

Application Number : S/2010/1437/MAF
Application expiry date : 21 February 2011

Parish : Helmdon

Case Officer : Michael Warren

Applicant : Broadview Energy Developments Limited

Location : -
Spring Farm Ridge, land to the north of Welsh Lane between Greatworth and Helmdon

Description : -
Wind farm comprising the erection of five wind turbines plus underground cabling, meteorological mast, access tracks, control building, temporary site compound and ancillary development (Includes Environmental Statement)

RECOMMENDATION - REFUSAL FOR THE REASONS SET OUT AT THE END OF THIS REPORT

S/2010/1437/MAF

WARD : Astwell
WARD MEMBER : Cllr Robin Digby

This application was subject to a Pre-Committee Members Site Visit, which was scheduled to take place on Tuesday 21 June 2011.

1. APPLICATION SITE

- 1.1 The site is located within the parish of Greatworth, between the villages of Greatworth (about 1km to the south west), Helmdon (approximately 1km to the east) and Stuchbury (about 500m to the north). Beyond Stuchbury, approximately 2 km north-west of the site lies the village of Sulgrave. The site comprises an area of relatively flat agricultural land predominantly in arable use with hedgerows or trees forming field boundaries. An area adjoining the east of the site is utilised as a leisure facility with off-road tracks used for the operation of military vehicles by the general public.
- 1.2 The B4525 road runs in an east-west direction to the south of the site forming its southern boundary. A minor road linking Helmdon and Sulgrave runs roughly east - west forming part of the site's northern boundary. The A43 dual carriageway is located some 4 km to the south east of the site, with the A5 approximately 12 km to the east and the M1 motorway beyond this, approximately 20km from the site. To the west the M40 lies approximately 9 km away. Hinton-in-the-Hedges Airfield and Turweston Aerodrome lie approximately 6.5 km south-west and south-east of the application site.
- 1.3 The nearest large towns are Brackley, approximately 4.5 km to the south, and

Banbury, approximately 9 km to the west. As well as the villages in the vicinity of the site mentioned previously, there are numerous scattered private dwellings, farm buildings and village communities within the area. The landscape surrounding the site consists of broad, elevated and undulating landform where streams have eroded broad, gentle, sloped valleys. The predominant land use is arable farming and the landscape pattern is made up of a mix of small to medium sized irregular shaped fields along with a patchwork of tree cover formed by small areas of woodland and hedgerow trees.

- 1.4 There are no Scheduled Ancient Monuments or listed buildings within the site, nor does any part of the site lie within a Registered Historic Park or Garden. However, within 5 km of the site there are some 319 Listed Buildings, with 8 Grade I and 13 Grade II* listed buildings. There are 8 Scheduled Ancient Monuments and 1 Registered Park and Garden (which is Sulgrave Manor about 2 km to the north). There are also 8 Conservation Areas within 5 km of the site boundary.
- 1.5 In terms of ecological conditions, the site comprises a mix of arable farmland, together with improved and semi-improved grassland habitats. Much of the grassland (at the eastern side of the site) was formerly grazed pasture (cattle and sheep), but is now used for driving tanks and other military vehicles for corporate and private events. Hedgerows within the site are highly variable in structure, ranging from tall and bushy structures to low and flail-mowed features; most are species-poor, although some short lengths of richer quality hedge occur locally. Mature trees are largely restricted to ash and oak standards within the extensive hedgerow network and along a disused railway corridor which crosses the site in an east-west orientation.
- 1.6 The majority of the site is located on one side of a shallow valley with the southern boundary being the highest point at 170m Above Ordnance Datum (AOD). The underlying geology of the site is variable with a number of different strata present which have differing hydrogeological properties. A number of springs are present within the centre of the site and the River Tove, also known as Helmdon Brook at this point, flows through the site along the valley bottom towards the eastern boundary. The southern part of the site is underlain by Blisworth Limestone and considered to be a major aquifer. The study area is not located within a Source Protection Zone and there are no known groundwater abstraction licences within 250m of the site boundary.

2. CONSTRAINTS

- 2.1 The site lies in the open countryside, but is not within any area of special control or designation.
- 2.2 There are Public Rights of Way, Footpaths AN8, AN9, AN10 and Byway AN36, registered on the Definitive Map (2005) within and surrounding the proposed development site.
- 2.3 In terms of flood risk, the Environment Agency's flood map shows that a small section of the site along the line of the River Tove is classified as Flood Zone 3 (i.e. the annual probability of flooding is 1% or 1 in 100) however the proposed development area is located entirely within Flood Zone 1 (i.e. the annual probability

of flooding is less than 0.1% or 1 in 1,000years).

- 2.4 As mentioned at Para 1.4 above, there are considerable number of designated and undesignated heritage (including archaeological) assets within a 5km radius of the site.

3. PROPOSAL

Development details

- 3.1 The proposed development would consist of five wind turbines, with each turbine having a maximum generation capacity of between 2 – 3 MW. Each turbine would have a maximum height to blade tip of 125 metres (about 410ft) and an 80m hub height with the rotor consisting of three glass-fibre blades each of 45m in length (92.5m rotor diameter approx). The rotor is connected to a hub (part of the nacelle, housing the generator) supported by a conical-shaped steel tower. An off-white/grey semi-matt finish is proposed. The individual turbines would be connected by underground cables to an onsite control building that would house switchgear and transformers as necessary. The power generated by the turbines would then be exported to the regional grid.
- 3.2 In addition to the five wind turbines, the development would also include the following associated infrastructure, buildings, etc:
- A foundation and crane hardstanding area for each turbine. The foundations would be reinforced concrete slabs approximately 18m x 18m x 2.4m. These are generally buried up to 2.4 m below the ground surface with a central upstand upon which the turbines tower sections are fixed;
 - Approximately 1.5km of new site access tracks (typically, 5m width) leading to the wind turbines and site meteorological mast;
 - An 80m high permanent meteorological mast to provide data throughout the operational period of the development;
 - Control building;
 - Temporary site compound area for the duration of the construction period;
 - Underground electrical cabling and communications cables; and
 - The turbine's own electrical transformer may, depending on turbine model finally selected, be housed either internally within the nacelle or tower base, or externally in a secure cabinet adjacent to the base of each turbine.
- 3.3 The Applicant has had preliminary calculations undertaken for a number of suitable wind turbine models. These calculations have shown that the proposed development would generate between 26,225 MWh and 33,060 MWh per annum. On this basis, carbon dioxide reductions of the proposed wind turbine development are estimated to be between 11,276 and 14,215 tonnes annually. These figures are based on calculations shown in Chapter 4 of the submitted Environmental Statement (ES).

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- 3.4 As with all renewable energy projects, the actual amount of carbon emissions offset by the proposed development would depend on the make-up of the UK's electricity generating industry over the life of the development (approx 25 years). The electricity generated annually from the proposed development is predicted to be equivalent to the approximate annual domestic needs for approximately 5,580 to 7,034 average households in Britain, based on a maximum rated output of 10 to 15 MW.

Access

- 3.5 The Applicant has submitted an indicative access location/access layout plan, showing a potential means of access to the site, for use both during any construction phase and for the limited number of service vehicles that would be needed for on-going maintenance purposes, thereafter. This shows a new access directly off the B4525, located about 400m west of the existing access to Spring Farm and the military vehicle driving leisure use (refer Para 4.3 below). There would be no vehicular access to the development for the general public, however, there are of course a number of public Rights of Way that cross the site, and these will need to be maintained.

Construction phase

- 3.6 The construction phase associated with the proposed development would be expected to take approximately twelve months with favourable weather conditions and assuming no restricting conditions identified on site. The majority of construction work is involved with the construction of the turbine foundations and road infrastructure. The turbines themselves would be manufactured off-site, brought to the site in sections and then erected using a crane.
- 3.7 The proposed construction period can be split into the following phases:
- Upgrading and construction of access points onto the site from the public highway;
 - Site establishment;
 - Construction of site access tracks and hardstandings;
 - Installation of electrical infrastructure;
 - Undergrounding of existing overhead electrical cable;
 - Construction of wind turbine foundations;
 - Construction of switchgear and control building;
 - Wind turbine delivery, erection and commissioning;
 - Installation of the meteorological mast;
 - Reinstatement around wind turbines and meteorological mast;
 - Construction of the grid connection;
 - Commissioning and testing of wind turbines;
 - Introduction of habitat enhancement measures; and
 - Site reinstatement and restoration.
- 3.8 Although each activity is listed, a number of the above activities may well occur in parallel in order to reduce the construction timescales. Civil engineering construction would take place during normal working hours, Monday to Saturday. In

the event that work needs to take place outside of these times, for example in the delivery of abnormal loads, or the erection of the wind turbines to take advantage of low wind periods, this would be agreed in advance with the local planning authority and local residents would be notified.

3.9 The operational lifetime of the Spring Farm Ridge Renewable Energy Project is expected to be 25 years. Once the wind turbines are operational they would be controlled remotely, with regular maintenance visits being undertaken.

3.10 The application is supported and accompanied by the following documents:

- An Environmental Statement (ES) and Appendices, in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations, 1999. The main sections of the ES cover the following areas: Landscape and Visual, Heritage Assets, Ecology and Nature Conservation, Ornithology, Ground Conditions and Hydrology, Noise, Traffic and Transport, Shadow Flicker, Aviation, Radio-communications
- Design and Access Statement
- Planning Statement
- Statement of Community Engagement

4. RELEVANT PLANNING HISTORY

4.1 **2010** - A 60m-high wind monitoring mast (temporary for two years) at land between Greatworth and Helmdon (the application site) was approved on 1st April 2010 (App Ref S/2010/0075/FUL).

4.2 **2010** – Following a request, a Scoping Opinion setting-out the main considerations an Environmental Statement should cover was issued in March 2010 (Ref P/2010/0061/PRE).

4.3 **2011** - There is an undetermined (retrospective) planning application on land forming part of the south-eastern corner of the current wind farm application site (Spring Farm) for the retention of a change of use from agricultural land and buildings to a Sui Generis use for corporate and private entertainment business including driving military motor vehicles (tanks), use of firearms and storage of both. Creation of pool from agricultural land for the same corporate and private entertainment use (App Ref S/2010/1117/MAF).

5. PRE-APPLICATION ADVICE

5.1 A Scoping Opinion setting-out the main considerations an Environmental Statement should cover, was issued by the Council in March 2010 (Ref P/2010/0061/PRE).

5.2 The Applicant submitted a formal pre-application enquiry in October 2010 (Ref S/2010/0578/PRE). Advice and guidance was provided to the Applicant by Officers in a subsequent meeting, prior to the submission of the planning application towards the end of October 2010.

6. KEY ISSUES

- 6.1 Principle of development and relevant policy.
- 6.2 Renewable energy and climate change benefits of the scheme (including viability).
- 6.3 Visual impact and impact on the character and appearance of the landscape.
- 6.4 Impact on cultural heritage assets (including archaeology).
- 6.5 Impact on residential amenity – including noise disturbance, shadow flicker and construction activity.
- 6.6 Impact on recreational activities and public rights of way / footpath network.
- 6.7 Impact on protected species/biodiversity.
- 6.8 Transport, highway safety and access.
- 6.9 Aviation and telecommunications.
- 6.10 Other issues/additional information/further consultation responses.

7. RELEVANT PLANNING POLICIES

- 7.1 The Development Plan comprises the ‘saved’ policies in the South Northamptonshire Local Plan and the East Midlands Regional Plan (EMRP) March 2009 (RSS8). The Government have indicated their intention to revoke Regional Spatial Strategies, and have stated that LPAs should make this intended revocation a ‘material consideration’ in determining planning applications.

7.2 Relevant Local Plan Policies:

G3 – General – of particular relevance are criteria A (character), B (access and parking), D (harm to amenity), F (transport network), J (setting of conservation area), K (archaeology), L (landscaping), M (drainage).

EV1 – Design - relevant considerations include site characteristics, adjoining land and buildings, scale, massing, height, materials and treatment of spaces.

EV2 – Development in the open countryside - development other than the exceptions listed (agriculture, forestry, tourism and recreation) will not be permitted.

EV11 – Preservation or enhancement of conservation areas – permission will not be granted for any development proposals outside a conservation area which have an adverse effect on the setting of the conservation area or on any views into or out of the area.

EV12 - Listed buildings - seeks to preserve and enhance the setting of listed buildings by control over the design of new development in their vicinity, the use of

adjoining land and, where appropriate, by the preservation of trees and landscape features.

EV21 – Hedgerows, ponds and landscape features – should be retained wherever possible.

EV24 - Species protection - permission will not be granted for development where it will lead to the loss of, or cause significant harm to, regionally important geological and geomorphological sites and county wildlife sites.

EV25 – Wildlife corridors, rivers and waterways – seeks to protect nature conservation interests.

EV28 - Historic parks, gardens and battlefields – permission will not be granted for development which would have a seriously adverse effect on the character or setting of an historic parkland or garden.

EV29 – Landscape proposals – criteria based policy for landscaping proposals.

EV31 – Overhead lines, public utilities and telecoms equipment – seeks to protect visual amenity and landscape character.

7.3 These policies and their relevance are assessed in Sections 8 and 10 of the report, below.

7.4 **Relevant EMRP (RSS 8) Policies:**

1 – Regional core objectives. Of particular relevance are the objectives to protect environmental quality and to reduce the causes and impacts of climate change. This includes maximising the level of renewable energy generation.

26 – Protecting and enhancing the region’s natural and cultural heritage

29 – Priorities for enhancing the region’s biodiversity

31 – Priorities for the management and enhancement of the region’s landscape

40 – Regional priorities for low carbon energy generation. Of particular relevance is that LPAs are advised to support low carbon energy proposals in locations where any environmental, economic and social impacts can be satisfactorily addressed. In establishing criteria for onshore wind energy, LPAs are required to give particular consideration to:

- Landscape and visual impact
- Effect on the natural and cultural environment(including biodiversity, nature conservation, and historic assets and their settings)
- Effect on the built environment, including noise intrusion
- Number and size of turbines proposed

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- Cumulative impact of projects
 - Contribution to regional renewables target
 - Contribution to national and international objectives on climate change

7.5 **Government Planning Policy Guidance:**

- PPS1: Delivering Sustainable Development (2007)
- Planning Policy Statement: Planning and Climate Change - Supplement to PPS1
- PPS5: Planning for the Historic Environment
- PPS7: Sustainable Development in Rural Areas
- PPS 9: Biodiversity and Geological Conservation (2005)
- PPG13: Transport (2001)
- PPS22: Renewable Energy and the Companion Guide (2004)
- PPS23: Planning and Pollution Control
- PPG24: Planning and Noise (1994)
- PPS25: Development and Flood Risk
- Consultation Draft PPS: Planning for a Low Carbon Future in a Changing Climate (2010) [Consolidation of PPS1 (2007) and PPS22 (2004)]

7.6 **Other policy guidance and considerations:**

7.7 The West Northants Pre-submission Draft Core Strategy was published in February 2011. Given the relatively early stage of this document it can carry only limited weight. However, it does set out a more up-to-date and locally specific interpretation of the RSS and the following policies are relevant to the current application:

S1 – The Distribution of Development. Paragraph D of this policy places emphasis on new development in rural areas being limited, maintaining distinctive character, strengthening rural enterprise and respecting the quality of tranquillity.

S11 – Renewable Energy. This is a criteria based policy which suggests that renewable energy proposals will be expected to; bring wider environmental, economic and social benefits and contribute to renewable energy targets but also have no significant adverse impact on the historic or natural landscape, landscape character, townscape or nature conservation interests or local amenity in respect of flicker, glare, noise, dust, odour and traffic generation. Development should also provide for removal of facilities where appropriate.

BN2 – Biodiversity. This seeks to maintain and enhance existing designations and

assets or deliver a net gain in biodiversity.

BN9 – Planning for Pollution Control. This seeks to ensure development will provide opportunities to address existing pollution issues including air and water quality. Development resulting in a deterioration of environmental quality will not be permitted.

R2 – Rural Economy. Seeks to support proposals which sustain the rural economy where they are of an appropriate scale and respect environmental quality and the character of the area.

7.8 The Council adopted a Supplementary Planning Document (SPD): **Wind Turbines in the Open Countryside** in December 2010. The applicants have stated that given the consultation status of this document, at the time they submitted their application, it would be afforded little weight in the decision making process. Clearly, given the adopted status and the purpose of this SPD, it will need to be given due weight as a material planning consideration in the decision making process.

7.9 The main areas covered in the Wind Turbines SPD, which are assessed in Sections 8 and 10 of the report, below, include:

- Contribution of the turbine(s) to renewable energy objectives
- Landscape
- Biodiversity
- Soils and Hydrology
- Cultural Heritage
- Visual Impact including Shadow Flicker and Reflected Light
- Local Amenity
- Telecommunications
- Aircraft and Radar
- Local Economy
- Guidelines for siting and good design
- Involving Local Communities

7.10 There has been a growing emphasis on renewable energy within Government policy dating back for over a decade. Since 2000, when the target of achieving 10% of the UK's electricity supply from renewable energy sources by 2010 was set out, to the present time, and the Government's aspiration and the EU commitment for 20% renewable energy by 2020, this subject has been seen as key to energy policy generally.

7.11 **Note on the Localism and Decentralisation Bill.**

- 7.12 Tackling climate change and ensuring our energy security is among the Government's top priorities, but it is also committed to wanting communities and individuals to own a stake in the national collective low-carbon future. The Government is considering how local communities can benefit from business rates staying locally and how there can be greater more genuine community ownership of applications. The reason for this is so that people can see the link between hosting a facility and the benefits that it could bring to the local area.
- 7.13 The Government recognises that communities often feel concerned that proposed wind farms in their areas will destroy the environment or have other negative impacts. They consider that, in the policy of localism, local councils should be the driving force in deciding how they want their communities to develop. The Government is committed, in relation to applications for developments below 50MW generation (such as this application), to local communities and local councils deciding how their areas will develop. That is a fundamental part of the planning changes that are currently under consideration and that have been set out in the Localism and Decentralisation Bill, which has now made significant progress in its passage through Parliament.
- 7.14 Policy matters are considered in more detail in the Officer's Report (Section 10) and Consultation Responses (Section 8), below.

8. CONSULTATIONS

- 8.1 SNC PLANNING POLICY: Respond and comment as follows:
- 8.2 National policy on renewable energy proposals is found in Planning Policy Statement: Planning and Climate Change (Supplement to PPS1) (Dec 2007) and Planning Policy Statement 22: Renewable Energy (August 2004).
- 8.3 Para 1 of PPS22 includes a number of key principles, which LPAs should use in planning for renewable energy, including the following, which are relevant to this proposal:
- 'Renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily';
 - 'The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission.'
 - 'Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.'
- 8.4 Para 11 of PPS22 explains that the effect of renewable energy proposals on sites

with national designations (including SAMs) should be assessed. Planning permission should only be granted where the objectives of the designation would not be harmed by the development, and any significant adverse effects are outweighed by the environmental, social and economic benefits of the proposal. As such, any potential adverse effects of the proposal would need to be weighed against the potential benefits of the proposal.

- 8.5 Guidance is also provided on other considerations, including the effect of wind turbines on the landscape and visual amenity. Para 20 of PPS22 points out the effect of wind turbines on the landscape may be minimised through the use of planning conditions which require future decommissioning of turbines. In relation to noise, Para 22 explains that LPAs should ensure that the location and design of renewable energy development minimises any increase in ambient noise levels.
- 8.6 Paragraphs 5.10 and 5.11 of the PPS22 Companion Guide contain useful information and key considerations in determining planning applications for renewable energy and Para 5.19 describes the issues to be considered in assessing impact on visual amenity and landscape.
- 8.7 RSS Policy 40 still holds some weight although the Government has indicated that the RSS will be revoked through the Localism Bill. The policy states that consideration should be given to the following criteria:
- *landscape and visual impact, informed by local Landscape Character Assessments;*
 - *the effect on the natural and cultural environment (including biodiversity, the integrity of designated nature conservation sites of international importance, and historic assets and their settings);*
 - *the effect on the built environment (including noise intrusion);*
 - *the number and size of turbines proposed;*
 - *the cumulative impact of wind generation projects, including ‘intervisibility’;*
 - *the contribution of wind generation projects to the regional renewables target;*
and
 - *the contribution of wind generation projects to national and international environmental*
 - *objectives on climate change.*
- 8.8 The existing Local Plan for South Northamptonshire adopted in 1997 makes no specific reference to wind farms. It will partly be replaced by the West Northamptonshire Core Strategy, currently at pre-submission stage. The pre-submission version of the Core Strategy for South Northamptonshire was published for consultation on 17th February 2011. Although at an early stage it includes a policy that is likely to gather additional weight as the Plan progresses and therefore needs to be considered.

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- 8.9 SNC adopted a Wind Turbines in the Open Countryside SPD in December 2010 which should be taken into consideration in the proposals. The SPD sets out the main elements that any future planning application will be considered against.
- 8.10 In particular, attention is drawn to the impact on local cultural, historical and environmental designations including the nearby County Wildlife site. In addition careful consideration must be given to the impact on driver distraction on the adjoining and minor road network in the area.
- 8.11 The known dangers of the substandard section of the B4525 which is the only access to the site of the proposed turbines would be substantially increased during the construction period of the wind farm. Far from diminishing once the turbines are erected the dangers of this road would be exacerbated by the presence of the turbines at such close distances. There is concern that the adverse traffic implications of the proposal in both the short and long term are such as to render the site totally unsuitable for a wind farm.

Analysis of Planning Application Documents

- 8.12 The information supplied with the application suggests that there will be a minimal impact on the landscape. However, there is unlikely to be expert knowledge within the Council to judge this and it is therefore suggested that a qualified landscape expert be employed to undertake a judgement of this analysis. **Officer Note:** An independent landscape consultant has been employed by the Council and has produced a review of the LVIA and the issues raised are considered in Section 10 of this report.
- 8.13 ***RNRP – Environmental Character/Landscape Character***
- 8.14 *Tove & Ouse Catchment*
- 8.15 This area is characterised by undulating farmland sloping gently to east.
- 8.16 Boulder clay caps the more elevated land [this site is at a height ranging from 150 to 166m] and obscures much of the underlying solid geology, leaving limited exposures on valley slopes.
- 8.17 Streams have eroded broad, gently convex slopes resulting in the distinctive undulating landform. Land cover is typically a combination of arable and pastoral farming with improved pastures largely located around villages bordering the Tove and on steeper slopes. Where pasture is the prevailing land use, a more intimate, small scale landscape is experienced when compared to slightly more expansive fieldscapes in arable areas.
- 8.18 An open and expansive character is also experienced on the more elevated areas of the landscape. Typically, however a sheltered character prevails due to the undulating landform and effect of vegetation screening long distance views.
- 8.19 Remnant ridge & furrow is an important component of the landscape, and is widely

dispersed through the area, with concentrations surrounding villages in the headwater valleys of the Tove.

8.20 Grasslands on disused railway lines are important wildlife corridors, especially where the exposed limestone enables calcareous grassland habitats to develop.

8.21 Key Issues:

- A simple pastoral character prevails along the lower reaches of the Tove and along the Rive Ouse. Elsewhere arable farming is prevalent in the undulating landscape.
- An open and expansive character is also experienced on the more elevated areas of the landscape. Typically, however, a sheltered character prevails due to the undulating landform and effect of vegetation screening long distance views.
- Ridge and furrow is an important landscape feature, contributing to historic landscape character. Where extant, land management should seek to preserve the resource and other features such as parliamentary and earlier field patterns.

8.22 **Conclusions on Landscape Issues**

8.23 English Heritage refer to the overwhelming rural nature of the surrounding landscape largely free from modern large-scale interventions such as infrastructure – pylons, major roads, etc. The turbines would represent the intrusion of large scale industrial structures in a landscape largely devoid of such features.

8.24 I consider that there is concern about the impact of the site on this basis and that any refusal could be substantiated on grounds that English Heritage have suggested.

8.25 Although ridge & furrow is important within this landscape the applicant's report states that ridge & furrow on this site has been lost through recent farming practices.

8.26 There are no national landscape designations here, however it would appear that the Landscape Character Area refers to undulating / open and expansive landscape – if this appears to be the case on site then this could be a reason for refusal.

8.27 SNC HERITAGE: Comment that the proposed development is likely to have a **significant negative impact** on the historic environment over a wide geographical area.

8.28 In particular, the Heritage Officer is very concerned that the proposed development will be visible from Stowe Park. Stowe is one of the most important and celebrated 18th Century landscape gardens in England, if not Europe, and is considered to be of the highest cultural significance. Spring Farm Ridge is visible from Stowe Park, and the impact of a number of moving turbines terminating long views from the Park should not be underestimated. Moving turbines catch the eye far more than can be

communicated by photomontages, and can have a significant disruptive effect on one's experience of the landscape. Any impact on such a culturally significant heritage asset as Stowe would need considerable justification, to reflect its international importance. Suggest advice is sought from English Heritage regarding impact on long views from Stowe.

- 8.29 The proposed development will also have a significant harmful impact on the setting of a large number of listed buildings and several conservation areas in the surrounding area, most particularly those in the parishes of Greatworth, Sulgrave, Marston St Lawrence and Helmdon. A number of these harms are mentioned in the applicant's landscape and visual impact assessment, where they are classified as "major" and leading to a 'significant' effect – ie significant harm to the setting of designated heritage assets.
- 8.30 Policy HE 10 of PPS 5 states that, 'When considering applications that do not [have a positive impact on the setting of designated heritage assets], local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.'
- 8.31 Policy HE 1.2 of PPS 5 states that, 'Where proposals that are promoted for their contribution to mitigating climate change have a potentially negative impact on heritage assets, local planning authorities should, prior to determination... help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less or no harm to the significance of the heritage asset and its setting.'
- 8.32 Policy HE 1.3 of PPS5 states: 'Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets in accordance with the development management principles in the PPS and national policy on climate change.'
- 8.33 The likely impact on the historic environment will be considerable and it will be necessary to balance the actual likely contribution of the proposed development on the UK's efforts to mitigate climate change through the generation of clean electricity against the likelihood of significant harm to the historic environment. It would be reasonable to measure the actual likely contribution of the proposed development to mitigating climate change through reduced carbon emissions and determine whether similar climate change mitigation can be achieved in ways that would not have such a harmful impact on heritage assets – for example the generation of clean energy by means other than wind turbines, provision of local energy efficiency measures, or the use of lower turbine columns.
- 8.34 Following original comments on this application made in December 2010, the Conservation Officer accompanied English Heritage staff on a lengthy site visit around the area affected by the proposed wind turbines. As a result of that site visit, the Conservation Officer has the following additional comments to make.
- 8.35 The proposed development will have a significant negative impact on the setting of Sulgrave Conservation area, and particularly on views within, into and out of the conservation area. The Grade II* listed parish church, the castle mound and bailey

(a Scheduled Monument), the curved enclosure formed by Park Lane and Church Lane, and the nearby vernacular stone cottages are an important group of features in the conservation area, and at present they are experienced within a largely unspoilt rural village setting, certainly a setting uninterrupted by large modern industrial features. The historic interest of this part of the conservation area is further enhanced by views out of the conservation area to the south, where historic cultivation patterns are clearly visible in the agricultural land and connect the conservation area with the rural historic landscape which surrounds it. The turbines are likely to be visible from, and appear quite close to, this important part of the conservation area, and will have a negative impact on the setting of these heritage assets.

