to Planning Management Committee
2	13 <sup>th</sup> November 2019 Report to Planning Management Committee
3	13 <sup>th</sup> November 2019 Update Report to Planning Management Committee
4	Persimmon Homes – Extra Care Explanatory Note (Received 05.03.2020)
5	Persimmon Homes – Timeline for Delivery of St Christopher's Drive, Oundle (Received 05.03.2020)
6	Letter (dated 02.03.2020) and Brochure from Housing 21 – The Identified Extra Care Provider