- 8.36 The scale and industrial character of the turbines means that they will be an intrusive feature affecting the wider setting of much of Sulgrave conservation area and many of the 25 listed buildings in the village. Long views into the conservation area from the north and north-east would be terminated by the moving blades of the proposed turbines on the horizon beyond the conservation area.
- 8.37 There is an important but at present undesignated deserted medieval settlement at Stuchbury. At present the extensive visible earthworks are experienced within an intimate valley setting in a peaceful rural landscape. The sense of remoteness forms part of the experience of this interesting heritage asset. The proposed siting of the turbines, just a few hundred metres from this site, will have a significant negative impact on its setting and is likely to have a detrimental impact on the capacity for public enjoyment of the heritage asset.
- 8.38 While Helmdon village does not have a designated Conservation Area, it is a historic settlement with 27 listed buildings. The wider setting of many of these buildings will be moderately affected by the proposed turbines. The setting of the church will also be affected, which has been discussed by English Heritage in their comments and will not therefore be reiterated here. The most seriously affected secular buildings will be the Grade II listed farmhouse and farm buildings of Priory Farm, the setting of which will be significantly harmed by the proposed turbines. The farmhouse is an early 17th Century building with good survival of important 17th Century features, and the separately listed barn dates from the 18th Century. Both are at present in a vulnerable state requiring considerable investment (many hundreds of thousands of pounds) to carry out repairs and upgrading of services. The proposed siting of the turbines will have a substantial negative impact on the setting of these listed buildings. There is a considerable risk that the harm to the setting will be so great that it will not be economically viable for the essential repairs to these buildings to be carried out (the market value of the buildings with a seriously compromised setting risks being lower than the cost of repairs), leading to a very high risk of loss of these important buildings.
- 8.39 Astwell Castle Farm is a Grade II* listed 15th century building attached to a late medieval tower which is a Scheduled Ancient Monument. At present, the remote rural setting of the tower and farmhouse makes an important positive contribution to the distinctive historic character of this unusual group of heritage assets. The proposed turbines are likely to be an intrusive modern industrial element in this otherwise remote rural landscape, visible from and in the context of the farm and

tower and compromising their wider setting.

- 8.40 In the opinion of the Conservation Officer the cumulative impact of the proposed turbines on the setting of the many designated and undesignated heritage assets in the area is likely to add up to substantial harm to the local historic environment, and compromise public enjoyment of the local historic environment for the lifetime of the turbines. This will need to be carefully considered in terms of determining whether any contribution to climate change mitigation made by this proposal is of sufficient public benefit to outweigh the likely significant harm to the historic environment.
- 8.41 SNC ENVIRONMENTAL PROTECTION: Express concern regarding some of the uncertainties in the applicant's noise impact assessment and implications this has for amenities of some noise sensitive properties and would therefore **recommend refusal**.

Background

- 8.42 Planning Policy Statement 22: Renewable Energy stipulates that ETSU-R-97 (hereafter referred to as Etsu) should be used to assess and rate noise from wind energy development. It goes onto point out that the report ".gives indicative noise levels calculated to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development or adding unduly to the costs and administration" and states that it can be "regarded as relevant guidance on good practice". It also advises that there should be no significant increase in ambient noise.
- 8.43 However, some criticisms have been levelled at the guidance and its reliability for assessing noise impacts from the much taller modern wind turbines, as applied for in this instance, and questions have been raised by Inspectors at some Planning Appeals in this respect. Wind turbines have grown much larger and taller than those upon which conclusions of the Etsu guidance was based and it is argued that the issues from effects of wind shear, and Amplitude Modulation (AM) are more severe than originally envisioned in 1996 when the guidance was published. The reasons for this are outlined in the bullet points below. Also, Etsu uses higher internal ambient sleep disturbance criteria than currently recommended by the World Health Organisation in its Guidelines for Community Noise. The original intention of the authors of Etsu was for the guidance to be reviewed within two years from the date of its publication but this has not happened to date although it is understood the Government has commissioned research into how Etsu can be applied in a more consistent manner.
- 8.44 The higher hub heights reached by modern wind turbines take advantage of the effects of wind shear (i.e. higher wind speeds at increasing height). But this effect also decouples these from the much slower wind speeds experienced at ground level. The authors of Etsu had originally envisioned that noises created by higher wind speeds at ground level would mask the higher levels of noise generated by the wind turbines. However, with lower background noise at ground level at a time when the source noise is much higher it is contended this nullify's any masking of the turbine noise envisioned by them. Particularly under "stable" atmospheric conditions which are not included in the assessment (i.e. Generally described by a Pasquill

Stability Class “F”).

- 8.45 Little is understood at this time regarding the cause or remedy of the phenomenon of Amplitude Modulation (AM) but it is typically described as a thumping/swishing noise. It is also understood that its occurrence is difficult to predict since it does not appear to have happened at all locations. The Government commissioned some research into this but concluded there was insufficient evidence to change the noise assessment practice as defined in Etsu from the isolated incidents where this has been observed to occur; although this conclusion is not accepted by all.
- 8.46 The internal sleep disturbance criteria used by the authors of Etsu for determining “reasonable amenity conditions” is based on the earlier World Health Organisation (WHO) sleep disturbance criteria level of 35 dB $L_{Aeq(T)}$. This was in order to preserve restorative sleep conditions in a bedroom/living room. However this level was subsequently revised downwards by the WHO in 2000 to a level of 30 dB $L_{Aeq(T)}$. It is therefore argued that the night time noise limit used in Etsu severely underestimates the severity of the impact of noise from the wind farm because of this.
- 8.47 There are therefore some uncertainties regarding the application of Etsu in respect of assessing the noise impact from larger modern wind turbines. These issues were discussed with the acoustic consultants as part of the pre-application consultation and whilst it was agreed they would utilise an “adjusted” version of Etsu to account for issues of wind shear, no agreement was reached with respect to using the revised WHO night-time sleep disturbance criteria. The consultants argue that the current criteria defined in Etsu should be the default position in the absence of any formal revision by Government with respect to the existing methodology and criteria being applied.

The Noise Impact Assessment

- 8.48 I am generally satisfied that the noise measurement and assessment has been undertaken in accordance with Etsu. However, I would make the following points, and some of which will refer to the table attached (available on the application file), which provides a summary comparison on the proposed wind farm development against all of the criteria defined in Etsu, background noise levels and WHO sleep disturbance criteria:-
1. Many of the scatter plots showing the distribution of noise levels versus wind speed at night time, as provided in Section 5 of the Noise Report in the Environmental Statement (ES), reveal an unusual distribution of points which are split between two groups at low wind speeds between 20-25 dB and 35-45 dB with very few points between. No explanation has been provided in the report on this phenomenon or implications this has regarding the accuracy and reliability of the derived background noise levels at low wind speeds which are subsequently used in the assessment. However, this could mean the derived line over-estimates the background noise levels which would result in the impact from the wind farm being underestimated. This would be particularly relevant for some properties since the margin the predicted noise level is below some of the relevant noise criteria is very small (i.e. at monitoring locations H5 & H9, and H4 & H6 although it is understood these

latter two have an economic advantage where the higher rating level of 45 dB would apply. See row 4 and 5 in the table attached (available on the application file).

2. The author of the report has adopted the higher permissible fixed daytime limit level of 40 dB, as opposed to 35 dB or somewhere in between, although no explanation has been provided on the reasons for this. Etsu states that the selected level depends on a number of factors including, number of dwellings in the neighbourhood of the wind farm, the effect of noise limits on the number of kWh generated, and duration and level of exposure. No clear guidance is provided as to the number of dwellings that would trigger application of a higher/lower limit although developers are advised to consider the interests of individuals as protected under provisions of the Environmental Protection Act 1990. Etsu also goes on to advise on pg 66 that the proportion of time at which the background noise levels are low and how low these get could affect the setting of an appropriate lower limit. This would be particularly relevant if a limit lower than 38 dB was chosen since this starts to bring increasing numbers of properties where the predicted noise level would exceed this and some of which would be at all wind speeds. The report does not provide any time-profiles for the noise or wind environment or any discussions in this respect to justify their selection. It is therefore difficult to apply any judgement in this respect from the information provided. But, considering measurements results from SNC surveys undertaken in the area reveals that the average background noise level for the daytime and night-time is L_{A90} 35 dB (as taken from noise monitoring undertaken by SNC in 1996 in connection with the then proposed Central Railway Route, see table and graph in Appendix B). These results indicate that the background daytime and night-time noise levels do not vary significantly (i.e. both have an average L_{A90} of 35 dB). It could therefore be argued that the relative sensitivity of the area merits adoption of a lower daytime limit and which has implications for acceptability of the proposed development if the other factors are considered to be sympathetic to this.
3. The report advises that the estimate of uncertainty associated with the modelling work is +/- 3 dB; albeit without any confidence limit being stipulated; as considered good practice for an assessment undertaken in accordance with the Town & Country Environmental Impact Assessment etc) Regulations. However, no discussions have been provided in the report concerning implications of this uncertainty with respect to results of the assessment or its conclusions. If the results were to be corrected for this estimated degree of uncertainty then this would mean that at least two of the noise sensitive locations, H5 & H9, would exceed even the consultant's adopted higher daytime limit at all wind speeds not to mention implications for exceedences above a lower day-time limit. The estimate of uncertainty also has implications with respect to point 4 below.

Other Considerations:-

- 8.49 Having regard to some of the criticisms of Etsu and questions raised by some Planning Inspectors at appeal which suggests a broader assessment should be applied to consider other acoustic criteria. I have applied such an approach in rows

7 to 10 of the table (available on the application file) which includes a straight comparison between the background and predicted noise levels and the WHO revised sleep disturbance criteria. I would make the following points.

1. It cannot be overlooked that the WHO night time sleep disturbance criteria was subsequently revised downwards and so I have considered implications of this with respect to the predicted noise from the proposed development. The details are shown in this respect in row 8 of the table (available on the application file), which indicates this limit would be exceeded at location H5 for all wind speeds albeit marginally. However, if the uncertainty factor mentioned in point 3 above is taken into consideration then this margin potentially increases and would also introduce additional properties where it would be exceeded including H3, H8, H9, H10 & H11. With reference to its revised sleep criteria in its document "Guidelines for Community Noise", it advises that "special attention needs to be given to noise sources in low backgrounds". This in my mind further emphasises the significance of even very small margins above the limit for such environments but also highlights that people living in tranquil noise environments may potentially be more sensitive to new noise sources introduced in general regardless of the margin above or below that limit (page ix of World Health Organisation: Guidelines for Community Noise).
2. The magnitude difference between two noise sources also provides a good indicator of an impact if used in conjunction with typical acoustic descriptors and significance criteria as per good practice in environmental impact assessment work (i.e. typical acoustic significance descriptor and criteria used are as follows:- < 1dB - "not discernable" - no impact, 1 to < 3 dB – "Negligible" – Minor Significance, 3 to <5 dB – "Noticeable" – Moderate Significance, 5 to 10 dB – Considerable - Major Significance for example). Such indicators are also considered with respect to judging significance of an impact in pollution enforcement work such as applying provisions of the Environmental Protection Act 1990. Row 7 of the table shows the results of differences between the predicted noise levels and background noise levels for day-time and night-time. These clearly show that several properties where the margin is greater than +10 dB difference at night time, particularly at low wind speeds, and 1 of these at all wind speeds (H4, H5, & H6). The number of properties increases if the uncertainty factor mentioned in 3 above is taken into consideration (H3, H7, H8, H9, H10, & H11). Such a magnitude difference is generally considered as "Major" when using typical environmental significance criteria mentioned earlier, and which would be considered as such for almost any other type of development. This is because such a magnitude amounts to more than a 10 fold increase in energy which is considered as doubling in perceivable loudness.

8.50 The applicant's assessment is based on comparison with the 40 dB day-time limit for a "Low Noise Environment" and the 43 dB Night-time noise criteria recommended in Etsu. However, there are a number of uncertainties associated with the prediction and assessment as mentioned in the points above. If the uncertainties are taken into consideration with respect to the selected Etsu criteria alone, then this would mean that the low noise environment daytime noise limit and

night time limit would be exceeded at a number of locations (See paragraphs 1 to 3 above). However, one of the key factors that needs to be considered in terms of determining the overall significance in this respect is the number of dwellings affected. Disappointingly, no advice is offered in Etsu regarding exactly what number of dwellings should trigger an increase/decrease within the recommended range and so this is a matter for debate. However, if the uncertainties are ignored and the upper day time limit for a Low Noise Environment is maintained then this would mean that the proposed development would comply with both the daytime and night time noise limits recommended in Etsu.

- 8.51 Despite the above, I am concerned regarding adequacy of the night time noise limit used in Etsu to provide “reasonable” protection for the amenities of H3, H5, H7, H8, H9, H10 & H11. This is particularly in the absence of any consideration being given to the relative sensitivity of the area and the magnitude difference of the predicted noise above the background noise.
- 8.52 The proposed wind turbines will cut in at 3m/s, which is a point when the applicants noise and wind charts clearly show any masking effects from wind noise at ground level will be negligible, at least until wind speeds reach 7m/s and above, and thus the magnitude difference will be much higher. This may mean the impacts could be more severe than predicted by Etsu if the revised WHO sleep disturbance criteria of 30 dB is taken into consideration, and bearing in mind the typical significance test applied EIA work indicates that there would be a “major” impact for some properties. Furthermore, the noise profile from the SNC Noise Survey work shown in Appendix B, reveal that background noise levels on Station Rd Helmdon drops below 30 dB to 20 dB between 19:30 hours to 02:30 hours. This suggests the reality of the noise climate in that area would result in even a greater margin of difference lasting for a relatively long period of time. These factors would be particularly relevant with respect to location H5; but also H7, H8, H9, H10 if the estimated error factor mentioned above in paragraph 3 is applied. Such magnitudes of difference could potentially constitute a statutory noise nuisance under provisions of Sec 80 of the Environmental Protection Act 1990 if the likely frequency and duration of the exposure is taken into consideration ie consider row 10 from tables (available on application file) to get an appreciation of potential frequencies and the 24 hour noise profile.

Recommendation

- 8.53 Overall, I am concerned regarding some of the uncertainties and implications this has with respect to conclusions of the applicant’s noise impact assessment for some of the noise sensitive locations as detailed above. I would recommend refusal because of the potential adverse impact on some of the residential amenities.
- 8.54 **SNC ENFORCEMENT AND TREES:** Note that the site is criss-crossed by several public rights of way and that the application mentions the necessity of removing around 50 metres of mature hedgerow along the highway boundary and around 30 metres of mature hedgerow within the site. Whilst this is not necessarily a major issue, the application recommends no mitigation by way of replanting in other areas by way of a formal landscaping scheme. Recommend that it would be necessary for a formal landscaping scheme to be submitted and approved to withdraw any objections on this point.

8.55 FARTHINGHOE PARISH COUNCIL: No response received.

8.56 GREATWORTH PARISH COUNCIL: **Objects** for the following reasons:

- SNC's strategic priority is 'to preserve what is special about South Northamptonshire'.
- Contrary to PPS22 as the proposed site is not viable and the environmental, economic and social impacts cannot be addressed satisfactorily.
- In the applicant's own words the development is 'marginal'.
- PPS22 favours community involvement but the applicants have failed to hold any public meetings or forums with the Parish or to engage with the community.
- Residents will be heavily impacted.
- Increased noise – the area is very quiet, especially at night. Noise will be excessive and intolerable at night.
- Landscape – Inadequate photomontages, esp of Greatworth. The montages are also misleading and HSGWAG has supplied more accurate montages.
- Negative impact on the view from the conservation area and the listed church.
- Regular health walks are held across the site and would be adversely affected.
- Increased risk to users of the bridleway
- Increased water run-off and high water table.
- The SPD calls for 1year of published wind speed data, only the average is given and it should be refused on this ground alone.
- Road safety – the B4525 and junctions are very dangerous with numerous accidents and near misses over the last 10 years. The wind farm will be a distraction and cause highway safety problems.
- Tanks a Lot site has a retrospective application being considered which will impact.
- The wind farm may impact on the ability to mitigate potential damage from HS2. Both applications together will negatively impact on the quality of life in the area.
- The B4525 cannot sustain construction traffic
- The infrastructure cannot support the development. There is no detail of how they will be connected to the national grid.

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- There is no evidence of any benefit to the local community or nation that would justify this marginal development.
 - The application is based on inconsistent and out of date data with a disregard for the community.
 - Contrary to Para 12.2 of the Council's SPD

8.57 The Parish Council also comment that they wholly support the HSGWAG document. They also draw attention to a door to door survey in the village that showed an overwhelming majority of people are against the development. They comment that an information evening and open evening have also been hosted to ensure an accurate reflection of views has been provided and that to date the applicants have not done so.

8.58 HELMDON PARISH COUNCIL : **Objects** on the following grounds:

8.59 The Parish Council notes that the two Public Meetings and the Broadview Presentation at the Primary School has provided the opportunity for it to gauge the views of the electorate; it is estimated that approximately 90% of the electorate in the Parish is against the proposal.

8.60 The Environmental Impact Statement contains ecological survey information that is inaccurate. This is because correct procedures were not followed by Broadview's contracted experts. The surveys are inadequate (i.e. not carried out recently enough to take account of new incomers such as peregrine falcons and red kites), incorrect (not carried out over a sufficient period of time to collect accurate data), and incomplete (not containing a full survey of the many species local people know to be present). Examples are the bat survey which does not satisfy regulatory guidelines, the disregard of many species of bird on the red list, and the disregard of the importance of key hedgerows and coppices as wildlife corridors. All of this indicates the intention of the applicant to hasten plans for development and gloss over matters that could be detrimental to the application. The applicant has failed to take the advice of the Environment Agency as regards approaching local authorities such as the Parish Council for information regarding flooding.

8.61 The Parish Council notes that the surveys continually gloss over important aspects which would need to be fully resolved before any proposal went ahead and simply dismisses them as irrelevant. An example of this is to be found in the Hydrology Survey regarding the impact of the proposal on the flooding issues within Helmdon village. The Parish Council would point to the fact that inadequacies in these particular surveys indicate that other surveys too may be lacking in accuracy and relevance.

8.62 The Parish Council has deep concerns on the implication of the reception of Emergency Services by the proposal, a problem which has not been resolved in the EIS.

8.63 The impact on the amenity of Rights of Way, in particular in the siting of two turbines, is thought to be in contravention of current guidelines and regulations, and

completely unacceptable for reasons of public health and safety.

8.64 The Parish Council notes the following British Horse Society Guidance regarding the ideal distance to Bridleways:

‘That, as a starting point when assessing a site and its potential layout, a separation distance of four times the overall height should be the target for National Trails and Ride UK routes, as these are likely to be used by equestrians unfamiliar with turbines, and a distance of three times overall height from all other routes, including roads, with the 200m recommended in the Technical Guidance to PPS 22 being seen as the minimum, where it is shown in a particular case that this would be acceptable. The negotiation process recommended in PPS 22 should indicate whether, in the particular circumstances of each site, these guidelines can be relaxed or need strengthening to minimise or eliminate the potential difficulties.’

8.65 There seem to be inconsistencies of approach evident on careful study of Broadview’s application with regard to bridleways, in as much as they advocate a 200m exclusion zone around a route that crosses the north of the site, (where no turbines are proposed) but conveniently reduce the exclusion zone to 100m on a route to the south of the site with more equine traffic when this would impinge unfavourably on the location of turbines.

8.66 HINTON-IN-THE-HEDGES PARISH MEETING: **Objects** for the following reasons;

- Contrary to Policies E7 and EV2 concerning industrial development in the countryside.
- The application fails to show how the national interest will be served by this application.
- There is no evidence that the proposal is carbon positive or even neutral. Wind power is notoriously fickle so conventional power stations will still be needed.
- South Northants is not a windy area and with the details provided it appears the potential efficiency of the turbines will be impaired.
- There are omissions with the application; in particular, the effect on flying into Silverstone has not been considered, the USAF base at Croughton has not been consulted and is outside MOD remit, the Statement of Community Involvement contains inaccuracies and involvement has been limited for some parishes.

The Parish Council supply more detailed comments on information submitted with the application and query some of the information contained within the Planning Statement, Statement of Community Involvement, Design and Access Statement and the Environmental Statement. A copy of the response in full is available on the application file.

8.67 MARSTON ST. LAWRENCE PARISH COUNCIL: Have **no objections** or comments to make.

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- 8.68 RADSTONE PARISH COUNCIL: No response received.
- 8.69 SULGRAVE PARISH COUNCIL: **Objects** for the following reasons:
- Unacceptable visual impact on the setting of Sulgrave conservation area
 - Unacceptable visual impact on the setting of Sulgrave Castle Scheduled Ancient Monument (SAM)
 - Unacceptable visual impact on the setting of Sulgrave Manor, a grade I listed building
 - Unacceptable visual impact on the setting of the Church of St James the Less, a grade II* Listed building
 - Unacceptable impact on the unspoilt local landscape
 - Unacceptable general loss of visual amenity by parishioners and particularly by a number of residents whose properties face south
 - Unacceptable impact on the network of byways, bridleways and footpaths linking the village with Helmdon, Stuchbury and Greatworth
 - Unacceptable distraction for drivers on an already dangerous road
- 8.70 The Parish Council also submit more detailed arguments for each of these points with their response with supporting appendices. They comment that the author is a retired Chartered Surveyor and Town Planner and whilst his studies do not claim to be an independent professional appraisal, they express a view which is shared by the Parish Council. These views are set-out in Section 9 – Representations of this report.
- 8.71 The Parish Council also comments that it recognises the need for renewable forms of energy generation but after careful consideration makes the above objections.
- 8.72 The Parish Council also raises concerns about the photomontages used by the applicant and their compliance with good practice. **Officer Note:** The Council has appointed a consultant to comment further on this issue (refer Para 10.1 below).
- 8.73 BRACKLEY TOWN COUNCIL: Have **no observations** to make.
- 8.74 AYLESBURY VALE DISTRICT COUNCIL: Have **no objection** to the proposed scheme.
- 8.75 CHERWELL DISTRICT COUNCIL: Proposal was reported to CDC Planning Committee, where it was resolved that CDC have **no comments** to make on proposed development.
- 8.76 NCC GROWTH MANAGEMENT (PLANNING POLICY): No response received.
- 8.77 NCC TRANSPORT IMPLEMENTATION (LOCAL HIGHWAY AUTHORITY): Raise **no objection in principle** to this planning application **subject to** the imposition of a

condition requiring details of a viewing platform to be submitted (and other conditions it has specified); the preferred route being via the A43/B4525. **Officer Note:** The Highway Authority has been advised of objections to the proposal on highway safety grounds (including driver distraction) but they do not consider such distraction to be a cause for concern and raise no objection on these specific grounds.

8.78 Further state that the proposed access design and location appear to be acceptable, subject to further details on the design, including the following, being submitted for approval:

- Location of the access junction would need to be considered carefully to ensure sufficient junction visibilities (both vertical and horizontal planes) could be achieved.
- Swept path analysis to show how the largest vehicles (and equipment) can access the site.
- All details of temporary or permanent works to the highway as required, to build and maintain the development, will be required.
- A Section 59 Highways agreement will be required to put right any problems that arise in terms of the impact on the highway as a result of the development.

8.79 In addition, the Local Highway Authority (LHA) have also stated the provision of an off road viewing area for the public (within the site boundary) is essential, as in some other locations the lack of such a facility has caused highway concerns. The LHA believe it likely that there is an acceptable engineering solution to facilitate the provision of a viewing platform for the proposed development. As such a condition could be imposed for the developer to provide details of the platform for approval prior to commencement, with the agreed layout implemented prior to the site being operational. The details of this would include location, constructional details, visibility requirements, etc. Should the Planning Authority decide that the details submitted cannot be agreed, for whatever reason, the development cannot proceed.

8.80 The LHA further state that if there are 'planning reasons' why details of a viewing platform need to be agreed prior to determination, the details should form part of the current application. Should the LPA be minded to refuse the application on grounds of insufficient information, this would be supported by the Local Highway Authority. The developer could then re-submit an application with the required information and details included, or lodge an appeal against any refusal.

Officer Note: The applicant has confirmed that they do not see any need for a viewing platform, given in particular the relatively short construction time they claim would be involved, and that they would not be prepared to accept a condition requiring such. The LHA have also confirmed that they are therefore **recommending the application be refused** on highway safety grounds.

8.81 NCC RIGHTS OF WAY: **Object** to the proposal in its current form and make the following comments in respect of Public Rights of Way:

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- 8.82 There are Public Rights of Way, Footpaths AN8, AN9, AN10 & Byway AN36 , registered on the Definitive Map (2005) within and surrounding the proposed development (extract from the definitive map forwarded).
- 8.83 The main concern is that Byway AN36 runs between two turbines and is quite central to the wind farm site. This has wider implications on the bridleway network as major connections to the Bridleways AN14, AN32 and AN37 in the surrounding area as recreational riding routes. Therefore we should impose the same restrictions as a minimum distance of 200m from Bridleways and Byways, and that they should not cut through the wind farm site thus resulting in a sub-standard route.
- 8.84 The turbine distance map demonstrates that this distance is almost achieved for the byway, however because the byway sits between two turbines, which is not really acceptable for horse riders as there is no other way round for them, either one of these turbines should be moved / removed or the Byway diverted. Neither option may be practically possible, and the applicants have not proposed contributions to mitigate any loss to the bridleway network in the area. Ideally, horse riding routes should not run through wind farm sites, but around them.
- 8.85 Footpaths should all be at least height distance from each turbine - in this instance 125m - and as the mapping shows this is not the case for footpaths AN9 and AN10. Again asking what contributions the applicant would consider in mitigating the impact of walkers experience of the countryside from the development of the wind turbines? We would like to seek access improvements where stiles can be replaced with either gap, hand gate or kissing gate in order or preference and depending on land use around the turbines.
- 8.86 There is an added complication in relation to a current planning application on adjoining land at Spring Farm (Retention of a change of use from agricultural land and buildings to Sui Generis use for corporate and private entertainment business including driving military motor vehicles, use of firearms and storage of both - App Ref S/2010/1117/FUL) and problems regarding footpath AN10 caused by tanks obstructing the right of way and posing a potential danger to the public. If this footpath is diverted from the existing 'tank driving' use at Spring Farm, this may affect the distances from the proposed turbines, which is an issue that needs considering in the context of this application.

If all these issues can be satisfactorily resolved, then Rights of Way standard requirements must be adhered to.

- 8.87 NCC ARCHAEOLOGY: Raise **no objection** but recommend that the standard archaeological condition be attached, if permission is granted, and comment as follows:
- 8.88 In previous comments I emphasised the need for adherence to the guidelines provided within PPS5: Planning for the Historic Environment. As a result of discussions with the Applicant, a scheme for a geophysical survey was produced in early September 2010, which indicated the potential need for trial trenches following the survey. A Written Scheme of Investigation for this stage of the work has also

been approved.

- 8.89 Within the ES Non-Technical Summary 7.2 Heritage Assets, the applicant discusses that a desk-based assessment has been undertaken to provide baseline information on the archaeological potential of the study area for inclusion within the Environmental Statement. The newly provided Heritage Assets – Geophysical Survey Report provides further information as to the archaeological potential of the development area. The reduced geophysical survey has identified archaeological activity within a number of areas within the proposed development, some of which has the potential to be significant.
- 8.90 Section 1.5 suggests that it is unlikely that any below ground remains of national importance lie within the site, as the completed surveys will provide a sufficient assessment of the archaeological potential of the study area and consequently the impact of the development. However, it is clear from the guidance provided within paragraph HE 6.1 of PPS5 that: ‘Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation.’
- 8.91 I have since received all the archaeological information that I requested. The evaluation report is satisfactory and provides the information regarding the archaeological significance of the study area as I requested. I now have the information on which to provide comments on the impact of the development on the below ground aspects of the historic environment. The evaluation was useful in identifying two areas of unknown activity, mainly of the Roman period although hinting as some Iron Age activity as well. The main concentrations of activity occurred around proposed turbines 2 and 3; the most potentially significant is the activity around Trench 17 containing the Roman building or buildings. However the report identified that potentially this activity does not extend into Trench 15. The area around Turbine 2 backed up the information from the geophysical survey and a number of Roman enclosures were identified within this area.
- 8.92 The evaluation has identified that there is the potential for archaeological activity within parts of the proposed development area. However although areas of activity have been identified they are not of such significance that they would prevent development. The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an overriding constraint on development, provided that adequate provision is made for the investigation and recording of any remains that are affected, by way of a planning condition. I will be happy to provide a brief for the programme of works.
- 8.93 HIGHWAYS AGENCY: Raise **no objection**, as the site is some distance from the motorway and trunk road network. Therefore, under Article 25 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, in relation to the site location, the Highways Agency has no objections to the proposal. However, it is noted that the Traffic and Transport Statement states that the M40, M1 and A43 are potential routes for the construction and abnormal loads traffic, and advise that the developer contact the HA to discuss route selection for abnormal

loads, if permission is granted and the development goes ahead.

- 8.94 ENGLISH HERITAGE: Comment that the Spring Farm Ridge wind farm application will cause a **moderate degree of harm to the setting and significance of six highly designated heritage assets or groups of assets**. Furthermore there is the potential for a **significant degree of harm to be caused to the significance of Sulgrave Manor** and this requires further analysis. The cumulative effects of these impacts are considerable in themselves, but need to be considered alongside the total impact on all designated and un-designated heritage assets.

Summary

- 8.95 The proposed wind farm at Spring Farm Ridge has the potential to impact upon the setting and significance of a large number of designated and non-designated heritage assets. Consequently it is felt that the development's effect on the historic environment is a key consideration when determining this application. The submitted information presents a good starting point from which to understand the impact of the proposal on the historic environment though is not felt to be exhaustive and some further analysis is felt to be necessary and in some cases desirable. Also it is noted that there exists a close relationship between heritage assets and their landscape setting and that this predominately rural character can, in some cases, emphasise the impact the turbines on the setting and consequently, the significance of heritage assets.
- 8.96 Seven instances are cited where it is felt that the impact of the wind farm development will result in a moderately harmful effect on the significance of high grade designated heritage assets or group of assets. These are:
- Sulgrave: Castle Hill Ringwork - Scheduled Ancient Monument: SAM), St James Church (grade II* listed building), Sulgrave Manor (grade I). The latter is felt to have the potential for moderate harm and requires further analysis.
 - Helmdon: The Church of St Mary Magdalene (grade II*), Astwell Castle (SAM and grade II* listed building)
 - Canons Ashby Estate (Collection of SAM, grade II* Registered Park and Garden, Grade I, II* and II listed buildings)
 - The Stowe Estate (Grade I Registered Park and Garden, grade I and II listed buildings)
- 8.97 Consideration should also be given to the way in which these assets contribute to the significance of other designated and non-designated heritage assets, such as conservation areas, grade II listed buildings and registered parks and gardens. In addition attention is drawn to the potentially major impact that the development could have on the deserted medieval village at Stuchbury, a non designated heritage asset that is potentially of national significance. It is requested that the potential impact is explored further, with reference to your archaeological advisors.
- 8.98 In determining this application it felt important to consider, in line with policy HE1.2 of PPS5, the potential to deliver similar measures to mitigate climate change in a

manner that is less damaging to the historic environment. Potentially this could be achieved through adapting the current proposal. However, if this is felt to be neither feasible or desirable, policies HE1.3, HE9.4 and 10.1 of PPS5 should be considered once the overall degree of harm to heritage assets has been satisfactorily demonstrated. To summarise, these policies request that where harm to the significance of a heritage asset or assets is caused by a proposal than the wider public benefits of that proposal should be weighed against the harm caused. The greater the harm the greater the public benefit required by way of justification.

English Heritage Advice

- 8.99 The proposal is for five wind turbines on land at Spring Ridge Farm in the parish of Greatworth. The height of each turbine is around 125 metres to blade tip with a hub height of around 80 metres. The height of the turbines combined with their elevated siting within a broad undulating landscape produces wide ranging visual impacts over an area that contains a significant number of designated and non designated heritage assets. The applicant's summary of historic environment shows that within a 5km radius of the site there are 8 scheduled ancient monuments, 319 listed buildings (of which eight are listed grade I and 13, grade II*) and one registered park and garden, Sulgrave Manor. Beyond this radius the submitted 'zone of the theoretical visibility' maps show the potential for varying degrees of visible impact up to 20km and it is conceivable that heritage assets of a significant scale, area or position could be affected, for example Canons Ashby House or the grade I registered park and garden at Stowe. In addition consideration should be given, in line with policy HE8.1 of PPS5, to the effect on un-designated heritage assets. Consequently the proposal's impact in relation to the historic environment should be considered thoroughly and in reference to national and local policy advice not only in relation to environmental impact assessments but also the historic environment, especially PPS5: Planning for the Historic Environment.
- 8.100 The applicant's assessment of the impact the proposal may have on the historic environment is explored within Chapter 8 of the submitted environmental impact assessment, Appendix 4 of that report and several wire-frame viewpoints. Considering the wide area of potential impact and the number of heritage assets that could be affected the applicant's assessment is robust. In particular we welcome the consideration of relevant policy and guidance, the highlighting of several instances where the impact is felt to be moderate and significant, and the analysis through written description and viewpoints in relation to Canons Ashby and the parkland of Stowe. Whilst we would disagree with some aspects of the analysis and see the need for further analysis on their part, the consideration of the historic environment presents a sound starting point from which to discuss and explore the issues involved.
- 8.101 The principle concern of English Heritage is the effect the application may have on highly graded heritage assets; scheduled ancient monuments and listed buildings and registered parks and gardens graded I or II*. In addition the effect on conservation areas and other designated heritage assets is considered especially when they have an association with highly graded designated assets, for example the grade I Sulgrave Manor and its grade II registered park and garden and place with the Sulgrave Conservation Area.

General Comments

- 8.102 Our comments are chiefly made in relation to specific assets and are given below. However, there are a number of general themes and observations we wish to highlight. We would agree with the applicant that no registered heritage assets would be directly affected by the installation of the wind farm and that consequently it is the consideration of indirect effects that is pertinent. Put another way the application involves the consideration of the effect on the setting of a heritage asset and the contribution that setting makes to the significance of that heritage asset. Setting is defined within paragraph 113 of the Historic Environment Planning Practice Guide that accompanies PPS5 as 'the surroundings in which an asset is experienced'. The setting of a heritage asset is particular to each asset and results from a number of factors, not always just visibility. Through extensive site visits it became clear that the setting of many if not all heritage assets considered had a close relationship to the wider landscape in which they were placed. The overwhelming rural nature of the surrounding landscape is undoubtedly partly the result of modern agricultural practices but is relatively free from modern large-scale interventions such as infrastructure (pylons, major roads etc.) or views of large conurbations. This reinforces the rural nature of many heritage assets and noticeably adds to the aesthetic and historic values of their significance. The view expressed by the applicants that the turbines would be seen as another feature in the landscape does not take into account their large scale industrial character in an environment largely devoid of such features. It follows that their impact will be the greater due to their 'alien' nature and that even at distances beyond 5km they can appear as an untypical and sometimes discordant feature that intrudes on the setting of a heritage asset and its rural context.
- 8.103 Another consideration is the applicant's assertion that screening reduces the impact of the development for the majority of heritage assets. Considering the nature of the landscape this is undoubtedly a strong factor in determining indirect affects. However, in some instances, outlined below, we feel that screening has been over relied upon. More generally we would draw your attention to paragraph 25 within 'The Setting of Heritage Assets: EH guidance (Consultation Draft)' 2010 which states that screening may change over time and that the potential removal of screening should be considered when defining setting. This is particularly the case for modern tree plantations, trees not covered by formal protection or the potential of woodland management to result in the thinning of tree cover.

Specific comments

Castle Hill Ringwork (Scheduled Ancient Monument) and **St James Church** (grade II* listed building)

- 8.104 The Castle Hill Ringwork and St James Church are the two oldest designated heritage assets within the village of Sulgrave. Their close proximity represents the historically typical arrangement of manorial centre combined with a place of worship and it is reasonable to assume that the early village developed around this grouping. Excavation within the ringwork uncovered evidence for construction dating to the late 10th century Anglo Saxon period, whilst a re-sited triangular headed doorway in the tower of St James also indicates significant Anglo-Saxon

settlement within the present village. The ringwork appears to have remained in occupation until the late 12th century when presumably the manor moved to the present site of Sulgrave Manor, helping to create the distinctive figure of eight pattern layout of the village that dominates to this day. The significance of the ringwork and church is expressed in a number of ways. Their historical and evidential value both as individual monuments and when together is considerable and well-documented. Their enduring presence within the village will have considerable communal value in the way they define a sense of place for past and present generations, whilst there is considerable aesthetic value through the artistic expression of the Church, its church yard and the green open space of the ringwork. Their contribution to village character is also their contribution to the character of the Sulgrave Conservation Area. The setting of both is intimately linked with each other and the south-west edge of village and the immediate fields that adjoin it.

- 8.105 The turbines will be visible from shaft height upwards from the mound of the ringwork and from the remnant of its bailey to the south west. Views from the church yard seem to be screened by the houses opposite, though glimpses through gaps in the building line and blade tips appearing above houses are a possibility. It is felt that where visible the turbines will intrude onto the intimate connections between Church, ringwork and village and so detract from the setting of each and compromising the aesthetic value of this relationship. The screening afforded by houses and topography reduces the impact but it is felt that a degree of moderate harm to the significance of these assets still results. Another consideration is the dominance of the Church's tower in medium to long distance views of the village and the potential for the turbines to appear in such views when approaching from the north and north west. It is advised that this wider impact is assessed more fully.

Sulgrave Manor (Grade I listed) and attendant registered park and garden (grade II).

- 8.106 The present Sulgrave Manor is in part the remains of the manor house built around 1540 - 60 by Lawrence Washington and a 1920s restoration in the Elizabethan manorial style by Sir Reginald Blomfield, who also designed the gardens. Lawrence Washington's building is a good example of a 16th century manor house whilst Blomfield's restoration, addition and garden harmoniously add to and emphasise the original building's solid traditional character. The grade I listed status of the house is in part due to the connection through ancestry, with George Washington, the first President of the United States. Whilst this gives the building and its grounds considerable historic value in itself the securing of the property and its restoration as a memorial to Washington in the early part of the 20th century is highly significant for our understanding of the Anglo-American Peace Movement and Anglo-American relations in general. Held in trust for the peoples of the United States and the United Kingdom the property has a high commemorative and associative value that gives the property and its grounds an international significance.
- 8.107 The manor is situated at the south-eastern edge of Sulgrave and though slightly detached from the main body of the village it is clearly still part of it. This relationship is reflected in the boundary of the conservation area. The garden forms the immediate setting to the manor house and has an intimate inward-looking relationship with the house as befits its status. Beyond the garden the Manor forms associative and aesthetic relationships with the houses to the north and south and

the landscape beyond.

8.108 The house faces the direction of the wind farm site though is placed in a slightly sunken position allowing it to be screened at lower level by houses to the south and the landscape beyond. This is clearly shown in the viewpoint taken from the formal garden at the front of the house. However, considering the proximity of the proposed wind farm and the high national and international significance of the Manor it is necessary to explore inter-visibility further. What is not clear is the potential for the turbines to be seen from the upper levels of the house and the raised south-western section of garden. Additionally views from the gated road to Weston, the north-eastern footpath that runs out from the Manor and the raised area of open ground to the west of the garden should be analysed to understand the wider context. Without such analysis there is a danger that substantial or moderate harm to the setting and significance of Sulgrave Manor could occur and not be identified prior to determination.

Church of St Mary Magdalene, Helmdon (Grade II* listed)

8.109 St Mary Magdalene is a 14th century church with considerable 19th century restoration work. It is situated at the southern boundary of Helmdon where the land rises up out of the village and the built form gives way to open countryside. The elevated position of the church emphasises its presence within the landscape and this part of the village.

8.110 West of the church are the remains of a medieval manorial site and beyond a section of the Great Central Railway line and beyond both is the proposed wind farm development. Though an undesignated heritage asset the manorial remains have significance in understanding the development of Helmdon and manorial sites in general. Similar to Sulgrave, the close connection between church and manor is a deeply historical survival that would have helped shape and form the village. The line of the Great Central railway is not overly obvious save for its remaining viaduct, which itself should be seen as un-registered historic asset.

8.111 Views from the western edge of the Church of St Mary Magdalene will clearly show the wind farm and the combination of both will be seen in various ways. The church yard often limits and contains views though there is a notable view from the southern section of the church yard where the turbines will intrude onto the close view of the Church itself. This juxtaposition is then seen again on the footpath that runs south east from the village. Another important consideration is the view coming out from the village where presently the Church dominates. This dominance will be greatly challenged by the extensive view of the wind farm to the west. It is felt that such impacts will cause a negative impact on the aesthetic values of the Church and its setting as defined by the manorial remains and location at the edge of the village. Considering the degree of screening around the Church the impact on the building's significance is felt to be moderately severe and should be considered along side not only other impacts on the historic environment but the impact on Helmdon as a whole. Further viewpoint analysis would help to explore this issue.

Astwell Castle (Scheduled Ancient Monument and Grade II* listed building)

8.112 Astwell Castle comprises the extant and buried remains of a fortified manor house

dating from the 15th and early 17th century. The disappearance of its attendant settlement has left the property isolated and remote in the landscape. The combination of gate-house tower and main house with a wide panoramic view of the countryside beyond gives the property considerable aesthetic value which combine with its historic and evidential values in forming its national significance.

8.113 This impression is best viewed looking west from the road that runs past the property and the foot paths that lead off from it. It is highly probable that the gatehouse tower is positioned so to take in this view. As the wind farm will be clearly seen from these aspects it can be said to intrude onto the relationship between heritage asset and its landscape by introducing an alien feature that will draw attention. Considering the distance between the Castle and the width of view it is felt that the harm caused to the significance of the registered heritage assets will be of a moderate scale.

Canons Ashby (Scheduled Ancient Monument, Series of grade I, II* and II listed buildings and grade II* Registered Park and Garden)

8.114 The Canons Ashby estate is a compact collection of mostly high grade heritage assets that represent the transition from Augustinian Priory to Country House estate. The degree of survival and the quality of the assets themselves form a whole that is of exceptional national significance.

8.115 The estate is located on the brow of a broad hill that allows a degree of inter-visibility with the wind farm site, even though it is 7km distant. The latter phases of development are represented by Canons Ashby House (grade I listed) and its grade II* registered park and garden. The elevation of the house with the closest visual connection to the wind farm site faces south-west whilst the wind farm is located due south. This limits direct visual connections from inside the house and the main designed landscape features that connect with this aspect. The wind farm will be visible from the roof of the tower of the main house and it is probable that this once acted as an historic viewing platform. It is possible the oblique views from the upper storeys of the tower shall include some of the turbines. Within the grounds it is probable that the turbines will be visible from the parkland to the south-west and west of the house where screening is less prevalent or the ground is elevated. The present view is largely uninterrupted by large scale modern features and consequently the introduction of turbines will be noticeable and intrusive. Considering the distance between application site and estate combined with the varying degrees of intervisibility it is felt that the proposal will have a moderately negative impact on the significance of heritage assets within the estate, in particular the main house and its registered park and garden.

The wider Stowe Estate (Grade I registered Park and Garden, grade I and II listed buildings)

8.116 The proposed wind farm will have some inter-visibility with the northern parkland at Stowe. This is an informally landscaped deer park set amid rolling hills and contains two important garden structures, the Gothic Umbrello (grade II listed) and Wolfe's Obelisk (grade I listed). This part of the landscape does not remain in its pristine 18th century form. Much of the parkland has been given over to farming and subdivided by hedges, though recent work by the National Trust has sought to

restore it and a large number of new trees have been planted. The vista between the Temple of Concord and Wolfe's Obelisk has been obscured by later tree planting, but it is conceivable that this could be restored in the future. Also a number of houses and farm buildings have been built within the visual envelope of the parkland since the 18th century. Despite this the essential character of the parkland remains intact as does the wider setting of the park and the house itself, which remains overwhelmingly rural and this is both of historic and aesthetic value.

8.117 Photomontages supplied by the applicant for the proposed wind farm (photomontage 18b) indicate that the wing tips of all five turbines will be visible from the park land. Granted, they do not interfere with a planned vista and as the turbines are over 10km away they are relatively small. However, as they will be moving they will draw the eye and will doubtless be more visible in the landscape than any photograph can suggest. The impact of the turbines on the landscape is assessed on pages 22-23 of Appendix B to the Environmental Statement, Landscape and Visual, that accompanies the application. This concludes that in terms of landscape character and visual amenity the level of change is considered slight and the effect of change is considered moderate and that this would not represent a significant impact on the Park. Our view is the development would harm the significance of the Park. This harm would be less than substantial, as a major vista is not affected, but the development would be an alien intrusion into the otherwise overwhelmingly rural setting and the dominance of Stowe over the entire landscape would be challenged and diminished. This would be noticed by all who visited the park and detract from the experience of all those visiting and is therefore not insignificant. This harm to significance needs to be taken cumulatively with the harm to the setting of other heritage assets and weighed against other public benefits.

Stuchbury (un-designated heritage asset)

8.118 A group of extensive earthworks of the deserted medieval village of Stuchbury are located on land adjoining the northern boundary of the wind farm site. These earthworks are of regional significance and their extent and degree of survival suggest that they have the potential to be of national significance. We would advise that the impact of the proposal on the significance of these earthworks is fully considered, in line with Policy HE8.1 of PPS5, and in reference to your archaeological advisor.

Conclusion

8.119 In considering the overall impact it is important to consider, in line with policy HE1.2 of PPS5, the potential to deliver similar measures to mitigate climate change in a manner that is less damaging to the historic environment. Potentially this could be achieved through adapting the current proposal. However, if this is felt to be neither feasible or desirable, policies HE1.3, HE9.4 and 10.1 of PPS5 should be considered once the overall degree of harm to heritage assets has been satisfactorily demonstrated. To summarise, these policies request that where harm to the significance of a heritage asset or assets is caused by a proposal, then the wider public benefits of that proposal should be weighed against the harm caused. The greater the harm the greater the public benefit required by way of justification.

Recommendation

- 8.120 We would recommend that in determining this application, sufficient information is gained from the applicant to fully assess the impact of the proposal on the historic environment, in line with policy HE6.1 of PPS5. We particularly request further analysis on the impact on Sulgrave Manor. This should take the form of wire-frame viewpoints from the upper section of the house and the higher south western section of the garden. Further view point analysis of the impact on the Church of St Mary Magdalene, Helmdon, Astwell Castle and long to medium views of Sulgrave village from the north west would also be beneficial.
- 8.121 We would also request that the instances of moderate harm to the setting and significance of the six highly graded heritage assets or groups of assets listed above is given full consideration in the overall analysis of impact. In doing so we would request that the potential to mitigate that harm is explored and that where harm is felt to be unavoidable that the public benefits of the proposal are seen to outweigh the harm caused to the significance of the historic environment. In this PP-01483647 regard we draw you attention to policies HE1.3, policies HE9.4 and HE10.1 of PPS5, all of which consider the way in which harm and public benefit should be weighed up in determination. We would welcome the opportunity of advising further.
- 8.122 NATURAL ENGLAND: Based on the information provided, Natural England **object** to the proposal. They have considered the proposal against the full range of interests in the natural environment, but their comments are focussed on the following specific matters:
- 8.123 Whilst Natural England supports the Government's objectives for renewable energy it is alert to the changes and implications this will mean for the countryside. NE considers that in accordance with the Government's sustainable development strategy renewable energy development should pursue social, economic and environmental objectives in a combined and integrated approach and not by pursuing one or more separately at the expense of others.
- 8.124 NE support the need to substantially increase renewable energy capacity in England as part of a transition to a low carbon economy, and are therefore committed to working with stakeholders to ensure that wind energy is deployed in a manner that avoids or minimises adverse effects on the natural environment to an acceptable level.

Protected Species: Bats

- 8.125 The area is known to have a rich and diverse bat population and that requires careful mitigation to avoid any development that would harm it. Bats that have been noted in the area are rare barbastelle bat, possible signs of the rare lesser horseshoe bat, and noctule and Leisler's bats records.
- 8.126 The submitted bat surveys failed to accurately determine bat activity across the site and any effects the turbines would have on local bat roosts and populations. Guidelines for carrying out surveys were not followed in a number of important instances. The Guidelines produced by Natural England (TIN 051) were not

followed in a number of areas.

- 8.127 It would be unwise to place any turbine on this site until bat surveys have been rectified and a full set of mitigations are proposed, as the report has identified biodiversity losses including hedgerows.
- 8.128 NE draw attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that: 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that: 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Protected Species: Badgers

- 8.129 NE advise contact with the Northants Badger Group regarding advice and guidance for the specific matter of badgers. NE note that within the application it is recommended that further survey work is carried out January – February 2011 to establish which setts are being currently used. This may need to be mitigated for and so no further decisions can be made until survey information is submitted.
- 8.130 Paragraph 98 of ODPM Circular 06/2005 states that: 'The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.' Paragraph 99 also states that: 'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.'

Post-construction Monitoring

- 8.131 There is no mention within the ES regarding proposals to undertake post-construction monitoring of ecological impacts at the site. However, Natural England considers that detailed post construction-monitoring would be required in relation to birds and bats for any wind farm development at this site, both to validate the predictions of a any robust pre-construction assessment submitted, and to contribute towards the improvement of our understanding of the impacts of wind turbines on birds and bats in the UK.
- 8.132 NORTHANTS WILDLIFE TRUST: **Object** on the basis of insufficient ecological information, as follows:
- 8.133 The Wildlife Trust is of the opinion that the ecological information provided so far about this site – including the appraisal and evaluation of certain matters – is insufficient and incomplete and that therefore your Authority has not yet received all of the relevant biodiversity information necessary for it to be able to make a fully-informed decision about the determination of this Application.
- 8.134 The Wildlife Trust's ecological advice is that we recommend that you cannot consider determining this application until such time as the additional biodiversity /

GI information, and its assessment/evaluation, is made available.

- 8.135 Given the range of important and high-profile biodiversity and GI issues that are associated with this application, we therefore strongly recommend that you seek the advice and opinions of all of the relevant statutory and non-statutory consultee bodies available to you, especially Natural England, in this case in order to provide a well-informed and comprehensive analysis of these specific ecological matters in conjunction with the eventual determination of this Application at hand.
- 8.136 It will, however, be very important that strongly-worded, appropriate ecological Conditions, and / or clauses within any S106 Agreement document, if required, be appended to this Application which will clearly demonstrate how the wildlife mitigation, and biodiversity enhancement, measures and Green Infrastructure (GI) provision delivery, that should all be being proposed by the Applicant as a part of this current development scheme, will be implemented, managed and monitored in order to achieve their intended objectives of additional biodiversity and landscape benefit.
- 8.137 ENVIRONMENT AGENCY: Have **no objection** to the application, as submitted, subject to the imposition of conditions on any subsequent planning permission, relating to:
- Surface water drainage scheme, including a maintenance programme.
 - Regarding ground conditions and hydrology - a geotechnical investigation at each turbine location and any subsequent geochemical testing that may be necessary.
 - Any contamination found and not previously identified.
- 8.138 NATIONAL GRID: Have **no objection** to this application.
- 8.139 CENTRAL NETWORKS UK (E.ON): Following negotiation with the applicants, have lifted their initial objection to the proposal.
- 8.140 ANGLIAN WATER: Have **no objections** to the proposal from a groundwater perspective.
- 8.141 FORESTRY COMMISSION: No response received.
- 8.142 THE RAMBLERS: The Footpath Committee of Northamptonshire Area Ramblers' Association **object** to the proposal for the following reasons:
- 8.143 The proposal affords little consideration of the local footpaths between Greatworth, Helmdon and Sulgrave. These paths are well used both by villagers enjoying short circular walks and by ramblers walking from village to village. We regret that the turbines are far closer to rights of way than recommended in PPS22, which recommends that any turbine should be placed at least 'fall over distance' from a footpath or right of way.
- 8.144 Turbine 1 is only about 60 metres from the footpath alongside the site boundary (B4525 north-east to Stuchbury Lodge). The footpath from the B4525 eastward via

Grange Farm to Helmdon suffers from close proximity to three turbines – turbine 2 at 100 metres, turbine 3 at 60 metres, and turbine 4 at 80 metres. Thus, none of these proposed turbine positions conform to best engineering practice, and none achieve the safety afforded by the ‘fall over distance’ recommendation.

- 8.145 We suggest also that the turbines may interfere with the public rights over the footpaths. This arises because of the 125 metre height of the turbines and their close proximity – some only 60 metres – to the paths. These structures could impede the right of passage and other lawful uses because of their overbearing psychological impact on the path user. We note that Mr Justice Cranston in the High Court stated that there is no reason to confine interference to physical interference – an object could impede right of passage because of its psychological effect.
- 8.146 In addition, the effect on horses should be considered. Turbines 2 and 3 are only about 190 metres from the byway and turbine 5 is 280 metres from the bridleway – both closer than the 375 metres recommended by the British Horse Society for the size of turbine proposed. The problem here is that horses can be spooked by moving blades and by shadow flicker. Risk to horses and the inadequacies of the usual industry position is most effectively considered by Mrs Ibby Mallett, an experienced horsewoman. Note that the latter application, for a small turbine, was rejected on appeal because of the effect of shadow flicker on horses using a minor road. Walkers have no desire to encounter the danger of spooked and frightened horses. We suggest that the recommendations of the BHS be followed.

Officer Note: The Applicants have responded to The Ramblers Association’s objections, as follows:

- 8.147 Throughout the design process proximity to Public Rights of Way (RoW) within and in the vicinity of the site has been considered and guidance, as set out in the companion guide to PPS22, was taken into account. This states at paragraph 57:

‘Similarly, there is no statutory separation between a wind turbine and a public right of way. Often, fall over distance is considered an acceptable separation, and the minimum distance is often taken to be that the turbine blades should not be permitted to oversail a public right of way.’

- 8.148 In line with this guidance, scheme design has ensured that turbine blades will not oversail any PRoW and in the majority of instances separation distances in excess of ‘fall over’ distance are achieved. In addition, operation of the proposed development will not require the stopping up or diversion of any PRoW. While there are large numbers of operational wind turbines throughout the UK in close proximity to PRoW there are no recorded instances of members of the public being injured by wind turbines and it is not considered that the proposed development represents any risk to public safety.
- 8.149 The landscape and visual impact assessment considers that the proposed development will result in significant visual effects on users at a number of locations along public rights of way within 4km of the proposed development including those PRoW within and adjacent to the site. Due to the nature of the development these effects are inevitable and must be weighed against the positive benefits associated with the potential installation of between 10 and 15MW of renewable electricity

generating capacity.

- 8.150 THE NATIONAL TRUST: Conclude that there will be **noticeable and adverse impacts on Stowe and Canons Ashby**. While strongly supportive of a major increase in renewable energy generation nationally, the Trust also believes that the location and design of all energy generation and distribution schemes should take account of the full range of environmental considerations, including protection of valued landscapes, biodiversity, the historic environment and peoples' well-being.
- 8.151 With regard to this application, the Trust concludes that through the Zone of Theoretical Visual Impact (ZTVI) analysis, as well as in terms of specific viewpoint analyses, all five turbines would be visible from both Stowe Historic Park and Garden (registered Grade 1 and considered to be of national and international importance) and Canons Ashby. Overall, the Trust considers that the visual impacts would be somewhat greater than is acknowledged in the ES (sections 2.15 and 2.19), and that there is, surprisingly, no discussion in Appendix C of the likely impacts on the designated assets at Stowe and Canons Ashby. PPS5 is clear about the importance to be attached to the settings of heritage assets and the Trust considers that in terms of the visual component of both Stowe and Canons Ashby, there will noticeable and adverse impacts.
- 8.152 NATS (NERL Safeguarding): Comment that, although the proposed development is likely to impact their electronic infrastructure NATS (En Route) plc ('NERL'), they have **no safeguarding objection** to the proposal.
- 8.153 NORTHANTS BAT GROUP: **Object** to the application and comment as follows:
- 8.154 All bats and their roosting places are protected by UK law and European directives and all bat species are classed as 'Protected Species'. Planning offices have a duty under PPS9 for Protected Species.
- 8.155 Natural England oversees England's legal obligations to protected species on behalf of the government. They have produced a guidance note on carrying out bat surveys at potential wind farm sites (TIN051). In this it mentions that guidance on survey effort, timing and methodology is available in the Bat Conservation Trust's 'Bat Surveys – Good Practice Guidelines' and suggests that surveyors follow them.

Summary

- 8.156 The area is known to have a rich and diverse bat population and that requires careful mitigation to avoid any development that would harm it. The bat surveys failed to accurately determine bat activity across the site and any effects the turbines would have on local bat roosts and populations. Guidelines for carrying out such surveys are readily available, but were not followed in a number of important instances. The Guidelines produced specifically by Natural England (TIN 081) were not followed in a number of areas.
- 8.157 It would be unwise to safely place any turbine on this site until the failings and omissions in the bat survey have been rectified and a proper set of mitigations designed. Until that time the application should be rejected or a condition applied to turn the turbines off at night.

8.158 **Officer Note:** The Applicants are undertaking further bat-survey work on the site, however, the outcome of this will not be known in time for the Meeting.

8.159 RSPB: No response received.

8.160 NORTHANTS BIRD CLUB: No response received.

8.161 ARQIVA: **No objections**, as ARQIVA have no microwave radio links in the area that would be likely to pick up interference from the proposed development.

8.162 HINTON IN THE HEDGES AIRFIELD: Note that the proposed turbines would be in line with their main runway albeit approx 6km away and consider this would inevitably limit the areas where aircraft could fly from their and other airfields. Have not declared any overriding objection to the proposal, but recommend red lights be fixed to the tops of the turbines for aviation purposes.

8.163 TURWESTON AERODROME: Indicate that they would prefer that the wind farm were not constructed in this vicinity, but have **no objection** to the proposal.

Turweston Aerodrome is a CAA-licensed General Aviation airfield with a large circuit to the north which brings it within close proximity of Helmdon. They state that the proposal may constitute a safety hazard to their operation and have forwarded their safeguarding map for information. If the wind farm goes ahead they ask that the developer sends details to the Aeronautical Mapping section of the CAA to ensure details are included in the next edition of the charts.

8.164 BBC RESEARCH: No response received.

8.165 NATIONAL ENERGY FOUNDATION: No response received.

8.166 CRANFIELD AIRPORT: No response received.

8.167 JOINT RADIO CO LTD (JRC): **No objection** and advise as follows: The JRC analyses proposals for wind farms on behalf of the UK Fuel & Power Industry and the Water Industry in North-West England. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

8.168 In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

8.169 CIVIL AVIATION AUTHORITY (CAA): Have previously advised that the proposed turbines would have the potential to impact upon operations associated with both Turweston and Hinton in the Hedges aerodromes and highlighted the need for the developer to establish the related viewpoints of both relevant aerodromes, who, like all aerodrome operator / licensees, hold aerodrome safeguarding responsibility. Suffice to say that there is evident need for the Council to provide the licensees at

both Airports the opportunity to comment upon the application and validate the statements made in the Environmental Statement. Similarly the Council will need to formally establish the related positions of both NATS and the Ministry of Defence (MoD) and take into account any concerns and associated mitigation thereof that might be presented.

- 8.170 **Officer Note:** Turweston and Hinton in the Hedges aerodromes, NATS and the MoD have all been consulted, and raised no specific objection to the proposal.
- 8.171 OFCOM: No response received.
- 8.172 NATIONAL PLANNING CASEWORK UNIT (formerly GOEM): No response received.
- 8.173 THE BRITISH HORSE SOCIETY (Access & Rights of Way): No response received.
- 8.174 CPRE: **Object** to the application, for the following reasons:
- 8.175 Alert the Council to some immediately obvious flaws in the application some of which in the CPRE's view require Supplementary Environmental Information under Regulation 19.

Noise

- 8.176 The noise modelling for this application has been carried out according to the methodology outlined in *Institute of Acoustics Bulletin March/April 2009 'Prediction and assessment of wind turbine noise'*. In the words of the Planning Inspector at the Podington appeal (APP/K0235/A/09/2108506) this methodology "*does not represent Government policy and stipulated practice, and it does not appear to be supported by further research*".
- 8.177 The most important way in which this modelling method differs from the previously accepted method is that it predicts a more rapid attenuation of noise from the turbines. The result of this is that predicted noise levels are lower than they would be under the previous method and so enables wind farm developers to present noise predictions that appear to be acceptable under ETSU-R-97 whereas under the previous modelling method they would not.
- 8.178 Given that even under the previous modelling scheme there are already a significant proportion of installed wind farms that cause noise problems to nearby residential dwellings, in our view it would be reckless to accept a noise assessment based on this method. The applicant will doubtless argue that this method is widely used by the wind industry, but given that by doing so it allows them to gain more planning approvals, this is hardly surprising. This method is merely popular and not accepted as best practice as required under planning policy.
- 8.179 CPRE are also aware that superficially the ETSU-R-97 noise limits seem low, however, because ETSU-R-97 considers only LA90 noise levels this very poorly captures the pulsating nature of wind turbine blade thump because the loudest 10% is excluded whereas a measurement under LA max would show considerably higher noise levels. For example, a gunshot would not register under LA90 but

would register very highly under LA max.

- 8.180 Given that at some residential dwellings the ETSU-R-97 limits are only met by just over 1dB, we believe that this proposal only appears to meet the ETSU-R-97 criteria because the applicant has used this non-standard noise modelling method. This makes it imperative that noise modelling for this application should be carried out to Government policy and stipulated practice.

Landscape Visual Impact Assessment

- 8.181 CPRE consider that the LVIA carried out for this application does not conform to 'Visual Representation of Wind farms: Good Practice Guidance' (SNH 2006) as claimed. In many of the photomontages there is poor contrast despite the SNH 2006 guidelines stressing how important this is because both printed and computer rendered images substantially reduce the apparent impact when compared to observations in the field.
- 8.182 In several of the photomontages there is foreground clutter that distracts the eye – some probably placed in the shot by the camera crew themselves. There are many photomontages where a single frame could have been used instead of a panorama. This is well known to reduce the apparent impact which is why the SNH 2006 guidelines specifically recommend that single frames should be used where possible. There appear to be an unusually high number of photomontages from locations where either the turbines are not visible or they are at a considerable distance from the viewer. We have not yet had time to assess the rationale for choosing these viewpoints, but we wish to highlight that this is abnormal when compared with other applications.

Cumulative Impact

- 8.183 The SNH criterion for selecting sites for Cumulative Impact is within 70km of the site. The list of sites considered by the Applicants is incomplete, even within the limited assessment zone. Below are listed the operational, approved and current applications that CPRE are aware of within Northamptonshire:

Location - No.Turbines - Status

Bozeat – 12 - Application
Burton Wold – 10 - Operational
Burton Wold Ext – 7 - Approved
Burton Wold South – 6 - Planning
Chelveston – 9 - Application
Crick – 2 - Approved
Helmdon/Greatworth – 6 - Application
Kelmarsh – 7 - Application
Lilbourne - 8 - Application
Rushton/Pipewell - 7 - Approved
Sudborough – 5 - Application
Watford Lodge – 5 - Application
Winwick – 8 - Application
Yelvertoft – 8 - Allowed at appeal

Countryside Access

8.184 When considering safety with respect to public rights of way the PPS22 Companion Guide states:

The British Horse Society, following internal consultations, has suggested a 200 metre exclusion zones around bridle paths to avoid wind turbines frightening horses. Whilst this could be deemed desirable, it is not a statutory requirement, and some negotiation should be undertaken if it is difficult to achieve this.

Similarly, there is no statutory separation between a wind turbine and a public right of way. Often, fall over distance is considered an acceptable separation, and the minimum distance is often taken to be that the turbine blades should not be permitted to oversail a public right of way.

8.185 However, since 2004 when the PPS22 Companion Guide was issued turbine sizes have grown considerably and so contrary to the claim made by the developer (section 17.4 page 305) the BHS issued revised safety guidance that no longer endorses the 200m separation. The new guidance recognises that the hazard is related to turbine size and so instead of setting a fixed distance, the recommended separation is framed in terms of turbine height. For normal bridleways the BHS recommend a separation distance of three times turbine height.

8.186 This proposal is for turbines up to 125m to tip. This gives a BHS safe separation distance from bridleways of 375m and the fall over distance (turbine height plus 10%) of 137.5m. Figure 3.2 Constraint map is incorrect and contradicts the claims made in section 17.4 of the Environmental Statement. The footpath buffer is shown at 50m and not fall over distance (137.5m) as claimed. The bridleway buffer is shown at 200m and not 375m and the BOAT buffer is shown as 50m and, since this acts as a bridleway, this should also be 375m.

8.187 An additional consideration for this application is that not only is the safety separation not maintained from the BOAT, there would be turbines on both sides of this bridleway, which is much more threatening to horses because there is no apparent safe route to avoid the turbines. At Yelvertoft the developer recognised this issue during the consultation period and removed the turbines from one side of the bridleway before submitting the application. CPRE feel that this application fails to take adequate measures to protect public safety on the rights of way.

Conclusion

8.188 The CPRE considers that the application documentation is flawed and that the developer should be required to submit further information under Regulation 19. They are further concerned about safety on the public rights of way and fail to see that it can be adequately protected with the proposed site layout. In the light of this the CPRE must **object** to the application.

8.189 **Officer Note:** The Applicants have responded at some length to the objections of the CPRE, and any further comments that might be received after the drafting of this report will be reported in the Committee Updates or at the Meeting.

8.190 MINISTRY OF DEFENCE (MoD): Has **no objection** to the proposal, but request the following, if development goes ahead:

- All turbines to be fitted with 25 candella omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute, at the highest practicable point
- Full details of construction starts and ends to be submitted to CAA, and full reconsultation of the CAA in the event of even a minor change to the proposals.

8.191 Copies of all consultation responses are available on the application file.

9. REPRESENTATIONS

9.1 The applicant conducted local public exhibitions and has submitted a Statement of Community Involvement, as required.

9.2 The application has been publicised by press and site notices relating to: Environmental Statement, not in accordance with Development Plan, Major Development, and affects Right of Way. Letters were also sent to adjoining residents.

9.3 To date, over 580 letters have been received, **objecting** to the application (mainly from within the District).

9.4 To date, over 270 letters have been received **supporting** the application (about 200 from within and 70 from outside the District).

9.5 The key reasons put forward for supporting or objecting to the proposed development are summarised, below (copies of all correspondence are available on the application file). The issues raised are listed roughly in the order of the highest number of representations received, on a given issue.

9.6 Reasons for objecting to the application:

9.7 The extensive comments and objections of the 'Helmdon Sulgrave Greatworth Wind Action Group' (HSGWAG) are attached at Appendix A to this report. These views are specifically supported by Sulgrave Parish Council and other parties.

- *Visual impact and a resultant degradation of local amenity. Turbines will appear dominant from many houses/gardens.*
- *Adverse impact on the rural landscape. Landscape is 'small and intimate' with no high dominant ridges. Turbines will appear drastically out of scale and dominate the landscape, particularly when viewed from up to 2.5km away.*
- *Impact on conservation areas and listed buildings.*
- *Noise impact from the turbines adversely affecting health and residential amenity. This will be exacerbated, given low background noise levels in the*

area.

- *Adverse effect on local ecology and wildlife (eg bats and birds).*
- *Safety risks, including road safety and possible driver distraction as well as safety of users of the Public Rights of Way crossing the site.*
- *Effects on drainage and flood risk. Concrete foundations, hard standings and access tracks will exacerbate the flood risk to Helmdon.*
- *Detrimental to local recreation/leisure – particularly to walkers and horse riders.*
- *Insufficient wind, resulting in an ‘inefficient’ development that would not justify the harmful effects on landscape, visual impact, etc.*
- *Effect of shadow flicker.*
- *Adverse effects on TV reception and on the operations of emergency radio services.*
- *Impact on aviation interests.*
- *Effect of construction traffic on local roads.*
- *If permitted, development could place undesirable constraints on any future alterations to the proposed route of HS2 railway.*
- *Loss of property values.*
- *Loss of productive farmland.*

9.8 Reasons for supporting the application:

- *Wind power is preferable as a sustainable power resource, using natural resources with the ability to reduce our (CO²) emissions and our carbon footprint.*
- *Climate change is the ‘greatest threat’ facing mankind and urgent action is required.*
- *Wind power helps to reduce the cost of electricity in the future as the rising cost of fossil fuels will be avoided.*
- *Wind power helps to improve the UKs energy security by reduced dependence on non-renewables.*
- *Opinion polls (Ipsos for the British Wind Energy Association) show over 70% of the population support both renewable energy and wind power.*
- *Well thought out, well designed scheme in a suitable location for its size.*
- *Provision of clean, green electricity locally for up to 5580 homes.*

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- *The UK government supports an EU target of 20% of all energy from renewable sources by 2020. This is reflected through national planning policy -PPS: Planning and Climate Change, PPS1 and PPS22.*
 - *Sufficient wind provision.*
 - *NIMBYism should not undermine the scheme.*
 - *Visual impact must be balanced against the likely damage to our landscapes and environment caused by climate change.*
 - *Onshore wind power is the best developed and most economical renewable generation currently available.*
 - *As a signatory to the Nottingham Declaration on Climate Change 2000, South Northamptonshire Council is committed to deliver carbon dioxide reductions at a local level.*
 - *Success of wind power elsewhere – e.g. Denmark has provided around 20% of its electricity from the wind for a number of years.*
 - *The proposal will make a locally significant contribution to cutting emissions.*
 - *The Local Government Association recently urged Councils to demonstrate leadership in tackling climate change.*
 - *Wind turbines are visually appealing and provide no detrimental visual impact.*
 - *Creation of a 'landmark' for the area.*
 - *Supportive of agriculture, with another income stream.*
 - *Will cause no major negative impacts on the local area.*
 - *No visibility from many houses in the villages.*
 - *Existing local features are considered more obtrusive.*
 - *It will create no overall increase in noise in the area.*
 - *The path for walkers and riders through the area will not be affected by the turbines.*
 - *No impact on animals.*
 - *Unlikely to reduce house prices.*
 - *No impact on TV reception.*

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- *No impact on flooding.*

10. OFFICER'S REPORT

10.1 The Council employed independent consultants (Messrs Land Use Consultants of London) to undertake a comprehensive review of the Landscape Visual Impact Assessment (LVIA) of the planning submission. The consultants have also commented on some other aspects of the planning submission, and responded to a number of technical queries. A copy of the consultant's review of the LVIA was forwarded to Members and other parties previously (and is available on the application file and on-line), and the implications of the review are considered in the Officer's Report, below.

Principle of development

- 10.2 The main starting point for considering this application is the Government's national policy stance on renewable energy. This includes a presumption in favour of proposals for development which would provide sources of renewable/low-carbon energy generation, such as that proposed in this planning application.
- 10.3 The above 'presumption in favour of development' must, however, be weighed against other material planning considerations, including the environmental impact of the proposal, as well as an assessment of whether or not there are any objections to the scheme and the weight to be applied to those objections, or lack of sufficient information provided by the applicants, of such weight as to indicate a recommendation other than approval of the application. In essence, this will come to assessing and giving appropriate weight to the balance between national interest and need, versus any local or other objection to the proposed development. The main issues are assessed in turn, below.
- 10.4 The first consideration is whether the development accords with the development plan. The adopted **South Northamptonshire Local Plan** (SNLP) does not contain any specific policies relating to renewable energy. Policy EV2 refers to development in the open countryside and states that development other than that related to agriculture, forestry, tourism or recreation will not be permitted. The proposed wind turbines therefore do not accord with this policy and the development can be considered to be contrary to the Local Plan in that respect.
- 10.5 However, the Local Plan is now out of date in many respects and many of its policies have been superseded by national and regional policy. The RSS currently also comprises part of the development plan and this does contain relevant policies on renewable energy. Of particular relevance is that LPAs are advised to support low carbon energy proposals in locations where any environmental, economic and social impacts can be satisfactorily addressed. LPAs are also encouraged to promote the development of renewable energy projects to help achieve the regional target. In this respect the principle of the development is not considered to be contrary to the development plan.
- 10.6 Due consideration also has to be given to other material considerations, including national policy as mentioned above and below, much of which also post dates the adopted Local Plan. There is a clear national presumption in favour of renewable

energy projects in appropriate locations.

10.7 The proposal does not appear to be contrary to policies relating to the general principle of development. For example, **PPS1: Delivering Sustainable Development** (2007) affirms that the plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays a key role in integrating sustainable development objectives. Paragraph 8 of PPS1 states that where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

10.8 A supplement to PPS1: Planning and Climate Change, sets out how planning should contribute to reducing emissions and stabilising climate change, in order to achieve the set targets for reducing carbon dioxide emissions and tackling climate change. Proposed developments must incorporate environmental performance within their designs. The proposed wind turbines development could make a small contribution to stabilising climate change through the generation of renewable energy.

10.9 **PPS7: Sustainable Development in Rural Areas** is generally supportive of diversification of the rural economy, subject to important considerations regarding impact on the open countryside and nearby settlements. Paragraph 16 of PPS7 states:

‘When preparing policies for LDDs and determining planning applications for development in the countryside, local planning authorities should:

(i) support development that delivers diverse and sustainable farming enterprises;

(ii) support other countryside-based enterprises and activities which contribute to rural economies, and/or promote recreation in and the enjoyment of the countryside;

(iii) take account of the need to protect natural resources;

(iv) provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS22; and

(v) conserve specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations.’

10.10 The section of PPS7 referring to farm diversification states the following in support (Paras 30 and 31):

‘30. Recognising that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises, local planning authorities should:

(i) set out in their LDDs the criteria to be applied to planning applications for farm diversification projects;

(ii) be supportive of well-conceived farm diversification schemes for business purposes that contribute to sustainable development objectives and help to sustain the agricultural enterprise, and are consistent in their scale with their rural location.

This applies equally to farm diversification schemes around the fringes of urban areas; and

31. A supportive approach to farm diversification should not result in excessive expansion and encroachment of building development into the countryside. Planning authorities should:

(i) encourage the re-use or replacement of existing buildings where feasible, having regard to paragraphs 17-21; and

(ii) have regard to the amenity of any nearby residents or other rural businesses that may be adversely affected by new types of on-farm development.'

10.11 **PPS22: Renewable Energy** is of particular significance to this application and outlines Government aspirations for continuing the growth of renewables in the long term, and states that there should be the promotion and encouragement of renewable energy resources throughout the country, in viable locations.

10.12 This PPS states that: 'Increased development of renewable energy resources is vital to facilitating the delivery of the Government's commitments on both climate change and renewable energy. Positive planning which facilitates renewable energy developments can contribute to all four elements of the Government's sustainable development strategy.'

10.13 PPS22 sets out seven 'Key Principles'. Amongst these is a requirement (Principle 2) for regional planning guidance and spatial strategy (development plan) policies to 'promote and encourage, rather than restrict, the development of renewable energy resources.' The PPS also cautions (Principle 3) that planning policies which rule out or place constraints on renewable energy technologies should not be used without adequate reasoned justification.

10.14 Principle 1 states that renewable energy developments should be capable of being accommodated throughout England in locations where the technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.

10.15 Principle 4 advises that wider environmental and economic benefits of proposals 'whatever their scale' are material considerations and should be given 'significant weight' in determining planning applications.

10.16 Principle 5 states that planning authorities should not make assumptions about the technical and commercial feasibility of projects.

10.17 Supporting paragraphs address issues such as biodiversity, visual impact, noise and transport. The paragraphs also address the subject of targets, noting that regional targets for 'the minimum amount of renewable generation' should be included in regional planning guidance (RPG) for achievement by 2010 and 2020. Progress towards meeting the targets will be regularly monitored and targets revised upwards if they are met. Importantly, the fact that a target has been met cannot be used as a reason for refusing permission for further renewable energy projects within a region.

10.18 The supporting paragraphs note that criteria based policies should be set out in

development plans. The criteria can be used to identify 'broad areas' at the regional or sub-regional level where particular types of renewable energy development may be appropriate – but planning authorities 'should only focus on the key criteria that will be used to judge applications.'

10.19 **RSS 8 (EMRP)** sets out regional core objectives in Policy 1. The following are of relevance to this application:

'g) To protect and enhance the environment through the:

- avoidance of significant harm and securing adequate mitigation or compensation for any unavoidable damage;
- recognition of the capacity of the environment to accept further development without irreversible damage.

h) To achieve a 'step change' increase in the level of the Region's biodiversity through:

- the management and extension of habitats, both to secure net gains in biodiversity and to facilitate species migration to allow the biosphere to adapt to climate change, and
- ensuring that no net loss of priority habitats or species is allowed to occur.

i) To reduce the causes of climate change by minimising the emissions of CO₂ in order to meet the national target through:

- maximising 'resource efficiency' and the level of renewable energy generation;
- making best use of existing infrastructure.

10.20 Policy 40 of **RSS 8**: Regional Priorities for Low Carbon Energy Generation includes the following requirements:

LAs, energy generators and other relevant public bodies should promote:

- the development of a distributed energy network using local low carbon and renewable resources.

In establishing criteria for onshore wind energy, LPAs are required to give particular consideration to:

- landscape and visual impact
- effect on the natural and cultural environment (including biodiversity, nature conservation, and historic assets and their settings)
- effect on the built environment, including noise intrusion
- number and size of turbines proposed

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- cumulative impact of projects
 - contribution to regional renewables target
 - contribution to national and international objectives on climate change

10.21 Also in relation to Regional Priorities for Low Carbon Energy Generation, RSS8 states at Para 3.3.92:

'The Growth Area designations in the Southern Sub-area offer the best opportunities for new carbon neutral developments. There are also some opportunities for wind development at a variety of scales.'

10.22 The **West Northants Pre-submission Draft Core Strategy** is also a material consideration and states at Para 5.82:

'Wind energy and other renewable energy development could have a range of positive or negative effects on nearby communities. They could provide landowners with the opportunity for rural diversification, local jobs and opportunities for community based schemes and benefits. However, such schemes can raise a range of concerns including landscape and visual effects, noise, shadow flicker and effects on the local economy. Although the negative effects may be localised in nature or could be mitigated against, local planning authorities need to consider both positive and negative impacts of such schemes in reaching development management decisions.'

10.23 Policy S11: Renewable Energy of the West Northants Pre-submission Core Strategy states:

'Applications for proposals to generate energy from renewable sources (including any associated transmission lines, buildings and access roads) will be expected to:

1. Bring wider environmental, economic and social benefits and contribute to national renewable energy production targets in terms of addressing climate change;
2. Have no significant adverse impact on the historic and natural landscape, landscape character, townscape or nature conservation interests;
3. Have no significant adverse impact on the amenity of the area in respect of flicker, glare, noise, dust, odour and traffic generation; and
4. Provide for the removal of the facilities and reinstatement of the site, should they cease to be operational.'

10.24 It is clear from the above consideration of national and regional policy that there is a 'policy presumption in favour of development' in respect of renewable energy development. The proposal might therefore be considered acceptable in principle i.e. the development of five wind turbines for the generation of renewable energy in the open countryside. This must, however, be considered against other relevant development plan and other policy (as well as any other material considerations)

regarding issues such as the environmental impact of the proposals, which are discussed in more detail below.

- 10.25 Renewable energy is an integral part of the Government's Energy Strategy. The Government is committed to delivering 15% of all energy from renewables by 2020 (Directive 2009/28/EC). This translates into a figure for renewable electricity by 2020, of around 30% (UK Renewable Energy Strategy). Currently 6.7% of our electricity is from a renewable source. To achieve this target the Government is taking action to support renewable energy schemes. As a result, wind turbines are becoming an increasingly popular method to generate low carbon energy in the UK.
- 10.26 These trends have led to increasing interest in proposing wind turbines in South Northamptonshire and nearby areas. With the Government wanting to promote more sustainable energy resources, this trend is likely to continue. It is critical that the wider renewable energy environmental benefits in terms that result from using this technology are balanced with local issues such as its effect on the landscape and the economic, social, safety and amenity impacts on local communities.
- 10.27 Given the above, along with the age of the SNLP (adopted 1997) and its lack of any policies specifically relating to renewable energy generation, the Council has consulted on and adopted a Supplementary Planning Document (SPD) **Wind Turbines in the Open Countryside** (adopted December 2010). This guide sets out the approach that South Northamptonshire Council will take in supporting initiatives to promote renewable energy generally, and in dealing with specific proposals as planning authority. As wind energy development will have a major role in delivering national renewable energy targets, and potentially be the technology most likely to affect the district, this guidance focuses exclusively on this technology.
- 10.28 The guidance contained in SNC's Wind Turbines SPD covers the following main areas, and these are taken account of in this report, as and where applicable:

The National Perspective; The Regional Perspective; The Local Perspective; Anemometers; Contribution of the turbines to renewable energy objectives; Landscape; Biodiversity; Soils and Hydrology; Cultural Heritage; Visual Impact including Shadow Flicker and Reflected Light; Local Amenity; Telecommunications; Aircraft and Radar; Local Economy; Guidelines for Siting and Good Design; and, Involving Local Communities.

Renewable energy and climate change benefits of the scheme (including viability)

- 10.29 The proposed development could help to displace electricity currently generated by fossil fuel fired plant and would avoid the emissions of pollutants, including the greenhouse gas carbon dioxide, associated with such plant. The five turbines proposed for the Spring Farm Ridge Renewable Energy Project are potentially estimated to provide generation capacity of between 10 – 15 megawatts (MW). Broadview had preliminary calculations undertaken for a number of suitable wind turbine models. These calculations show that the development could generate between 26,225 megawatt hours (MWh) and 33,060 MWh of electricity per annum.
- 10.30 On this basis, the carbon dioxide (CO²) reduction potential of the proposed

development is estimated to be between 11,276 and 14,215 tonnes annually. Based on an operational lifespan of 25 years and a generation of 33,060 MWh per annum, it can be estimated that the proposed development might offset around 355,000 tonnes of CO₂ over the lifetime of the development.

- 10.31 The electricity generated annually from the proposed development is predicted to be equivalent to the approximate annual domestic needs of between 5,580 and 7,034 average households in Britain. This calculation has been based on the 'RenewableUK' recommended average annual UK household electricity consumption of 4,700 kilowatt hours (kWh). However, it should be noted that the energy capture, capacity factor and therefore, the figure for the equivalent number of homes whose domestic needs would be met by the proposed development, may change as further site specific information is gathered and advances in wind turbine technology are made.
- 10.32 Independent consultants employed by the Council have confirmed that the applicant's assumptions about the CO₂ reduction potential and levels of electricity likely to be generated by the scheme seem both realistic and reliable. The Council's consultants have also stated that information on wind speeds has been provided by the applicant, but that this should only be treated as a guide. The most reliable measure of wind speed would be provided through on site measurement. This information (from the applicant's on-site anemometer mast) has not been provided as part of the suite of application documents. However, based on the generic data provided, it can be assumed that the scheme is viable and efficient in terms of wind speed.
- 10.33 These potential benefits of the scheme in terms of a comparatively small reduction in CO₂ emissions, must be weighed against the long-term harm this proposal would cause in terms of visual impact, impact on heritage assets and on residential amenity and on other interests of acknowledged importance. Consideration should also be given to achieving similar CO₂ reductions by means less damaging to the local and wider environment; for example, small-scale solar power.

Visual impact and impact on the character and appearance of the landscape

- 10.34 The Council employed a firm of Landscape Architects to undertake an independent review of the submitted Landscape and Visual Impact Assessment (LVIA). A copy of the review of the LVIA has been circulated to Members and other parties, and is available on the application file.
- 10.35 The review was undertaken in two stages:
- Stage 1 comprised a desk review including:
- a review of the LVIA based on the IEMA (Institute of Environmental Management and Assessment) issue specific review criteria;
 - a review of the presentation of the results and clarity of the assessment;
 - an assessment of the completeness of the information as a basis for decision-making.

Stage 2 of the review comprised a site visit in May 2011 by a Chartered Landscape Architect, to:

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- examine the landscape sensitivity of the site and its surrounds;
 - check potential visibility from the surrounding landscape and consider whether the viewpoints included in the LVIA are appropriate and representative;
 - examine potential impact on landscape designations, particularly the Cotswold AONB and Registered Parks and Gardens (notably Stowe Park);
 - identify potential opportunities for mitigation or landscape enhancement on and off site;
 - form an independent professional opinion on the landscape and visual impacts of the development proposal.

10.36 The applicant has chosen a 30km study area for the visual impact assessment, with 15km radius to consider landscape impacts. It is considered that a 30km study area would generally be sufficient to capture all significant impacts arising from the proposal, although it would be desirable for study areas for both landscape and visual impacts to be consistent. Other sensitive landscape receptors lie within the 30km study area (e.g. the Cotswold Hills AONB).

10.37 In general, the LVIA is considered to be reasonably clear and objective and follows a robust method. However, there is a need indicated by the desk review undertaken by the consultants, for clarification of the following:

- Clearer consideration and justification of the sensitivity of the baseline landscape and visual resource/receptors;
- Consideration of the impact on the Cotswolds AONB and associated special landscape qualities;
- Photomontages that fully comply with SNH's (Scottish National Heritage) requirements in terms of viewing distance;
- Consideration of the impact on the visual amenity of users of the rights of way on the site itself;
- Clear understanding of how impact on landscape designations – registered parks and gardens is dealt with in the ES (LVIA or cultural heritage sections) and recognition that this should cover more than just impacts on visual amenity and the need to consider the landscape significance and importance of these designations;
- Justification of a 15km radius study area for consideration of landscape impacts, when there are important landscape receptors (such as the AONB) beyond this;
- Use of the most up to date baseline information, for example the Aylesbury Vale LCA (rather than the older Buckinghamshire County Plan).
- A more comprehensive landscape planning policy review (e.g. considering PPS7 more fully and all relevant saved landscape policies from the Local Plan, as well as an overview of progress with the Local Development Framework).

10.38 The consultant's site visit included a review of the landscape and visual effects on site, the local landscape and some wider landscape and landscape designations. The findings revealed that in general the LVIA contains accurate information on landscape character and visual effects and makes appropriate judgements. It clearly identifies that the proposal will result in significant landscape and visual effects in close proximity (within 4km) to the site.

10.39 However, the site visit also raised a number of key concerns regarding the LVIA:

- An underestimate of the sensitivity of the character of the site itself (which is subtly different to the character area) – comprising an intervening valley of pasture and more complex land cover creating an enclosed, tranquil character.
- A need for clearer consideration of impacts on the rights of way and users of rights of way that cross the site itself (Byway open to all traffic and footpath) and are within 200m of the proposed turbines.
- A need to include local viewpoints to reflect the above (the valley landscape from Stuchbury and from the rights of way on site).
- A thorough analysis of the effects of the proposed development on the important designated landscape at Stowe Park (views from the North Front). It is not enough to indicate that simply because the ZTV does not cover the whole park, effects are therefore limited and the ES requires more than just analysis of effects on visitors and requires an assessment of effect on the landscape designation (either here or in the cultural heritage chapter). The National Trust has been consulted, as recommended, and its comments are reproduced at Para 8.150, above.

10.40 The site visit assessed impacts on the Cotswold AONB, and considered that these were not significant. This suggests that the 15km radius study area for landscape impacts may be adequate.

10.41 The review of the LVIA was based on the IEMA (Institute of Environmental Management and Assessment) issue specific review criteria, as follows:

- Review of the presentation of the results and clarity of the assessment
- Assessment of the completeness of the information as a basis for decision-making
- The landscape sensitivity of the site and its surrounds
- Potential visibility from the surrounding landscape and considering whether the viewpoints included in the LVIA are appropriate and representative
- Potential impact on landscape designations, particularly the Cotswold AONB and Registered Parks and Gardens (notably Stowe Park)
- Potential opportunities for mitigation or landscape enhancement on and off site
- Independent professional opinion on the landscape and visual impacts of the development proposal

10.42 Having carried out the review the important information referred to in para 10.38 above is considered to be missing from the applicant's LVIA.

10.43 In addition to the above, a more comprehensive landscape planning policy review should have been submitted (e.g. considering PPS7 more fully and all relevant saved landscape policies from the SNLP, as well as an overview of progress with the Local Development Framework/commentary on whether information on the likely direction of landscape policy is available). Use of better cross referencing to certain figures (e.g. all local landscape designations which have been assessed) would also be beneficial.

Impact on landscape character

Landscape Character Area (LCA) 6a: Tove Catchment (undulating claylands)

10.44 The site is located within the character area: 6a Tove Catchment (undulating claylands). It lies in the western part of this much larger landscape character area. The LVIA judges this area site to be of medium sensitivity to wind turbines. This judgement of sensitivity may be correct overall, but suggests that a higher sensitivity relates to the more secluded intervening valleys where the undulating landform is cut by watercourses, and marked by presence of a more intimate pastoral land cover pattern on valley sides. The LVIA concludes there will be locally significant effects on the Tove catchment area (6a) at close range and at up to 4km. In the LVIA, the level of significance is established Major/Moderate and Moderate and Significant from some areas. While this is quite a varied and confusing judgement, the site visit confirmed that there will be a Major/Moderate Significant effect on landscape character for up to 4km from the site (relating to the locally medium - high sensitivity and major to moderate magnitude of change).

LCA 13a: Middleton Cheney and Woodford Halse (Undulating hills and valleys)

10.45 The boundary of LCA 13 lies some 2km to the west of the site, and the character area extends to the west, north and south. The LVIA concludes that the landscape would have a medium to high sensitivity to change. This judgement appears to be an overestimate and the basis for the judgement is not clear. The site visit suggested a moderate sensitivity. However, it is agreed that the Magnitude of Change would be slight to negligible, resulting in a Moderate/Minor level of effect that would be Not Significant.

Other Character Areas

10.46 The remainder of the assessment considered the eight landscape character areas within the Zone of Theoretical Visibility (LTV) up to 10 km from the site. The impact on these character areas was considered to be Not Significant. The remaining character areas were not visited as part of the site visit. The LVIA considers that beyond 10 km the magnitude of change would be insufficient to result in any significant effects on landscape character. This judgement may generally be concurred with, but it is suggested that the recent Aylesbury Vale LCA should have been considered (rather than the older Bucks LCA). This would have drawn attention to key landscape character areas just over 10 km from the site such as Stowe Landscape Gardens (Character Area 1.4) which would have merited more detailed analysis and field checking.

Viewpoints

- 10.47 This section investigates whether the visibility of the proposal has been realistically represented in the applicant's LVIA, and whether the viewpoints included in the LVIA are appropriate and representative. It is well worth noting that photographs can never replace the visual acuity experienced when in the field and photomontages therefore always tend to diminish rather than exaggerate visual impact.
- 10.48 Several viewpoint locations were visited to investigate if the photomontages realistically represented the situation in the field. Additional locations were also visited, to investigate potential additional impacts not captured by the viewpoints within the LVIA.
- 10.49 The site visit concluded that the photomontages generally provided sufficient context at each viewpoint and provided a realistic representation of the scheme (although note comments above that photos can never replace the visual acuity of being there).
- 10.50 Eight of the 19 viewpoints, representing both close and distant views, were visited:
- Views from within 4km of site:
- 1: View west from Grange Farm
 - 2: View north east from Helmdon Road, Greatworth
 - 3: View south west from Helmdon Village Green
 - 4: View south east from Castle Green, Sulgrave
 - 5: View south from Bridleway (footpath) near Sulgrave Manor
 - 6: View from minor road within Radstone
 - 7: View north east from Thenford Road, Marston St. Lawrence
- Distant views:
- 8: View north west from public footpath at Stowe Park - 11.3 km
 - 9: View south east from minor road Ratley (Cotswold AONB) - 19.2 km
- 10.51 The representation and adequacy of the viewpoints are considered to provide a good representation of close, mid and long range views, and the range of users (residents, visitors, walkers, etc). However, as noted in the consultant's desk review there is no indication of how these viewpoints were derived, for example by consultation.

Recommended additional viewpoints

- 10.52 Based on the site visit, it is recommended that further viewpoints be provided, illustrating close range views (notably from the rights of way on the site) and from Stuchbury – showing views across the minor valley to the turbines at close range on the north facing slope. However, given that all close range views up to 4 km from the site are already recorded as having a high sensitivity and with significant impacts, these viewpoints would not alter the overall assessment.
- 10.53 In summary, the field survey confirmed that the key issues in terms of visual

amenity are:

Local residential amenity;

Recreational uses of the local rights of way on and around the site;

Impact on 'setting' of the rural vernacular villages at Helmdon, Greatworth, Sulgrave, Marston St. Lawrence

Conclusions

- 10.54 In general, the LVIA is considered reasonably clear and objective and follows a robust method. However, the desk review indicated a clear need for clarification of those issues listed at para 10.38 above.
- 10.55 The site visit included a review of the landscape and visual effects on site, the local landscape and (to an extent) the wider landscape and landscape designations. The findings revealed that in general the LVIA contains accurate information on landscape character and visual effects and makes appropriate judgements. It clearly identifies that the proposal will result in significant landscape and visual effects in close proximity (within 4km) to the site.
- 10.56 However, the site visit also raised a number of specific concerns regarding the LVIA as referred to at para 10.40 above.
- 10.57 Without all of the necessary information, proper assessment, viewpoints, etc, identified above, it is not possible to conclude that landscape and visual impact issues have been sufficiently and satisfactorily addressed and that significant visual/landscape harm would not arise. This would clearly be a reason for recommending refusal of the application.

Impact on cultural heritage assets

- 10.58 The proposed development is considered likely to have a significant and negative impact on the historic environment over a wide geographical area. English Heritage, the National Trust, SNC's Conservation Officer and numerous other consultees (eg local Parish Councils and residents) have all commented on this significant and negative impact. PPS 5: Planning for the Historic Environment, provides the most relevant guidance for assessing the impact on heritage assets.
- 10.59 Policy HE 10 of PPS 5 states that, 'When considering applications that do not [have a positive impact on the setting of designated heritage assets], local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.'
- 10.60 Policy HE 1.2 of PPS 5 states that, 'Where proposals that are promoted for their contribution to mitigating climate change have a potentially negative impact on heritage assets, local planning authorities should, prior to determination... help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less or no harm to the significance of the heritage asset and its setting.'

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- 10.61 Policy HE 1.3 of PPS5 states: 'Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets in accordance with the development management principles in the PPS and national policy on climate change.'
- 10.62 The proposed development would be visible from **Stowe Park**, one of the most important and celebrated 18th Century landscape gardens in England, considered to be of the highest cultural and, indeed, international significance. Spring Farm Ridge is visible from Stowe Park, and the impact of a number of moving turbines terminating long views from the Park should not be underestimated. Moving turbines catch the eye far more than can be communicated by 'still' photomontages, and can have a significant disruptive effect on one's experience of the landscape. Any impact on such a culturally significant heritage asset as Stowe would need considerable justification, to reflect its international importance. English Heritage and the National Trust have emphasised similar objections and concerns, regarding impact on long views from Stowe. The Council's independent consultants have also raised significant concerns that the potential effects on long-views from Stowe have not been properly considered or assessed by the Applicant.
- 10.63 The proposed development would also have a significant and harmful impact on the setting of a large number of listed buildings and several conservation areas in the surrounding area, most particularly those in the parishes of Greatworth, Sulgrave, Marston St Lawrence and Helmdon. A number of these harms are mentioned in the Applicant's landscape and visual impact assessment, where they are classified as 'major' and leading to a 'significant' effect – ie significant harm to the setting of designated heritage assets, contrary to PPS5.
- 10.64 There would be a significant negative impact on the setting of **Sulgrave** Conservation Area, and particularly on views within, into and out of the conservation area. The Grade II* listed parish church, the castle mound and bailey (a Scheduled Monument), the curved enclosure formed by Park Lane and Church Lane, and the nearby vernacular stone cottages are an important group of features in the conservation area, and at present they are experienced within a largely unspoilt rural village setting, certainly a setting uninterrupted by large modern 'industrial' features. The historic interest of this part of the conservation area is further enhanced by views out of the conservation area to the south, where historic cultivation patterns are clearly visible in the agricultural land and connect the conservation area with the rural historic landscape which surrounds it. The turbines are likely to be visible from, and appear quite close to, this important part of the conservation area, and will have a negative impact on the setting of these heritage assets.
- 10.65 The scale of the 125m-high turbines means that they will be an intrusive feature affecting the wider setting of much of the conservation area and many of the 25 listed buildings in the village. Long views into the conservation area from the north and north-east will be terminated by the moving blades of the proposed turbines on the horizon beyond the conservation area.
- 10.66 There is an important but undesignated deserted medieval settlement at

Stuchbury. At present the extensive visible earthworks are experienced within an intimate valley setting in a peaceful rural landscape. The sense of remoteness forms part of the experience of this interesting heritage asset. The proposed siting of the turbines, just a few hundred metres from this site, will have a significant negative impact on its setting and is likely to have a detrimental impact on the capacity for public enjoyment of the heritage asset.

- 10.67 While **Helmdon** village does not have a designated Conservation Area, it is a historic settlement with 27 listed buildings. The wider setting of many of these buildings will be moderately affected by the proposed turbines. The setting of the church will also be affected, a view supported by English Heritage in their comments. The most seriously affected secular buildings will be the Grade II listed farmhouse and farm buildings of Priory Farm, the setting of which will be significantly harmed by the proposed turbines. The farmhouse is an early 17th Century building with good survival of important 17th Century features, and the separately listed barn dates from the 18th Century. Both are at present in a vulnerable state requiring considerable investment (many hundreds of thousands of pounds) to carry out repairs and upgrading of services. The proposed siting of the turbines would have a substantial negative impact on the setting of these listed buildings. There is a considerable risk that the harm to the setting could be so great that it will not be economically viable for the essential repairs to these buildings to be carried out (the market value of the buildings, with a seriously compromised setting, risks being lower than the cost of repairs), leading to a very high risk of loss of these important buildings.
- 10.68 **Astwell Castle Farm** is a Grade II* listed 15th century building attached to a late medieval tower which is a Scheduled Ancient Monument. At present, the remote rural setting of the tower and farmhouse makes an important positive contribution to the distinctive historic character of this unusual group of heritage assets. The proposed turbines are likely to be an intrusive modern industrial element in this otherwise remote rural landscape, visible from and in the context of the farm and tower and compromising their wider setting.
- 10.69 The cumulative impact of the proposed turbines on the setting of the many designated and undesignated heritage assets in the area is likely to add up to substantial harm to the local historic environment, and compromise public enjoyment of the local historic environment for the lifetime of the turbines. This needs to be carefully considered in terms of determining whether any contribution to climate change mitigation made by this proposal is of sufficient public benefit to outweigh the likely significant harm to the historic environment.
- 10.70 It is necessary to balance the actual likely contribution of the proposed development to the UK's efforts to mitigate climate change, through the generation of 'clean' electricity, against the likelihood of significant harm to the historic environment. It is reasonable to measure the likely contribution of the proposed development to mitigating climate change through reduced carbon emissions, and to determine whether similar climate change mitigation could be achieved in ways that would not have such a harmful impact on heritage assets. For example, the generation of 'clean' energy by means other than large-scale wind turbine development, provision of local energy efficiency measures, or the use of lower turbine columns, which

could have a less damaging effect on heritage assets.

- 10.71 With regard to archaeological assets, the evaluation and ‘trial-trenching’ carried out has identified that there is the potential for archaeological activity within parts of the proposed development area. However although areas of activity have been identified they are not of such significance that they would prevent development. The proposed development would have a detrimental impact upon any archaeological deposits present. However, this does not represent an overriding constraint on development, provided that adequate provision is made for the investigation and recording of any remains that are affected

Impact on residential amenity – including noise disturbance, shadow flicker and construction activity

Noise

- 10.72 For more detail in connection with noise issues, Committee is referred in particular to the comments of the Environmental Protection Officer at Paras 8.41 – 8.53, above.
- 10.73 Nine noise sensitive receptors (residential properties) neighbouring the proposed development were selected as being representative of the closest properties. Background noise monitoring was undertaken at these properties. Two additional locations were assessed post-monitoring. A construction and decommissioning noise assessment was not undertaken, however, it is assumed that any impacts arising from these operations are temporary and can be minimised by adoption of construction best practice methods.
- 10.74 The predicted wind turbine noise is less than the ETSU-R-97 (hereafter referred to as Etsu) defined noise limits for quiet daytime and night-time periods therefore the predicted noise impacts are deemed by the Applicant to result in an effect that is ‘Not Significant’.
- 10.75 Planning Policy Statement 22: Renewable Energy stipulates that Etsu should be used to assess and rate noise from wind energy development. It goes on to point out that the report ‘gives indicative noise levels calculated to offer a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development or adding unduly to the costs and administration’ and states that it can be ‘regarded as relevant guidance on good practice.’ It also advises that there should be no significant increase in ambient noise.
- 10.76 Some criticisms have been levelled at the Etsu guidance and its reliability for assessing noise impacts from the much taller modern wind turbines, as proposed in this instance, and questions have been raised by Inspectors at some Planning Appeals in this respect. Wind turbines have grown much larger and taller than those upon which the conclusions of the Etsu guidance was based, and it is argued that the issues from effects of wind shear, and Amplitude Modulation (AM) are more severe than originally envisioned in 1996 when the guidance was published. Also, Etsu uses higher internal ambient sleep disturbance criteria than currently recommended by the World Health Organisation (WHO) in its Guidelines for Community Noise. The original intention of the authors of Etsu was for the guidance

to be reviewed within two years from the date of its publication but, to date, this has not happened.

- 10.77 The higher hub heights reached by modern wind turbines take advantage of the effects of wind shear (i.e. higher wind speeds at increasing height). But this effect also decouples these from the much slower wind speeds experienced at ground level. The authors of Etsu had originally envisioned that noise created by higher wind speeds at ground level would mask the higher levels of noise generated by the wind turbines. However, with lower background noise at ground level at a time when the source noise is much higher, it is contended this nullifies any masking of the turbine noise envisioned by them.
- 10.78 Little is understood regarding the cause or remedy of the phenomenon of Amplitude Modulation (AM) but it is typically described as a thumping/swishing noise. It is also understood that its occurrence is difficult to predict since it does not appear to have happened at all locations.
- 10.79 The internal sleep disturbance criteria used by the authors of Etsu for determining 'reasonable amenity conditions' is based on the earlier WHO sleep disturbance criteria level of 35 dB $L_{Aeq(T)}$. This was in order to preserve restorative sleep conditions in a bedroom/living room. However, this level was subsequently revised downwards by the WHO in 2000 to a level of 30 dB $L_{Aeq(T)}$. It is therefore argued that the night time noise limit used in Etsu severely underestimates the severity of the impact of noise from wind turbines.

Noise Impact Assessment

- 10.80 The noise measurement and assessment seems to have been undertaken in accordance with Etsu. However, the robustness of the Etsu guidance as being the only material consideration for noise issues has been called into question, as set-out above, and in the EPO's comments, starting at Para 8.41, above.
- 10.81 The applicants submitted noise report advises that the estimate of uncertainty associated with the modelling work undertaken is +/- 3 dB; albeit without any confidence limit being stipulated; as considered good practice for an assessment undertaken in accordance with the Town & Country Planning Environmental Impact Assessment Regulations. However, no discussions have been provided in the report concerning implications of this uncertainty with respect to results of the assessment or its conclusions. If the results were to be corrected for this estimated degree of uncertainty then this would mean that at least two of the noise sensitive locations (H5 & H9), would exceed even the applicant's adopted higher daytime limit at all wind speeds, not to mention implications for exceedences above a lower day-time limit.

Other Noise Considerations

- 10.82 It cannot be overlooked that the WHO night time sleep disturbance criteria have been revised downwards. With reference to its revised sleep criteria in its document "Guidelines for Community Noise", it advises that 'special attention needs to be given to noise sources in low backgrounds'. This further emphasises the significance of even very small margins above the limit for such environments, and

also highlights that people living in tranquil noise environments may potentially be more sensitive to new noise sources introduced in general, regardless of the margin above or below that limit (page ix of World Health Organisation: Guidelines for Community Noise).

- 10.83 There are significant concerns regarding adequacy of the night time noise limit used in Etsu to provide 'reasonable' protection for the amenities of properties H3, H5, H7, H8, H9, H10 & H11. This is particularly in the absence of any consideration being given to the relative sensitivity of the area and the magnitude difference of the predicted noise above the background noise. EIA work indicates that there would be a 'major' impact for some residential properties.
- 10.84 Overall, there are significant concerns regarding the above uncertainties, and the implications this has with respect to conclusions of the applicant's noise impact assessment, for some of the noise sensitive locations. Given the potential adverse impact on residential amenity, this would be a clear reason for recommending refusal of the application.

Shadow Flicker

- 10.85 Under certain combinations of geographical position, times of day and year, wind speed and wind direction, the sun may pass behind the rotor and cast a shadow over neighbouring buildings' windows. When the blades rotate, and the shadow passes a window, to a person within that room the shadow appears to flick on and off; this effect is known as shadow flicker. It occurs only within buildings where the flicker appears through a window opening and only buildings within 130 degrees either side of north relative to a turbine can be affected. Narrow windows are affected to a lesser degree than wider windows, as the length of time a shadow falls across narrow windows is less than for wider windows.
- 10.86 An assessment of the potential for shadow flicker occurrence resulting from the proposed Spring Farm Ridge Renewable Energy Project has been undertaken. Within the UK there is no standard for the assessment of shadow flicker and there are no guidelines which quantify what exposure levels would be acceptable. However, some information specific to shadow flicker can be found in *Planning for Renewable Energy: A Companion Guide to PPS22*.
- 10.87 Five 92.5m rotor diameter wind turbines were modelled by the Applicant, which provided a 'worst case scenario' in terms of the potential area susceptible to shadow flicker. Six representative buildings located within 925m (10 times rotor diameter) of the proposed wind turbines were assessed. It has been shown that under worst case conditions, the maximum occurrence of theoretical shadow flicker amounts to 35.3 hours per year, experienced at Grange Farm. These are the theoretical maximum number of shadow flicker hours per year and in reality, the amount of time when shadow flicker occurs is likely to be less than that predicted. If it is found to cause a nuisance, the Applicant has proposed mitigation measures that could be implemented in order to reduce the occurrence of shadow flicker.
- 10.88 Proposed mitigation for this scheme would be the adoption of a Shadow Flicker Mitigation Protocol, should shadow flicker be found to cause a nuisance. Under such a protocol turbines would be shut down during periods when shadow flicker

would cause a nuisance and this could be imposed through a suitably worded planning condition. It is important however to note that these are the theoretical maximum number of shadow hours figures per year. They do not take into account weather conditions (i.e. no sun or partially cloudy), local visual obstructions (such as trees, hedges or other structures), turbine orientation and turbine operation. In reality, the amount of time when shadow flicker occurs is likely to be less than predicted.

Construction activity

- 10.89 The potentially limited effects of construction activity on the local (and wider) road network, and on nearby residents and villages, could be adequately dealt with by means of conditions, in the event planning permission is granted.

Impact on recreational activities and public rights of way / footpath network

- 10.90 There are Public Rights of Way (RoW), Footpaths, numbered AN8, AN9, AN10 & Byway AN36 on the definitive map, crossing and surrounding the proposed development site. A main concern also highlighted by the NCC RoW Officer is Byway AM36, which would run between two of the proposed turbines. This, in turn, has wider implications for the bridleway network, with connections to Bridleways AN14, AN32 and AN37 in the surrounding area, all of which are recreational riding routes.
- 10.91 Because the byway would sit between two of the proposed turbines, and there would be no other way round for the horses and riders, the adverse impact on horses, riders and walkers would be considerable. A possible solution would involve relocating one or more of the turbines or diverting the byway, neither of which may be practical or achievable.
- 10.92 The potential problem for horses and riders, walkers and cyclists is that horses can be spooked by moving blades and by shadow flicker.
- 10.93 Ideally the public footpaths should all be at least height or 'fall over' distance from each turbine - in this instance 125m - but the plans show this would not be the case for RoW AN9 and AN10. There would be no mitigating the harmful effects of the turbines on those using the footpath and bridleway network, through what is currently relatively peaceful and tranquil countryside. These structures could impede the right of passage because of their overbearing psychological impact on the path user.
- 10.94 The proposal affords little consideration of local footpaths between Greatworth, Helmdon and Sulgrave. These paths are well used both by villagers enjoying short circular walks and by ramblers walking from village to village. The turbines would be closer to RoW than allowed for by guidance in PPS22, which recommends that any turbine should be placed at least 'fall over distance' from a footpath or RoW. This has clear implications for the safety of footpath and other users of the site.
- 10.95 Turbine 1 would be only 60m from the footpath alongside the site boundary (B4525 north-east to Stuchbury Lodge). The footpath from the B4525 eastward via Grange Farm to Helmdon suffers from close proximity to three turbines – turbine 2 at 100m,

turbine 3 at 60m, and turbine 4 at 80m. Thus, none of these proposed turbine positions conform to best engineering practice, and none achieve the safety afforded by the 'fall over distance' recommendation.

10.96 There is an added complication with a current retrospective planning application (Ref S/2010/1117/FUL) to retain the use of part of the wind turbine application site for a corporate and private recreational/leisure use of driving military vehicles. This use gives rise to problems of tanks obstructing the RoW AN9 and posing a danger to the public. If this footpath were to be diverted to avoid this danger to the public, this could affect distances from any diverted footpath to the proposed turbines. Until such time as any public footpath diversion is agreed, there can be no clarity or certainty about how this might affect footpath users.

Impact on protected species/biodiversity

10.97 Section 40 of the Natural Environment and Rural Communities Act (2006) states that: 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that: 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

10.98 This area is known to have a rich and diverse bat population and careful mitigation to avoid any development that would harm it, is required. According to Natural England and the Northants Bat Group, bats that have been noted in the area are rare barbastelle bat, possible signs of the rare lesser horseshoe bat, and noctule and Leisler's bats.

10.99 The submitted bat surveys failed to accurately determine bat activity across the site and any effects the turbines would have on local bat roosts and populations. Guidelines for carrying out such surveys are readily available, but were not followed in a number of important instances. The Guidelines produced specifically by Natural England (TIN 081) were not followed in a number of areas.

10.100 It would not be possible to safely place any turbine on this site until the failings and omissions in the bat survey have been rectified and a proper set of mitigations proposed, as the report has identified biodiversity losses including hedgerows. Until such time Natural England advise that the application should be rejected or a condition applied to turn the turbines off at night.

10.101 The Applicant is currently undertaking further bat-survey work on the site, but until such time as the survey work has been completed and any mitigation measures proposed, all to the satisfaction of Natural England and the LPA, this must remain a potential reason for refusal of the application.

10.102 With regard to badgers, Natural England note that within the application it was recommended that further survey work be carried out in January – February 2011 to establish which setts are currently being used. This may need to be mitigated for and so no further decisions can be made until survey information is submitted.

10.103 Paragraph 98 of ODPM Circular 06/2005 states that: 'The presence of a protected

species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.’ Paragraph 99 also states that: ‘It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.’

10.104 There is no mention within the ES regarding proposals to undertake post-construction monitoring of ecological impacts at the site. However, Natural England considers that detailed post construction-monitoring would be required in relation to birds and bats for any wind farm development at this site, both to validate the predictions of a any robust pre-construction assessment submitted, and to contribute towards the improvement of our understanding of the impacts of wind turbines on birds and bats in the UK.

Transport, highway safety and access

10.105 Both the Highways Agency (HA) and the Local Highway Authority (LHA) have raised no objection in principle to the proposal, subject to appropriate conditions being attached, should permission be granted. The HA are satisfied that safe and practical routes for construction traffic could be agreed, were the development to proceed.

10.106 The LHA have, however, requested that a ‘viewing platform’ be provided as part of the development, and consider that the site is substantial and that the obvious location for a viewing platform / area can, in their view, easily be accommodated within the site, probably off the proposed main site access track. The submitted application makes no provision for this, and the Applicant has stated that it is not proposed to allow (vehicular) access to the site by the general public. The proposed access track is only intended to serve construction vehicles and (following construction and commissioning) a small number of maintenance vehicles to the site.

10.107 Notwithstanding the above, the LHA consider that the viewing platform or area could be dealt with by way of condition, without requiring any details, or even an indication from the Applicant of how, or indeed if, this could be achieved. The LHA further state that unless such a condition is attached to any permission that might be granted, they would recommend that the application be refused.

10.108 A number of objectors have raised the issue of ‘driver distraction’ and the accident record on the B4525. They consider that this will be a significant highway safety issue, with drivers negotiating the relatively narrow but ‘fast flowing’ carriageway being distracted by the (turning) wind turbines, which would be located within a few hundred metres of the B4525. The LHA do not, however, consider this to be a concern, provided a ‘viewing platform’ is provided within the site, to allow motorists to stop and view the turbines in safety.

Aviation and telecommunications

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- 10.109 Although some concerns have been expressed about the possible longer-term cumulative effects of large-scale wind turbine development on (local recreational) air traffic, no overriding objections have been raised by either of the two nearby aerodromes consulted (Turweston and Hinton-in-the-Hedges), or by the CAA, NATS or MoD. Requests have been made for a flashing red light to be installed at the highest practicable point on each turbine, and for NATS and MoD to be informed of the exact location of each turbine if development goes ahead (to be added to their charts and maps).
- 10.110 No adverse effects on telecoms interests are expected, and no objections have been received from telecoms consultees (eg OFCOM and Joint Radio Company).

Other issues/additional information/further consultation responses

- 10.111 The following additional technical notes and reports were received recently from the applicant, and their implications will be reported on in the Committee Updates:
- Appendix A – Response regarding Cultural Heritage Issues
 - Appendix B – Detailed Trial Trenching Report (Archaeology)
 - Appendix C – Update to conclusions on Archaeological Significance after Trial Trenching
 - Appendix D – Technical Note regarding Environmental Protection Officer response (Noise)
 - Appendix E – Additional Badger Survey Report
 - Appendix F – Landscape and Visual Impact Assessment - Response to “Land Use Consultants” and Helmdon Sulgrave Greatworth Wind Action Group (HSGWAG) reports/comments
 - Appendix G – Other Issues
- 10.112 The above documents are available on the application file and on-line via the Council’s website, and have also been circulated to relevant consultees. Any further responses or updates received after drafting of this report will be reported in the Committee Updates or at the Meeting.

11. CONCLUSIONS

- 11.1 There is a largely undisputed need for more renewable energy sources, which is a factor that would be considered to weigh heavily in favour of this proposal. It is, however, against this background that any harmful effects of the proposal must also be judged.
- 11.2 The visual impact of the turbines would be particularly significant within a radius of about 5 km of the site, and it is considered that the capacity of this particular landscape to absorb five structures of the size, height and type proposed without serious adverse visual disturbance is limited. Furthermore, as identified in this report, the applicant has failed to submit adequate information and assessment in an effort to demonstrate that serious adverse visual intrusion would not occur or could be adequately mitigated in some way. At many places, including locations within and looking towards areas of highly valued landscape, the introduction of very large, visually prominent, man-made structures would disrupt the character and appearance of this generally tranquil, undisturbed area of countryside. The adverse

impacts would be particularly serious at a number of locations and settlements within 2.5km of the site, such as at Greatworth, Helmdon, Sulgrave and Stuchbury.

11.3 More seriously, the scheme would impinge detrimentally on the settings of a number of designated and non-designated heritage assets. These include a number of important listed buildings (Grades I, II & II*), conservation areas which extend over what is undoubtedly a pleasant and intimate rural landscape that has changed little over many years, Scheduled Ancient Monuments and nationally important registered parks and gardens. In particular, the failure of the scheme to preserve the settings of and views from the following, must weigh heavily against granting permission:

- Greatworth Hall (Grade II listed building);
- Sulgrave - Castle Hill Ringwork - Scheduled Ancient Monument (SAM), St James Church (Grade II* Listed Building), Sulgrave Manor (Grade I Listed Building), Sulgrave Bowl Barrow – SAM, Sulgrave Conservation Area;
- Helmdon - The Church of St Mary Magdalene (Grade II* Listed Building), Astwell Castle (SAM and Grade II* Listed Building), 27 Listed Buildings in total;
- Canons Ashby Estate - Collection of SAM, Grade II* Registered Park and Garden, Grade I, II* and II Listed Buildings;
- The Stowe Estate - Grade I Registered Park and Garden, Grade I and II Listed Buildings);
- Marston Hill Farmhouse - Grade II Listed Building;
- Stuchbury – Undesignated, but important, deserted mediaeval settlement (earthworks).

11.4 In addition, and as explained in the report above, the proposed development is also considered to raise substantial concerns in respect of the effect on residential amenity, ecology, the public rights of way network and highway safety. Further evidence is required to fully justify the choice of site and location, particularly how environmental effects have been taken into account in the applicant's choice of site and location.

11.5 In the end, the material considerations and issues regarding this proposal have to be judged in a balancing exercise, which is summarized below.

11.6 **Findings in favour of the proposed wind turbine development include:**

- the fact that there is a presumption in favour of renewable energy developments (for example, PPS 22: Renewable Energy, Policies 1 and 40 of the EMRP – RSS8);
- the potential for 10 - 15 MW to be produced by the 5 turbines, would contribute towards regional and national renewable energy targets, and would help, albeit in a small way, to tackle climate change by reducing CO²

emissions;

- the likelihood that there would be no significant adverse effect on local aviation and telecommunications interests.

11.7 **Weighing against these favourable findings are:**

- the unacceptable harm to the character and appearance of the rural landscape in general, and particularly when viewed from the public footpaths and bridleway that cross or run near to the site;
- the unacceptable harm that would be caused to the settings of the Registered Parks and Gardens mentioned at Para 11.3, above;
- the unacceptable harm that would be caused to the settings of the listed buildings mentioned at Para 11.3, above;
- the harm that would be caused to the setting of the Conservation Area mentioned at Para 11.3, above;
- the unacceptable harm to amenity and living conditions at nearby residential properties, particularly at Helmdon, Greatworth, Sulgrave and Stuchbury, caused by noise and visual impact;
- the significant harm that could be caused to the site's ecological interests, in particular bats and badgers as protected species;
- the applicants have not demonstrated that a potentially less harmful site could not be found and/or suggested other less harmful approaches to local energy efficiency that could be adopted;
- the lack of any proposal for a public viewing area and the adverse effect on highway safety.

11.8 Guided in particular by PPS22's Key Principle (iv) which establishes that the wider environmental and economic benefits of renewable energy proposals should be given significant weight, which has been done; it must nevertheless be concluded that, in this case, the benefits of renewable energy would be outweighed by the significant harms identified. There is no single factor that makes this wind turbine development proposal unacceptably harmful; it is the accumulation of several factors.

11.9 PPS22's Key Principle (i) requires renewable energy developments to be located where environmental, economic and social impacts can be addressed satisfactorily. This cannot be done at Spring Farm Ridge with the number, size, height and location of turbines proposed. On this basis, and on balance, the proposed development of five wind turbines is considered unacceptable.

12. **REASONS FOR REFUSAL**

1. The proposed wind turbine scheme, by virtue of its size, height and extent would adversely affect the historic environment over a wide geographical area

by introducing intrusive and standardised industrial forms into what is currently an unspoilt rural landscape setting. The settings of a large number of heritage assets will be harmed; in particular Scheduled Ancient Monuments at Sulgrave and Helmdon, Listed Buildings (all grades) and Registered Parks and Gardens at Stowe, Sulgrave, Helmdon, Canons Ashby, Greatworth, Marston Hill and Stuchbury (undesigned asset), and the development will have a dominating impact upon the setting of and views from a number of Conservation Areas, particularly at Sulgrave. In this instance, the substantial harm caused would outweigh any benefits of renewable energy generated by the scheme. As a consequence the development would fail to comply with South Northamptonshire Local Plan Policies EV2, EV11, EV12, EV28; Policy 26 of the East Midlands Regional Plan 2009; Policies S11 and BN5 of the West Northamptonshire Joint Core Strategy Feb 2011; the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD; and national guidance in PPS1: Delivering Sustainable Development, PPS5: Planning for the Historic Environment, PPS7 Sustainable Development in Rural Areas and PPS22: Renewable Energy.

2. In the absence of evidence to the contrary, the Local Planning Authority cannot be satisfied that the landscape and visual impact arising from the development has been satisfactorily addressed and that the proposal would not have a serious and harmful impact on the visual amenity and character of the locality. The Local Planning Authority considers that the development by reason of its scale and siting would appear prominent and incongruous in its rural setting and would have an adverse impact on the highly valued character and appearance of the countryside in what is a gently rolling, tranquil, agricultural landscape. There would be a particularly adverse, significant and detrimental visual effect on the residential occupiers in the settlements of Greatworth, Helmdon, Sulgrave and Stuchbury and in close proximity to the site. The potential harm that would result is significant and adverse in extent and in this particular case outweighs the benefits of the strategic aim of meeting targets for renewable energy generation. The proposal would also not be used to meet energy requirements of any specific local end user (and hence the local community would not benefit directly from the proposal), all of which is contrary to PPS1: Delivering Sustainable Development, PPS7: Sustainable Development in Rural Areas and PPS22: Renewable Energy; Policies 1 and 3 of the East Midlands Regional Plan 2009 (RSS8); Policies G3(A) and EV29 of the South Northamptonshire Local Plan; the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD and Policies S1 and S11 of the West Northamptonshire Joint Core Strategy Feb 2011.
3. The Local Planning Authority considers that the submitted noise impact assessment for the proposed development has failed to clearly demonstrate that there would not be injurious effects on the residential amenity of nearby properties in terms of noise disturbance from the proposed turbines, contrary to PPG 24: Planning and Noise and PPS22: Renewable Energy; Policy G3(D) of the South Northamptonshire Local Plan; Policy S11 of the West Northamptonshire Joint Core Strategy Feb 2011 and the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD

(Section 13).

4. Insufficient survey information has been provided to demonstrate that the development will not have unacceptably adverse impacts on protected and other species or their habitat, namely bats and badgers, or to provide a satisfactory mitigation strategy and an appropriate mechanism for its delivery. In the absence of the information required the application has failed to fully assess the presence of, or implications for, protected species and bio-diversity within and surrounding the site, and therefore fails to consider the impact of the development upon such species and bio-diversity contrary to Policies EV24 and EV25 of the South Northamptonshire Local Plan; the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD (Section 9); Policy 29 of the East Midlands Regional Plan 2009; Policies S11 and BN2 of the West Northamptonshire Joint Core Strategy Feb 2011; and the aims and objectives in PPS9: Biodiversity and Geological Conservation and PPS 22: Renewable Energy.
5. The proposed wind turbines would by reason of their height, scale and location be perceived by walkers, cyclists and horses and riders, as having an adverse effect on their outlook and safety, on what is a well-used and valued public rights of way network. No satisfactory mitigation or compensation has been proposed by the applicant, and the harm that would therefore result is significant and adverse in extent and outweighs the benefits to the strategic aim of meeting targets for renewable energy generation. The proposal is therefore contrary to Policies 1 and 3 of the East Midlands Regional Plan 2009 (RSS8); Policy G3 (A) of the adopted South Northamptonshire Local Plan; the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD (Section 17); and Policies S1 and S11 of the West Northamptonshire Joint Core Strategy Feb 2011.
6. In the absence of any proposal or acceptance by the applicant of the need to provide a dedicated public viewing area within the site during construction, and for a period of at least 6-12 months after commencement of operation of the turbines, the development would be likely to result in motorists stopping and manoeuvring within the highway, to the detriment of highway safety and contrary to Policy G3 (B and F) of the South Northamptonshire Local Plan; the South Northamptonshire Wind Turbines in the Open Countryside adopted SPD (Section 17); Policy S11 of the West Northamptonshire Joint Core Strategy February 2011; and to advice contained within PPG13: Transport and in PPS22: Renewable Energy (pp14 Para 24).

Application Number : S/2011/0339/FUL
Application expiry date : 13 May 2011

Parish : Ashton

Case Officer : Rebecca Smith

Applicant : Mallock Sports

Location : -
Mallock Sports Rowley Wood Lane
Hartwell

Description : -
Siting of mobile home to enable 24 hour site
supervision (retrospective)

**RECOMMENDATION - REFUSAL FOR THE REASONS SET OUT AT THE END
OF THIS REPORT**

S/2011/0339/FUL

WARD : Salcey
WARD MEMBER : Cllr Martin Wilson
**REASON FOR
REFERRAL TO
COMMITTEE:** Called In by Councillor Martin Wilson

**This application was deferred from the previous Committee in order to allow a
Committee Members Site Visit, which took place on Tuesday 21st June 2011.**

1. APPLICATION SITE

- 1.1 The application site is located approximately 270 metres along Rowley Wood Lane to the north of Hartwell village. It currently comprises of a large former agricultural building which has been converted for B2 General Industrial use and a portable building used as an office for the business. There is also a mobile home located to the rear of the site which forms the subject of this application.
- 1.2 To the east of the site Rowley Wood is separated by the access of Rowley Wood Lane. To the south of the site are paddocks with agricultural land to the west and north.

2. CONSTRAINTS

- 2.1 The site is located within the open countryside.
- 2.2 There is a public footpath which runs along Rowley Wood Lane and passes to the east of the site.
- 2.3 Rowley Wood opposite the site is classed as a Local and County Wildlife site.

3. PROPOSAL

- 3.1 The proposal seeks permission for the retention of the mobile home on the site. The mobile home is used for residential purposes in relation to providing continuous on-site security to the Mallock Sports business, which manufactures racing cars. It is occupied by Charles Mallock, the son of the owners and a Partner of Mallock Sports.
- 3.2 The mobile home measures approximately 11.4 metres in length by 3.7 metres in width and has a maximum height of 4 metres. A raised area of decking is provided to its western elevation measuring 8 metres in length by 2.5 metres in width. The internal layout of the mobile home is standard providing a living area/kitchen, bathroom and bedroom.

4. RELEVANT PLANNING HISTORY

- 4.1 S/2011/0043/FUL - Retrospective application for the retention of a mobile home for residential purposes and to enable 24 hour site supervision. This application was withdrawn following confirmation that officers would not support the application.
- 4.2 S/1997/0858/P - Change of use of existing building to B2 General Industrial and siting of portable building and toilet block – Approved with conditions including, but not limited to, the following:
- This permission shall ensure for the benefit of Mallock Racing only and not for the benefit of the land nor any person, or persons for the time being having an interest therein and the land shall only be used for the purpose hereby permitted and for no other purpose whatsoever.
 - No testing of engines shall take place at the premises.
 - No goods, materials or plant and equipment shall be manufactured, assembled, displayed or stored outside the building(s), save that waste materials may be kept in bins for removal periodically.
 - No deliveries shall be taken at or despatched from the site outside the hours of 07.30 - 18.00 Mondays to Fridays and 08.00 - 12.30 on Saturdays or at any time on Sundays, Bank or Public Holidays.

5. PRE-APPLICATION ADVICE

- 5.1 There is no relevant pre-application advice relating to this proposal.

6. KEY ISSUES

- 6.1 The principle of development
- 6.2 The impact upon the character and appearance of the area
- 6.3 The impact upon protected species

7. RELEVANT PLANNING POLICIES

- 7.1 This application should be considered having regard to the South Northamptonshire Local Plan (Policies G2, G3, H6, EV1, EV2), Supplementary Planning Guidance (Residential Design in the Countryside) and National Planning Policies (PPS1: Delivering Sustainable Development, PPS3: Housing and PPS7: Sustainable Development in Rural Areas).

8. CONSULTATIONS

- 8.1 Hartwell Parish Council: Majority vote (5) was for no objections, however:
- 1 Councillor supported the application for security reasons particularly as the applicant is willing to accept restrictive planning conditions if necessary.
 - 1 Councillor objected to the planning application as they did not see that there is a need for someone to live on site. The comments on the use of CCTV seem spurious when the police and government use them throughout the County for this purpose. There would need to be very tight planning conditions for this to go ahead.
- 8.2 Environment Agency: No objections but makes informative comments for the applicant's attention in relation to Environmental Permits and pollution prevention.
- 8.3 NCC Archaeology: No comment
- 8.4 Environmental Health: No comments
- 8.5 Arboricultural Officer: No comments
- 8.6 Crime Prevention Design Adviser: There have been 2 crimes of criminal damage reported in the last 12 months at this location. There have been no incidents or suspicious circumstances reported in the last 12 months. I would agree with the applicant that a security presence on the site is far more of a deterrent to crime than the provision of a CCTV camera which unless monitored with incidents responded to immediately can only usually provide evidence after the event.

9. REPRESENTATIONS

- 9.1 Two letters of support were submitted as part of the application. One from the tenant renting the stables next door to Mallock Sports and one from an occupier of residential property in Amberley Road, Hartwell.
- 9.2 No letters have been received following consultation.

10. OFFICER'S REPORT

- 10.1 THE PRINCIPLE OF DEVELOPMENT. This application effectively seeks planning permission for a new dwelling within the open countryside. The Local Plan policies are very restrictive of new development in the open countryside Policy H6 of the adopted Local Plan makes it clear that new dwellings will not normally be acceptable in the open countryside unless they are for agriculture or forestry or to

meet other special needs where a present and continuing need for a dwelling can be clearly demonstrated and where there are no other suitable buildings.

- 10.2 Policy EV2 of the Local Plan states that planning permission will not be granted for development in the open countryside, although exceptions may include: (I) the conversion of an existing building; (II) development necessary for the purposes of agriculture, forestry, tourism or recreation; (III) in the special landscape areas appropriate development essential for the purposes of agriculture, forestry, tourism or recreation; (IV) development in accordance with the special policies that apply to the particular sites dealt with in Chapter 13 of the Local Plan. The current application does not comply with any of the above criteria and is therefore not permitted under policy EV2.
- 10.3 The applicant's agent is claiming that there is a special justification for the siting and occupation of the mobile home under Planning Policy Statement 7 (PPS7). The agents accompanying planning statement states that the provision of the mobile home on the site is as a result of ongoing thefts and criminal damage on the site outside of normal working hours. Many criminal acts are stated as being of a minor nature where the police have not become involved, however, crime references have been provided for a break in at the workshop and burglary in 2002, a break in at the workshop and burglary in 2003, a break in at the yard and theft of Mallock Sports trailer in 2004 and an additional break in at the yard and theft of two trailers belonging to a customer in 2007 where no crime reference is available. Since the mobile home has been on the site and occupied it is stated that these criminal acts have ceased and there has been a fall in crime along Rowley Wood Lane.
- 10.4 Paragraph 10 of PPS7 states that isolated new houses in the countryside will require special justification for planning permission to be granted. Where this special justification relates to the essential need for a worker to live permanently at or near their place of work in the countryside, the advice in Annexe A of the PPS should be followed. The tests within Annexe A relate predominantly to agricultural or forestry workers dwellings but can also apply to other occupational dwellings in the open countryside. The tests that such dwellings should pass are both the functional and financial tests.
- 10.5 Although the applicants are claiming special justification for security purposes the current application does not pass the functional test. Whilst it is agreed that the provision of someone living on site would act as a deterrent to criminal activity a 24 hour presence is not an essential requirement for the day to day running of the business and therefore a new or temporary dwelling is not justified on this site. This stance on commercial premises is supported through case law, including Stratford Upon Avon 19/09/06 DCS No.100-044-854 (appeal dismissed for a new dwelling for use of operators of sawmill in countryside setting. Security need claim with record of burglaries requiring regular transfer of heavy equipment). In addition paragraph 6 of Annexe A also goes as far to say that the protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one. When applying this test to the current proposal it is clear that the occupation of the mobile home purely for security purposes is not an exception supported by PPS7 and as such the principle of development is not considered to be acceptable.

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- 10.6 When looking at the location of the mobile home in relation to security provision officers have concerns about the suitability of its siting. The mobile home is located to the west of the existing industrial unit and is fairly well screened from views to the south of the site, where access is gained, due to the existing stables on the adjacent site and the boundary hedgerow and planting. When looking into the site from their access onto Rowley Wood Lane the mobile home is hidden by the existing portable building and industrial unit. This means that the mobile home is not visible from the entrance to the site and equally no surveillance of the entrance to the site is visible from the mobile home. The only area where the mobile home is clearly visible is along Rowley Wood Lane to the north of the site and this is due to the lack of boundary treatment along the northern boundary. There are also no CCTV cameras or CCTV warning signs visible at the entrance to the site which would act as a deterrent to potential thieves.
- 10.7 In addition to the above concerns it is apparent from visiting the site that storage of trailers, etc is taking place outside of the building. This is precluded by the conditions of the original permission (outlined in section 4.2 above). The storage of these items within the building would make the site more secure and less attractive to potential thieves.
- 10.8 It is therefore considered that there are no material considerations that would outweigh planning policy or the harm that such a feature would have on the rural character and appearance of the area, and there may be other management and security options which would make the site more secure.
- 10.9 THE IMPACT UPON THE CHARACTER AND APPEARANCE OF THE AREA. The proposed mobile home is temporary in nature and is not appropriate in this open countryside location. Although it is accepted that the building is fairly well screened from the south of the site, it is clearly visible from the north of the site. Its design and appearance is incongruous in relation to the local vernacular for rural buildings or dwellings and without an identified need to balance against the visual impacts caused, the mobile home can only be considered to have a detrimental impact upon the character and appearance of the area, contrary to the aim of PPS 7 “to protect the countryside for the sake of its intrinsic character and beauty”, and is unsuitable for permanent or temporary retention.
- 10.10 THE IMPACT UPON PROTECTED SPECIES. The proposed mobile home is located to the side of an existing industrial building on an established site. It is reported as being in situ for in excess of 2 years. The retention of this feature on the site is not considered to cause harm to any protected species as no works are required to the area as part of the proposal.

11. CONCLUSIONS

- 11.1 The development does not pass the functional tests set out in Annex A of PPS 7 and conflicts with Policies G2, G3, H6, EV1 and EV2 of the South Northamptonshire Local Plan and is therefore unacceptable ‘in principle’. The provision of a mobile home to increase security at the site is not sufficient to outweigh planning policy or the harm that such a feature would have on the rural character and appearance of the area.

12. REASONS FOR REFUSAL

1. In this instance the applicant has failed to provide adequate justification to warrant the retention of the mobile home as a 24 hour on site presence is not an essential requirement for the day to day running of the business and the application therefore fails the functional test. The provision of security on the site is not sufficient in itself to warrant the retention of the mobile home and there are therefore no material considerations that would outweigh planning policy or the harm that such a feature would have on the rural character and appearance of the area. The proposed development would therefore be contrary to the aims of Planning Policy Statement 7: Sustainable Development in Rural Areas and Policies G2, G3, H6, EV1 and EV2 of the South Northamptonshire Local Plan, which seek to guide such development and state that such development will not normally be granted planning permission in the open countryside unless a proven justification has been clearly demonstrated.

Application Number : S/2011/0443/MAF
Application expiry date : 1 July 2011

Parish : Paulerspury

Case Officer : Paul Seckington

Applicant : Mr John Gibbins

Location : -
Cuttle Mill Nursery Cuttle Mill Lane
Paulerspury

Description : -
Change of use of land to 60 pitch touring caravan site, use of existing buildings in association therewith and erection of shower/ WC block, laundry, site manager's accommodation and waste collection area.

RECOMMENDATION – DELEGATE TO THE HEAD OF ENVIRONMENT & DEVELOPMENT TO GRANT PERMISSION SUBJECT TO RECEIPT OF SATISFACTORY AMENDED PLANS DETAILING THE PROPOSED FOOTPATH, 6M RADII TO THE SOUTHERN SIDE OF THE ACCESS, LARGE SCALE PLANS OF THE ACCESS AND PASSING PLACES, AND SUBJECT TO THE CONDITIONS SET OUT AT THE END OF THIS REPORT

S/2011/0443/MAF

WARD : Tove
WARD MEMBER : Cllr Mrs Sandra Barnes
REASON FOR REFERRAL TO COMMITTEE: Major Application

The previous application on this site, which was subsequently withdrawn, was subject to a Committee Members Site Visit, which took place on Tuesday 8th February 2011.

1. APPLICATION SITE

- 1.1 The application site comprises of Cuttle Mill Nursery, a former plant nursery located on Cuttle Mill Lane to the west of Paulerspury and south of the A5.
- 1.2 The site comprises of a single-storey brick office building adjacent to the frontage of the site and a workshop building in the south west corner adjacent to an enclosed yard. The majority of the polytunnels have been removed.
- 1.3 The site has two vehicular accesses onto Cuttle Mill Lane, one at the northern end serving the office building, and one at the southern end comprising a wider previous commercial entrance to the site.

2. CONSTRAINTS

2.1 The site lies within the open countryside.

3. PROPOSAL

3.1 The application proposes the change of use of the land from plant nursery to a 60 pitch touring caravan site.

3.2 The existing office building is proposed to be converted to provide an office/shop/reception and the workshop building converted to provide a games room. The enclosed yard is proposed to be used as a machinery and refuse store. Adjacent to the workshop building is proposed a single-storey shower/toilet block. A mobile home is proposed adjacent to the office reception building to provide managers accommodation.

3.3 The caravan pitches would utilise the whole site, proposed to be sited around the north, south and east boundaries and within the centre of the site. A play area and dog walking area is proposed at the eastern end of the site.

3.4 Access to the site is proposed to the northern end of the site by widening the existing access to 5.5m wide. The new access is proposed to have a 10.5m kerb radius. It is also proposed to widen Cuttle Mill Lane to 5m wide for a distance of 15m north of the access, and then tapers for a further 55m to the width of the existing lane. The existing northern passing bay on the lane is proposed to be lengthened to 26m, the existing southern passing place is to be removed and two new passing bays provided, both 26m in length.

4. RELEVANT PLANNING HISTORY

4.1 The existing use of the site for horticulture/nursery dates back to 1991 when planning permission was granted for a horticultural business, erection of two polytunnels and a store, and new vehicular access (S/1991/0625/P).

4.2 In 1994 planning permission was granted for a single-storey building to be used as a reception, office and mess room (S/1994/1084/P).

4.3 In 1995 planning permission was granted for additional polytunnels (S/1995/0225/P and S/19950343/P).

4.4 Between 1995 and 2000 the principal issue on the site was the construction of the single storey building for the use as reception, office and mess room and its subsequent occupation as a dwelling. Enforcement action resulted in the removal of the residential element.

4.5 In 2003 planning permission was granted for the change of use of a barn on site to storage of arboricultural contractors equipment; the single-storey building for use as office and land at the rear of the site for storage of timber by-products.

4.6 Earlier this year planning permission was sought for a 60 pitch touring caravan site. This application was scheduled to go to the Planning Committee on the 17th February 2011, but was withdrawn by the applicant prior to the meeting. The application was recommended for refusal by officers on the grounds of highway

safety issues, the visual impact on the proposed highways improvements and the absence of an ecological survey.

5. PRE-APPLICATION ADVICE

5.1 No pre-application approach was made to the planning department.

6. KEY ISSUES

6.1 The key issues in this case are considered to be:

- Principle of Development
- Loss of Employment
- Sustainability
- Visual Impact
- Highway Safety
- Residential Amenity
- Village Design Statement
- Drainage and Flooding
- Ecology

7. RELEVANT PLANNING POLICIES

7.1 The relevant planning policies of the Local Plan are considered to be G2, G3, E4, EV1, EV2, EV17, EV21 and EV24. Also of relevance is the Council's Economic Development Strategy adopted in March 2010, the Council's SPG entitled Silverstone Campsite Appraisal adopted November 2003 and the Paulerspury and Pury End Village Design Statement adopted as SPG in December 2004.

7.2 The relevant policies of the Regional Plan are Policy 1, 2, 3, 29 and 42.

7.3 The relevant policies of the West Northamptonshire Joint Core Strategy (Pre-Submission Draft) are E7 (Tourism, Visitor and Cultural Industries) and R2 (Rural Economy).

7.4 National guidance in the form of Planning Policy Statements 1 (general principles), 4 (economic development), 7 (countryside), 9 (nature conservation), and 13 (transport) and the Good Practice Guide on Planning for Tourism are also material considerations.

8. CONSULTATIONS

8.1 PAULERSPURY PARISH COUNCIL: **Object** to the application on the following grounds:

- Outside of village confines contrary to Principle 1 of Paulerspury and Pury End Village Design Statement (VDS)
- A caravan site of the size proposed between two rural settlements would not be an harmonious addition nor sympathetic to the surroundings and therefore contrary to Principle 2 of the VDS
- The proposal does not constitute provision of recreational or community facilities to meet local requirements and therefore is contrary to RC2 and RC3 of the Local Plan. The proposed new building contravenes EV17
- Noise and light pollution emanating from the use of the facilities by occupants of 60 caravans would impact adversely on surrounding properties
- Application contains no evidence of need for a site for sixty caravans in this location. Caravan sites already exist at Stoke Bruerne, Whittlebury, Cosgrove and elsewhere in the area.
- Additional traffic comprising motor homes and vehicles towing caravans would adversely affect highways in both villages. Any condition requiring traffic to only access and exit the site via the A5 would be difficult if not impossible to enforce
- Cuttle Mill Lane is mostly a single track country lane, with no footpaths for pedestrians, deep ditch close to the roadway and limited scope for large vehicles travelling in opposite direction to pass. It is therefore unsuitable for caravans and motorhomes of up to 120 movements per day
- Horses regularly ridden along Cuttle Mill Lane
- The junction with the A5 as currently laid out presents a severe road safety hazard, difficult at present with a solo vehicle, let alone towing a large caravan, which due to the fast speeds along this section the pulling out of a slow moving caravan may have fatal results.
- There has been an increase in traffic using Cuttle Mill Lane since the applicant's survey was carried out, due to avoiding congestion in Paulerspury High Street, delays exiting onto A5 from Grays Lane and sat nav's directing people down the lane.
- The improvement to the junction with the A5 are reliant on the implementation of other planning permissions at Cuttle Mill which cannot be guaranteed.
- The site can be seen from the A5

8.2 HIGHWAYS AGENCY: **No Objections:** Visibility to and from the junction of Cuttle Mill Lane with the A5 is achievable to the north, but visibility to the south is restricted

when vehicles park in the existing non-standard lay-by facility. This lay-by is to be removed prior to occupation under the condition attached to the planning permission granted at Cuttle Mill Farm for retail warehouse and wholesale reclamation (S/2010/0326/FUL). The junction improvements under that approval were designed to accommodate an articulated vehicle and therefore will be able to accommodate a car and caravan manoeuvre. Further intensification of the use of Cuttle Mill Lane and the A5 junction in advance of the junction improvements will not be accepted by the Highway Authority. For this development to be acceptable to the Highways Agency the junction needs to be upgraded requiring amendments to the kerb radii, road markings to the junction, together with break up of the existing lay-by and land made good to grass verge. As such there are no objections subject to the imposition of a condition requiring the improvement of the junction of Cuttle Mill Lane with the A5 prior to the development being brought into use.

8.3 NCC HIGHWAYS: **No objections.** Since withdrawing the previous application, the applicant has commissioned additional work to be undertaken which includes a revised Transport Statement (TS) that accompanied this new planning application.

- To overcome concerns regarding the suitability of Cuttle Mill Lane to accommodate large cars towing caravans in both directions between the A5 and the site, the TS includes proposals to provide large passing bays on alternate sides of the road approximately every 150m from the A5 to the site. Such passing bays would be 26m long and 3.2m wide.
- The LHA considers the enlarged passing bay option as being sufficient to remove the concerns raised regarding the safe movement of cars with caravans on Cuttle Mill Lane.
- The LHA would require that full constructional details of the proposed passing bays are provided and agreed prior to commencement to ensure that they can actually be constructed to adoptable highway standards, and also that the land required is either Highway land or within the control of the developer.
- The proposed access arrangements and localised widening of Cuttle Mill Lane to 5m is also required although the radii of the junction for the left turn out of the site should be reduced to 6m to physically discourage large vehicle movements from accessing the local villages.
- In terms of the safety concerns for pedestrians travelling from the site in to Paulerspury, these concerns have not been addressed satisfactorily in the latest application and supporting documentation.
- However, conditions should be attached to ensure the access and passing bay measures are technically approved prior to commencement and implemented prior to operation of the site, and a section of footway is provided by the developer from the site to connect to the existing footway at the Paulerspury Church, with dropped kerbs provided as required to facilitate this.

8.4 ENVIRONMENT AGENCY: **No objections.** On the basis that the development will connect to the public sewer and subject to conditions relating to submission of foul

and surface water drainage details.

- 8.5 ANGLIAN WATER: **No objections.** The foul drainage from this development is in the catchment of Towcester STW that at present has available capacity for these flows. However, a minimum pumped rate of three litres per second would be required to achieve self cleaning velocity, but this would result on an unacceptable risk of septicity in the wet well and may cause pollution downstream, as such consultation with Anglian Water and the Environment Agency to determine the need for improvement works will be required as part of the drainage strategy for the site and can be secured via condition. The preferred method for surface water drainage from the site would be via Suds, with connection to the sewer seen as the last option. A condition should be placed on the planning permission requiring details of a drainage strategy.
- 8.6 POLICE CRIME PREVENTION DESIGN ADVISOR: **No objections**, but suggest recommendations be passed on to the applicant to reduce the opportunities for crime , relating to access layout, surveillance, site office, fire access, and refuse storage,
- 8.7 SNC ECONOMIC DEVELOPMENT OFFICER: The Council's Economic Development Strategy recommends an increase in provision of hotels and Bed and Breakfast provision and does not refer to camping and caravan sites. However, based on the submitted information, **support the application** based on the fact that it increases the opportunities for overnight stays and therefore expenditure on the visitor economy. Would need to control the length of stays to prevent permanent residential activity. To maximise the economic success of the proposal access to and from the site by car and caravans should be made as easy and safe as possible.
- 8.8 CPRE NORTHAMPTONSHIRE: **Object.** The building of a shower block and laundry rooms should not be allowed. The 60 pitches that are proposed would be seriously damaging to the open countryside environment if the cars, trucks, rubbish, drainage and impedimenta of caravanning are realised. The sheer difficulty of access into the Cuttle Mill Land and the site from all the roads should be sufficient alone not to approve the application.
- 8.9 SNC HEALTH PROTECTION: **No objections** subject to an informative advising the need for the applicant to apply for a caravan site licence and comply with the relevant conditions.
- 8.10 NATURAL ENGLAND: **No objections.** The ecological survey submitted with the application has not identified that there will be any significant impacts on protected sites or species. As such no objection, subject to maximising the opportunities in and around the development for enhancing biodiversity in accordance with the duty on Local Authorities and PPS9.

9. REPRESENTATIONS

- 9.1 THIRD PARTIES: Over twenty letters of **objections** received from local residents, many repeating the same objections as last time, summary of relevant planning comments:

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- *Visual Impact:* adverse visual impact on the countryside; a caravan site is out of keeping for this rural village and surrounding countryside
 - *Highway Safety:* adverse impact on highway safety from increased use of narrow country lane by caravans; road is unsuitable for such a volume of traffic; Proposed widening of Cuttle Mill Lane and larger passing bays will completely ruin the original rural and historic character of the lane; Road cannot be widened due to the essential drainage ditches either side of the road. Caravans turning off and onto A5 will be very dangerous; Cuttle Mill Lane is totally unsuitable for use by HGVs; Cuttle Mill Lane is regularly used by walkers and horse riders who would be endangered by the increased traffic and type of traffic; Dangerous bends in both villages unsuitable to accommodate towing caravans; Cuttle Mill Lane is a well used through route; The existing passing bays are inadequate; Lane is in poor state of repair; No tourist attractions within walking distance, no footpath to village, pedestrians and cyclists attempting to access the village by foot would be unsafe: The local road network through the surrounding countryside and villages are mostly single lane thoroughfare due to narrow country lanes and on-street parking
 - *Traffic Assessment:* The Traffic Assessment is flawed and contradicts the application; The proposals rely on improvement works to the A5 which may not come forward; The TA only makes assumptions on traffic movements based on caravans being brought onto the site and leaving, and not to the traffic movements associated with people staying on the site visiting the local area.; Need also to consider additional vehicle movements of waste disposal, shop deliveries and staff.
 - *Impact on Amenity:* Light and noise pollution to countryside and to nearest residential properties. Noise disturbance from dogs on site; Adverse impact from noise and traffic upon the villages of Pury End and Paulerspury; Any change from existing use of site as arboricultural, agricultural and horticultural would be disastrous and detrimental to the entire area and its residents; Security and general usage lighting would disturb residents and wildlife, and would be visible from the surrounding villages; Noise disturbance to wildlife, livestock and residents; The noise will travel across the fields to village houses
 - *Contrary to Policies:* Outside of village envelope; Not in accordance with Local Plan
 - *Contrary to VDS:* Not in accordance with Village Design Statement. The VDS requires developments to be sympathetic with the surroundings and harmonious with the village – a large caravan park site is not sympathetic to the open pasture and parish church or harmonious. The VDS states that new commercial developments that may result in heavy traffic using narrow country roads should be strongly opposed
 - *Impact on wildlife:* No Environmental Impact Assessment has been undertaken with the application. Impact on wildlife surrounding the site; A

recent survey as shown there to be gold (sic) crested newts in the area

- *No need for Caravan Site:* The area is already well served by touring caravan pitches, approx 4000, in addition to which there are numerous hotels, bed and breakfasts to cater for tourism in the area; No demand for caravan site in Paulerspury, there is already a site at Whittlebury which is rarely used
- *Contrary to Good Practice Guide on Planning for Tourism:* as the proposal is not sustainable, based on market and demand; no benefit to the local community; does not provide more efficient use of the land and does not reduce the need to travel
- *Infrastructure:* The electricity and water supply would not be able to cope with the demands of a 60 pitch caravan site.

10. OFFICER'S REPORT

- 10.1 **PRINCIPLE OF DEVELOPMENT:** The application site lies within the open countryside where development is restricted by Policy EV2 of the Local Plan to those necessary for the purposes of agriculture, forestry, tourism or recreation. As such, the principle of tourism development within the open countryside is acceptable under the Local Plan.
- 10.2 At the national level, PPS7 supports the provision of tourism development in the countryside. In particular relation to touring caravan parks, PPS7 advises planning authorities to carefully weigh the objective of providing adequate facilities and sites with the need to protect landscapes and ensure that new sites are not prominent in the landscape and that any visual intrusion is minimised by effective, high quality screening.
- 10.3 The Good Practice Guide on Planning for Tourism advises that tourism is a vital component of the national economy; can support and enhance local services and facilities in rural areas such as shops and pubs; and can provide enhancement to the local environment by bringing back derelict land and buildings back into use. The Guide repeats the advice in PPS7 in relation to touring caravan parks and advises that where there is an identified demand for new sites, Local Planning Authorities should ensure that environmental impacts and impacts on visual amenity are minimised.
- 10.4 The Council's Economic Development Strategy (adopted March 2010) recognises the importance of Tourism to the local economy. It advises that South Northamptonshire has the strongest tourism offer in the County with around 12.4% (the Joint Core Strategy states this is now 14%) of its workforce employed in tourism related industries compared to a County average of 6.6%. However, it also advises the district needs increased length of stays, but that serviced accommodation is the district's weakness with only 3 large hotels offering 50+ rooms, and the majority having 10 or less rooms. As such the Strategy sets out the need for the Council to actively encourage more hotel and Bed and Breakfast provision in appropriate locations within the district to overcome existing gaps and maximise expenditure to the district. The Strategy does not state a need to provide touring caravan sites in the district. However, the SPG entitled Silverstone

Campsite Appraisal identified that a demand exists for more camping and caravan facilities in the District.

- 10.5 The SPG states that whilst focused on a possible development of site in the Silverstone area, it does not preclude new sites elsewhere in the district, or to serve other local tourist attractions in the area. The SPG suggested a required need for a site up to 120 pitches. Since the SPG was adopted, planning permission has only been granted within the Silverstone area at West Park Whittlebury for a permanent 60 pitch camping and caravan site (March to November each year)
- 10.6 The Pre-submission Joint Core Strategy states that Tourism is a key sector to South Northamptonshire, with the tourism focused around Silverstone Circuit, Towcester Racecourse and its historic town centres. It states that the local economy of villages within the rural areas can be benefited by rural tourism associated with countryside recreation including the network of canals and historic visitor sites and that there is a need to increase opportunities for overnight stays in the rural area of an appropriate scale. As such Policy E7 states that tourism proposals will be supported where they: contribute to the achievement of regeneration aims; strengthen the overall tourism offer; benefit local communities and businesses; and development is of a use, form and scale which does not harm the natural or built environment. It also states that rural visitor attractions should conform to Policy R2, which identifies that small-scale tourism proposals, including visitor accommodation, are a type of development considered acceptable in rural areas.
- 10.7 In this case, the application proposes the creation of a 60 pitch touring caravan site, which whilst providing tourism accommodation, does not provide serviced accommodation which is lacking within the district, nor has the applicant demonstrated that there is a demand for such a facility within this district, and more importantly, for such a facility of this size. However, there is an acknowledged general need and demand for camping and caravan sites across the district, particularly around the Silverstone area, and the provision of such facilities would provide an alternative type of accommodation to visitors to the area, and potential longer stays than serviced accommodation. In light of this the Council's Economic Development Officer is in favour of the proposal as it will increase the opportunities for overnight stays and therefore expenditure on the visitor economy. They do advise however, that to maximise the economic success of the proposal that access to and from the site by car and caravans is made as easy and safe as possible.
- 10.8 As such, in light of the above policy context, it is considered that the principle of a touring caravan site in a countryside location within this district is considered acceptable, however, the acceptability of such a proposal in practice depends on the scale of the development, its location, the visual impact, impacts on neighbour amenity, impact on highway safety and flooding and drainage issues.
- 10.9 **LOSS OF EMPLOYMENT:** A further policy consideration is Policy E4 of the Local Plan which seeks to resist the loss of existing employment sites within the district. The current permitted use of the site is a mixture of arboricultural, agricultural and horticultural, which at one time formed the base of a business employing approximately 15 staff. It is considered that the proposed change of use would result in a loss of an employment site within the district which has the potential to employ a modest number of employees in a rural vocation. However, such a loss

needs to be balanced against the benefits of a tourism re-use of the site, which would provide some level of employment associated with the day to day running of the caravan site along with increased revenue to local businesses and tourist attractions. It is considered that the benefits of increased tourism accommodation and visitor spend in the district a 60 pitch caravan site would bring, would outweigh the loss of employment on this site.

- 10.10 SUSTAINABILITY: Touring caravan sites by their nature generally require an open countryside location. Furthermore, this is a rural district and, as acknowledged by an Inspector at an appeal for tourist accommodation at Whittlebury, it is inevitable that if tourists are to be encouraged to stay within the district, then there is bound to be a need to travel, and with public transport facilities in the area limited, car travel is a necessary concomitant of the growth of tourism that the policies at local, regional and national level require.
- 10.11 In addition, the site is located within close proximity to Paulerspury village, which has a village pub, restaurant and mini supermarket (at the petrol station), and a regular bus service to Towcester, Northampton and Milton Keynes. The site is also not far from the major trunk roads of the A5 (especially) and the A43. As such the site is considered to be relatively sustainable for a rural tourism development.
- 10.12 VISUAL IMPACT: The site lies within attractive undulating countryside, typical of the South Northamptonshire landscape, between the villages of Pury End and Paulerspury. The site is located on a relatively elevated position within the landscape with views possible of the site from the surrounding road and right of way network. However, views into the site are limited due to the significant tree and hedge screening that exists around all the boundaries of the site, which were put in place to screen and minimise the visual impact of the horticultural business previously operating on site. In light of this it is considered that there would be minimal visual impact arising from the siting of caravans on this site. Existing landscaping could be enhanced where necessary along the boundaries of the site to further strengthen the screening of the site.
- 10.13 Government Circular 23/83 sets out the model standards for touring caravan sites, which would form the basis of any caravan site licence that such a site would be required to have, and which the Council's Environmental Team would issue and monitor. The circular sets out the minimum requirements for spacing, drinking water, toilets, showers, refuse, and fire precautions. It also sets a maximum density of 75 caravans per hectare, which is calculated on the useable area and therefore excludes lakes, roads and communal areas. In this case the useable area indicated for caravan pitches is just over 1ha, and as such the provision of 60 pitches on the site is well below the maximum density and therefore demonstrates that the site can accommodate the proposed number of pitches satisfactorily. There is no requirement in the model standards for provision of lighting, and as such the provision of lighting on the site, which would be secured by condition, can be ensured to remain the minimum possible to prevent any light pollution occurring, which would be detrimental to the character of this rural countryside location.
- 10.14 All the existing buildings on site are to be re-used to provide reception, office shop and games room. The conversion of existing rural buildings in relation to tourism proposals is supported by policy EV17 of the Local Plan and at a national level in

PPS7 and the Good Practice Guide for Tourism. An additional building is proposed to provide showers and toilets, and again the provision of small scale new development for tourism uses is also considered to be in accordance with policy. In addition to which the new building will be single-storey and clad in timber, and located alongside existing buildings, and screened from the wider countryside by the mature landscaping around the site.

- 10.15 In order for the site to be accessed by caravans, alterations are proposed to the access into the site and along Cuttle Mill Lane. The lane is a narrow and relatively lightly trafficked country lane. It is only 3-3.5m wide along the majority of its length. A couple of passing places exist along the lane at present. It is considered that the current single lane track and country lane appearance of the road makes a significant contribution to the rural undeveloped countryside character of the location.
- 10.16 On the previous application it was considered that, (in addition to the highway safety reason for refusal) that the proposed highway improvements of road widening and larger and more frequent passing bays would have a significant, harmful and urbanising impact upon the rural qualities of the lane to the detriment of the character and appearance of this open countryside location.
- 10.17 On this latest application the applicant has overcome the highway safety objections (discussed below) and clarified the proposed alterations to Cuttle Mill Lane. In total there will be three passing bays along the lane between the site and the A5, 150m apart and each 26m long and 3.2m wide. In addition to which the width of the lane at the front of the site is proposed to be widened to 5m wide and narrows for 55m to align with the narrow lane. In addition a footpath is proposed to link the site to the footpath at the junction of Cuttle Mill Lane and the Church. It is still considered that these alterations would have an urbanising impact upon the lane. However, these impacts are considered to be outweighed by the benefits to the local economy in providing the tourism offer and the improvements to highway safety along the lane by the proposed alterations. The provision of a footpath would also encourage tourists to venture into Paulerspury and frequent the pub and restaurant. Affording further opportunities to enhance the rural economy.
- 10.18 **HIGHWAY SAFETY:** As detailed at para 8.2 above the Highways Agency have no objections to the application with regards the implications of this development upon the A5, subject to the necessary highway improvements of the Cuttle Mill Lane junction, which were agreed when planning permission was granted for the retail warehouse and wholesale reclamation at Cuttle Mill Farm (S/2010/0326/FUL). The junction improvements under that approval were designed to accommodate an articulated vehicle and therefore will be able to accommodate a car and caravan manoeuvre.
- 10.19 NCC Highways are now satisfied with the proposal as detailed at para 8.3 above. The applicant has demonstrated that the passing bays can be constructed on highway land and NCC Highways are satisfied that the provision of a 1.2m wide footway can be provided along the lane to meet with the footpath near the Church. As such, subject to conditions requiring the improvement works to be carried out prior to the site being first brought into use, and receipt of large scale plans of the highways improvements and pavement, then there are no objections on highway

safety grounds

- 10.20 RESIDENTIAL AMENITY: The nearest residential property to the site is Highfields (Cuttle Mill Lane) approx 150m to the southwest of the site. The properties in Tews End Lane (Paulerspury) are approx 190m to the southeast of the site. The nature of the proposal is such that any noise generated is likely to be minimal and self managing - the site manager would see to it that noise levels are kept to a minimum to respect the clientele of the site and ensure repeat visits and good reviews. Following discussions with Environmental Health, they consider that the nearest neighbouring properties are a sufficient distance away from the site to prevent an adverse impact upon them from noise. However, they recommend a condition be applied if permission were granted requiring the submission of a noise management plan to demonstrate how noise will be managed on the caravan site.
- 10.21 VILLAGE DESIGN STATEMENT: Paulerspury & Pury End Village Design Statement (VDS) was approved as SPG in December 2004. This document sets out a number of design principles that developments should follow. Principle 1 seeks to protect the rural nature of the surrounding countryside and Principle 2 seeks to ensure developments are sympathetic to the appearance and character of the area. As detailed at 10.11 -10.14 above, it is considered that due to the landscaped screen that exists around the site and the current uses on the site, the siting of up to 60 caravans on the site would not have a harmful impact upon this open countryside location. However, the proposed alterations to Cuttle Mill Lane will have an urbanising impact on the rural nature of the countryside surrounding the village, and in this regard the development is contrary to Principle 1 and 2 of the VDS. However, it is considered that the benefits to the local economy and the improvement to highway safety along the lane and onto the A5, outweigh these impacts.
- 10.22 FLOODING AND DRAINAGE: The applicant has advised that the development will connect to the public foul sewer. The nearest manhole serving the public foul sewer is located 170m to the south of the site, requiring connection by a pumped system as gravity alone will not be sufficient. No details of proposed surface water drainage have been provided by the applicant. Both the Environment Agency and Anglian Water are satisfied that a detailed scheme for foul and surface water drainage can be dealt with by way of condition.
- 10.23 ECOLOGY: The site is currently laid for horticultural use, and comprises of numerous soil beds (under a black covering) surrounded by hard surfaced tracks. However, the site has not been in active use for sometime and the site is surrounded by mature trees and hedges with a pond in the south east corner, and the proposal involves the erection of a new building, remodelling the site and laying of hard surfaces.
- 10.24 An ecological survey was submitted with this application and concluded that the site is not of significant biodiversity interest, supporting no notable plant communities, with no rare plant or animal species recorded. Much of it consists of bare ground and the grassland is species poor with poor structure due to the heavy rabbit grazing. Natural England were consulted on the application and have raised no objections, subject to conditions on enhancing biodiversity. Conditions will also be attached requiring the mitigation and recommendations of the ecological survey to

be followed.

11. CONCLUSIONS

- 11.1 In conclusion, the principle of providing a touring caravan site in sustainable rural locations is acceptable and it is considered that the provision of a such a facility on the application site would (subject to receipt of amended plans) not endanger highway safety for either pedestrians or vehicular traffic due to the proposed improvements to the lane and the junction with A5, and that these improvements to highway safety and the benefits to the local economy outweigh the impact upon the rural character and appearance of the lane and the countryside at this location. The proposal is also considered not to have an adverse impact upon residential amenity, biodiversity or drainage.
- 11.2 The application is therefore recommended for approval, subject to receipt of amended plans detailing a smaller radii on the southern side of the access (to physically deter caravans turning left out of the site), larger scale plans of the road widening and passing places and a plan detailing the provision of a footpath along the road between the site and the edge of the village.

12. CONDITIONS AND REASON FOR APPROVAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans [insert plan nos and received date] and other details [specify] unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (General Development Procedure) (Amendment No3) (England) Order 2009.

Reason : To clarify the permission and for the avoidance of doubt.

PRE-COMMENCEMENT CONDITIONS

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

(d) details of proposed improvements and enhancements to biodiversity
Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with policies G3(L), EV24 and EV29 of the South Northamptonshire Local Plan and PPS9.

4. No development shall take place until a timetable of works for the improvements to the junction of Cuttle Mill Lane with the A5 (as detailed on M.EC drawing number 11634_03_001, a copy of which is attached to this consent, including any subsequent revisions resulting from the implementation of the recommendations of the Road Safety Audit), has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the necessary improvements to the junction can be secured before the development commences in the interests of highway safety to comply with Policy G3 of the Local Plan.

5. No development shall take place until a timetable of works for the provision of the passing bays, footpath and road widening of Cuttle Mill Lane (as detailed on drawing number XXXX and the plans approved under condition 6), has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the necessary improvements to the lane can be secured before the development commences in the interests of highway safety to comply with Policy G3 of the Local Plan.

6. No development shall take place until constructional details of the proposed construction, materials and surfacing of the passing places, road widening, access and footpath have been submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure that an adequate and safe access is provided to the site in accordance with policy G3(B) of the South Northamptonshire Local Plan.

7. No development shall take place until a schedule of materials and finishes to be used in the external walls and roof(s) of the building(s) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy G3 of the South Northamptonshire

Local Plan.

8. No development shall commence until a foul water drainage strategy, including phasing has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure and to comply with Government advice in PPS25: Development and Flood Risk and Policy G3 of the South Northamptonshire Local Plan.

9. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been 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.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of these, and to comply with Government advice in PPS25: Development and Flood Risk and Policy G3 of the South Northamptonshire Local Plan.

10. No development shall take place until details of a noise management plan for the touring caravan park has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason : To demonstrate how noise will be managed on the caravan site, in order to protect the amenities of nearby residents from noise and the character of the area and to comply with Policy G3 of the South Northamptonshire Local Plan.

PRE-OCCUPATION AND STAGE CONDITIONS

11. No part of the development shall be brought in to use until the scheme for the improvements of Cuttle Mill Lane with the A5 (as shown on M.EC drawing number 11634_03_001, including any subsequent revisions resulting from the implementation of the recommendations of the Road Safety Audit), has been completed and approved in writing by the Local Planning Authority. The junction shall thereafter be permanently maintained as such.

Reason: To ensure that the necessary improvements to the junction are in place before first use of the site in the interests of highway safety to comply with Policy G3 of the Local Plan and to ensure that the A5 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by

minimising disruption on the trunk road resulting from the proposed development.

12. No part of the development shall be brought in to use until the scheme for the improvements of Cuttle Mill Lane including the provision of the passing bays, footpath and road widening (as shown on drawing numbers XXXX, including any subsequent revisions that have been submitted to and approved in writing by the Local Planning Authority, including the plans required under condition 6), have been completed, and shall thereafter be permanently maintained as such.

Reason: To ensure that the necessary improvements to the lane are in place before first use of the site in the interests of highway safety to comply with Policy G3 of the Local Plan.

13. All planting, seeding or turfing, and biodiversity enhancements, comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the development being first brought into use and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five 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 similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies G3(L) and EV29 of the South Northamptonshire Local Plan.

14. The development hereby permitted shall be carried out in accordance with the recommendations set out in Summary and Recommendations of the 'Ecological and Protected Species Survey of Cuttle Mill Nursery, Paulerspury, Northamptonshire' by Philip Irving dated May 2011, particularly the following points:

- Any building work, especially affecting the roof space of the brick office, should be carried out with care and ideally be undertaken during March/April or September/October to prevent the risk of disturbing any possible maternity roosts and/or hibernating bats. If any bats are discovered, work would need to stop and Natural England contacted for advice.

- Care should be taken when clearing any vegetation or materials at the site, and any amphibians discovered should be collected and moved to suitable undisturbed habitat. Natural England should be contacted if any great crested newts are found and any handling of this species should only be carried out by someone with a great crested newt license.

Unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats of importance to nature conservation from any loss or damage in accordance with the requirements of PPS 9: Planning and Biodiversity.

POST OCCUPATION REGULATORY CONDITIONS

15. No caravan, motor caravan or tent shall occupy the site during the period before 1st March or after 31st October.

Reason : To clarify the permission to that applied for and in order to safeguard the visual amenities and character of the area, in accordance with Government advice in PPS7: Sustainable Development in Rural Areas.

16. No more than 61 caravans shall be stationed on the land at any one time.

Reason : In order to safeguard the visual amenities and character of the area, in the interests of highway safety to comply with Policy G3 of the South Northamptonshire Local Plan and to comply with Government advice in PPS7: Sustainable Development in Rural Areas.

17. Other than the managers accommodation (as detailed on the approved plans), no caravans, motor caravans or tents shall be stationed anywhere on the land for more than 28 consecutive nights and a register of occupiers shall be kept and made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason : In order to limit the use of the site to that of touring and not long-stay residential caravans and tents to comply with Government advice in PPS7: Sustainable Development in Rural Areas.

18. No external lights/floodlights shall be erected on the land or buildings without the prior express planning permission of the Local Planning Authority.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy G3 of the South Northamptonshire Local Plan.

19. The existing hedge(s) along the boundaries of the site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason : To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policies G3(L) and EV29 of the South Northamptonshire Local Plan.

REASON FOR APPROVAL:-

1. The Council, as local planning authority, has determined this application in

accordance with the development plan unless material considerations indicated otherwise. The principle of providing a touring caravan site in sustainable rural locations is acceptable and it is considered that the provision of a such a facility on the application site would not endanger highway safety for either pedestrians or vehicular traffic due to the proposed improvements to the lane and the junction with A5, and that these improvements to highway safety and the benefits to the local economy outweigh the impact upon the rural character and appearance of the lane and the countryside at this location. The proposal is also considered not to have an adverse impact upon residential amenity, biodiversity or drainage.. As such the proposal is in accordance with the Policies of the South Northamptonshire Local Plan ,The Regional Spatial Strategy and the West Northamptonshire Joint Core Strategy Pre-submission Draft and national guidance. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

Application Number : S/2011/0452/MAO
Application expiry date : 5 July 2011

Parish : Greens Norton

Case Officer : Daniel Callis

Applicant : Mr R Selby

Location : -
Land North of Towcester Road
Greens Norton

Description : -
Residential development of 25 dwellings,
estate road and associated works (outline)

RECOMMENDATION – IN THE EVENT THAT APPLICATION S/2011/0374/MAR (ELSEWHERE ON THIS AGENDA) IS APPROVED, THIS APPLICATION IS RECOMMENDED FOR REFUSAL FOR THE REASONS SET OUT AT THE END OF THIS REPORT. IN THE EVENT THAT APPLICATION S/2011/0374/MAR IS REFUSED, IT IS RECOMMENDED THAT THIS APPLICATION BE DEFERRED TO THE COMMITTEE MEETING OF 21ST JULY 2011 TO ALLOW IT TO BE CONSIDERED ALONGSIDE THE OTHER OUTSTANDING INTERIM RURAL HOUSING POLICY APPLICATIONS.

S/2011/0452/MAO

WARD : Kingthorn
WARD MEMBER : Cllr Tony Wilkinson
REASON FOR REFERRAL TO COMMITTEE: Major application and a significant departure from adopted development plan or other SNC approved policies/strategies

1. APPLICATION SITE

1.1 The site lies at the north-eastern edge of Greens Norton, on the northern side of Towcester Road. The site comprises part of an existing open field and is L-shaped, wrapping around the eastern and northern sides of the medical centre. The western boundary of the site abuts the village playing field. The site is a greenfield site and extends to roughly 0.95ha.

2. CONSTRAINTS

2.1 The application site lies outside the village confines as designated in the adopted South Northamptonshire Local Plan

3. PROPOSAL

3.1 The proposal is for outline planning permission for the erection of 25 houses, plus estate road and associated works. The application includes details of the proposed access from Towcester Road. All other matters are reserved.

3.2 The plans also include details of proposed allotments on roughly 0.8Ha of land immediately to the east of the application site. However, this development is not

part of the proposal and is not for consideration in determining this application.

4. RELEVANT PLANNING HISTORY

- 4.1 S/2009/0828/PO – This application was for outline consent (all matters reserved) for the erection of 37 dwellings. The application site was similar to the current proposal, but was larger, extending to 1.23Ha. Planning permission was refused in December 2009.
- 4.2 S/2011/0453/FUL – This recent application for the change of use of adjacent land to allotments was refused permission in May 2011. The proposal was for the allotments shown on the plans with the current application and covered roughly 0.8Ha (enough for roughly 39 allotments). The applicant proposed the allotments in conjunction with the new residential development now proposed. However, there was considered to be no demand for this land use, given that the existing allotments on the opposite side of Towcester Road are not fully occupied/utilised.

5. PRE-APPLICATION ADVICE

- 5.1 None sought or given.

6. KEY ISSUES

- 6.1 The key issues to consider in the determination of this application are:
- The principle of the development (including the scale of development).
 - Access, highways and parking issues.
 - The effect on biodiversity and ecology.
 - The effect on the character and appearance of the area
 - Drainage and flooding
 - The effect on adjoining residents
 - Planning obligations/contributions to local infrastructure

7. RELEVANT PLANNING POLICIES

- 7.1 The relevant Development Plan comprises the East Midlands Regional Plan (RSS8) (March 2009) and the 'saved' policies of the South Northamptonshire Local Plan (SNLP).
- 7.2 The relevant policies of the East Midlands Regional Plan (EMRP) comprise; Policy 1 (Regional Core Objectives), Policy 2 (promoting Better Design), Policy 3 (Distribution of new development), Policy 11 (Development in the Southern Sub-area), Policy 13b (Housing Provision (Northamptonshire), Policies 14 and 15 (Regional Priorities for Affordable Housing and for Rural Areas), Policy 26 (Protecting the Regions Natural and Cultural Heritage), Policy 29 (Enhancing the Region's Biodiversity), Policy 41 (Regional priorities for culture, sport and recreation) and MKSM SRS Northamptonshire 1 (The Spatial Framework).

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- 7.3 The relevant Policies of the SNLP comprise; Policies G2, G3, H5, H6, H7, EV1, EV2, EV21 and IMP1.
- 7.4 Supplementary Planning Guidance of relevance to this proposal includes; Developer Contributions (2011) and Affordable Housing (2003)
- 7.5 The relevant policies of the West Northamptonshire Pre-Submission Joint Core Strategy (WNPSJCS) are policies S1, S3, S10, H1, H2, H5, BN2, INF2 and R1.
- 7.6 Government Guidance is also a material planning consideration. Of particular relevance is guidance in PPS1, PPS3, PPS7 and PPG13, PPS25.
- 7.7 In addition, the Council's adopted Interim Rural Housing Policy (IRHP) is also a material consideration.

8. CONSULTATIONS

- 8.1 GREENS NORTON PARISH COUNCIL – Objects to the application for the following reasons: the proposal is contrary to saved policy H5 of the Local Plan; has serious concerns about the proposed access onto Towcester Road and the additional traffic through the village which the development would generate; the development would close the gap between Greens Norton and Towcester; the site lies outside the village confines and encroaches into the open countryside. The Parish Council also states that it would not welcome an access (pedestrian) from the site directly onto the playing field and would seek a contribution from the developers towards local leisure provision, should permission be granted. Finally, the Parish Council states that it would rigorously oppose any additional development (expansion) beyond that currently permitted in Mill Lane.
- 8.2 SNC PLANNING POLICY – THE Council's Cabinet on the 6th June 2011 will consider the outcome of the latest 5 year housing land supply figures, which will determine the need or otherwise to consider further applications under the IRHP (update on this provided below).
- 8.3 SNC ENVIRONMENTAL PROTECTION - No objection, subject to the inclusion of conditions relating to ground contamination, should permission be granted.
- 8.4 SNC STRATEGIC HOUSING – No objection, subject to the provision of 40% affordable housing. They outline the identified local need for housing, which generally comprises of smaller units (flats and 2/3 bedroom houses/bungalows).
- 8.5 NCC HIGHWAYS – No objections, subject to the existing VAS sign being relocated to a position in agreement with NCC Highways.
- 8.6 ENVIRONMENT AGENCY – No objection, subject to the inclusion of a condition with and permission. The EA had initially objected to the application because there was no evidence that the local sewerage and sewage treatment infrastructure had the capacity to accommodate the additional demand. However, it withdrew this objection following receipt of Anglian water's response. With regard to flood risk, confirm the site has a low probability of flooding.
- 8.7 ANGLIAN WATER - Confirm there is adequate capacity in the local water supply,

foul sewerage network and waste water infrastructure.

- 8.8 NATURAL ENGLAND – The ecological report submitted with the application has not identified and protected species, sites or habitats. However, they seek to remind that proposals should maximise opportunities to enhance local biodiversity, such as using alternative roofing (green/brown roofing), using native species in landscaping, providing nesting and roosting sites and incorporating sustainable urban drainage systems (SUDs).
- 8.9 CPDA – no objection, but makes recommendations to help reduce the likelihood of crime and disorder (including topping exposed rear boundary fences with trellis, removing all parking courts and ensuring all development is constructed to achieve ‘Secured by Design Part 2’ accreditation)
- 8.10 WILDLIFE TRUST – confirm they are not able to provide comments due to limited resources.
- 8.11 NORTHAMPTONSHIRE PCT – confirm the local medical centre has capacity to accommodate the new development and so ask for no developer contribution.
- 8.12 NCC EXTERNAL FUNDING – set out required developer contributions for secondary education, fire and rescue and libraries, were permission to be granted (set out in section 10 below).

9. REPRESENTATIONS

- 9.1 10 letters of objection have been received from local residents. Their objections include: the site is currently ‘greenfield’ and undeveloped and lies outside the village confines in the open countryside; development of the site would be detrimental to the character of the area; the development would start to fill the open space between Greens Norton and Littleworth, undermining the individuality of the settlements; the scale and density of the proposed development would erode the character of the village; the increased traffic which the development would bring would be detrimental to highway safety in Towcester Road and through the village; visibility at the site entrance is insufficient, causing further detriment to highway safety; the site access is close to the edge of the 30mph speed limit and vehicles may still be travelling at speed as they pass the access; development would put extra load on the already congested roundabout with the A5 and A43 at Towcester; there is an extant consent for 49 dwellings in Mill Lane – the cumulative quantity of development would be excessive for the village, way beyond the 5% increase outlined in the IRHP (34 dwellings) and contrary to the Development Plan, which seeks to focus development in towns and larger settlements; loss of privacy (to unspecified neighbours); the neighbouring development on the northern side of Towcester Road is all single storey (the medical centre and village hall).
- 9.2 One other letter was received from a local resident asking to be kept informed of the application.

10. OFFICER'S REPORT

- 10.2 THE PRINCIPLE OF THE DEVELOPMENT (INCLUDING THE SCALE OF DEVELOPMENT) - Applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Regional Spatial Strategy for the East Midlands sets out an urban orientated development strategy that concentrates future developments primarily in the rural service centres of Brackley and Towcester, whilst limiting development in the remainder of the area with the emphasis on meeting local needs and the retention of basic services and facilities. Therefore, it is expected that the majority of the future development needs of the District will be located at these two rural service centres and that it would be inappropriate and contrary to this regional policy framework to allow for significant levels of growth in the rural areas of the District.
- 10.3 Policy 3 of the EMRP considers locational and sustainability criteria should be used when considering the location of development. Where sites are outside the urban areas they should maintain the distinctive character and vitality of rural communities; shorten journeys and facilitate access to jobs and services; strengthen rural enterprise and linkages between settlements and their hinterlands and respect the quality of tranquillity.
- 10.4 In terms of local needs and helping to retain existing services and facilities, it is considered that there is a need for affordable housing in the village. A Housing Need Survey for Greens Norton was conducted in October 2007 and a total need of 32 dwellings was identified. Given the 20 affordable units that have been secured through the recently approved Mill Lane site in the village (S/2009/0620/P), the additional 10 affordable dwellings that would be provided by this application would actually take the total provision to 30, two units less than the identified need. In addition, the proposed development would also help contribute to the roll of pupils at the local primary school (Jan 09 roll of 117 with capacity of 203). Again, it should be clarified that the existing spare capacity at the village primary school is considered sufficient to accommodate the enrolment generated by both this application and the extant consent at Mill Lane.
- 10.5 The adopted Local Plan reflects the EMRP by seeking to focus new development in the existing centres of Brackley and Towcester whilst restraining development in the rural areas. In this case the proposal is clearly contrary to the adopted Local Plan in that it comprises development outside the adopted village confines as defined in that Plan and development therefore within the open countryside. The development is therefore in conflict with Policies G2, EV2, H5 and H6.
- 10.6 However, the Local Plan is out of date and the Sub Regional Strategy for Milton Keynes South Midlands Growth Area (part of the East Midlands Regional Plan) sets out a minimum annual requirement of 330 dwellings to be completed between 2001 and 2021. The requirement for housing in South Northamptonshire District (as part of the Growth Area) is therefore significant.
- 10.7 There is also a requirement within Planning Policy Statement 3 (PPS3) to ensure a 5 year supply of housing within the District and this is a material consideration in the

determination of this application. The Council's 2008/2009 Housing Land Availability Study shows a 2.75 years supply of housing land. Consequently, the Council adopted the Interim Rural Housing Policy (IRHP) in 2009 in order to establish objective criteria in determining those villages that are 'most sustainable' and, therefore, where a more positive and flexible approach could be taken towards development with the aim of delivering sufficient housing sites in appropriate locations so the Council has at least a five year supply of housing land.

- 10.8 According to the IRHP, Greens Norton is classed as one of the 'reasonably sustainable' settlements due to the methodology explained in the Policy. Such an approach is considered to be in line with both national and Regional Guidance that seeks to direct growth to more sustainable locations. It is considered that this approach represents a balance between the need to allow more development in the rural areas in the short term and the objective of protecting the unique and attractive rural character of the District.
- 10.9 In terms of the scale of development the proposal, when combined with the extant consent for 49 dwellings on the site in Mill Lane (S/2009/0620/PO), would result in a cumulative total of 74 new dwellings in the village, which would greatly exceed the indicative allocation from the IRHP. Consequently, the proposal would be contrary to the EMRP and the guidance contained in paragraph 69 of PPS3 because the scale of development would be unlikely to meet local needs, would not fit with the spatial vision for the area (which aims for urban focused development) and would undermine the Council's objective of protecting the unique and attractive rural character of the District.
- 10.10 The proposal further fails to meet the requirements and expectations of the IRHP because it does not abut the existing village confines and relates poorly to the existing built form of the village. In particular, the IRHP requires that proposals should either consolidate the existing confines boundary or form a sound alternative boundary that respects and reflects natural or other long term features. In this instance the site has no meaningful relationship to the existing confines and is largely surrounded by open, undeveloped land on three sides. Given that the site occupies just part of an existing field, the north-eastern and north-western boundaries are not currently defined by any substantial feature. Consequently the boundaries are somewhat artificial and fail to create a solid alternative boundary to the village confines.
- 10.11 In addition to the above, it should be noted that the shortfall in the 5 year housing land supply is now considered to have been met. This partially reflects the success of the IRHP in facilitating applications for new development in appropriate locations in a relatively short period of time. In a report to the Council's cabinet on 6th June 2011 officers reported that the land supply figure is now considered to stand at 5.9 years. This report was approved by Cabinet and is due to be ratified by Full Council on 22nd June 2011. If this is the case then the Council will no longer need to approve new developments in villages that do not accord with the current development plan policies. The IRHP will also be put to one side. However, it will not be revoked until the presence of a 5 year land supply has been properly tested.
- 10.12 An update on this the outcome of the Full Council meeting, and therefore the position of the 5 year land supply and IRHP will be provided at the committee

meeting.

- 10.13 ACCESS, HIGHWAYS AND PARKING ISSUES - The site has a direct frontage onto Towcester Road, extending some 56m from the boundary with the medical centre. The proposed access would be located at the mid-point in this frontage.
- 10.14 This length of highway frontage is located within the 30mph speed limit restrictions and is also on the outside of a very gradual curve in the road. Consequently, there would be satisfactory visibility in both directions.
- 10.15 The amount of traffic generated by the proposed development (25 dwellings) is not considered to be so significant as to notably increase traffic levels and congestion in the local area.
- 10.16 These conclusions are supported by the fact that no objections have been raised by the local Highway Authority.
- 10.17 THE EFFECT ON BIODIVERSITY AND ECOLOGY - The applicants have submitted an Ecological Survey which concludes that the site contains habitats of low conservation value. However, to mitigate against any substantial loss of biodiversity loss, the survey suggests that the existing hedgerows and trees be retained.
- 10.18 Natural England has confirmed that it is satisfied with the survey conducted and the recommendations made. It also highlights the duty to take opportunities to enhance local ecology. However, the detail of how this would be achieved in practice would be dealt with at the reserved matters stage.
- 10.19 THE EFFECT ON THE CHARACTER AND APPEARANCE OF THE AREA - As mentioned above, the site shares no common boundary with the village confines and is surrounded on three sides by open undeveloped land. Consequently, the development would be seen as a projection and encroachment of development into the open countryside. In addition, the site is somewhat detached from the existing residential development, being separated from it by the medical centre and community centre, both of which are currently only single storey in height. As a result, it is considered that the development of this site would be detrimental to the character and appearance of the area and the character of the existing village as a whole. The retention of existing trees and field hedges is not considered to alleviate these concerns, with the development being clearly visible from a range of surrounding vantage points. The development would also contribute towards the reducing the 'gap' of open space that remains between Greens Norton and the hamlet of Littleworth to the north.
- 10.20 Conversely, and as an indicative comparison, the Mill Lane site (S/2009/0620/PO – extant consent) shared lengthy common boundaries with the existing village confines and was enclosed by existing residential development on two sides. Equally, it was enclosed on its remaining two sides by existing field hedges. Consequently, it represents a much less intrusive form of development (visually) upon the character and appearance of the village itself, and the surrounding open countryside.

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- 10.21 DRAINAGE AND FLOODING – because the site area is less than 1Ha a Flood Risk Assessment (FRA) is not required with this application. However, the site lies on relatively elevated ground in relation to the surrounding landscape and also lies fully in Flood Zone 1. The Environment Agency has confirmed that the land has a low probability of flooding.
- 10.22 With regard to drainage, the applicants have confirmed that all surface water run off shall be dealt with through a sustainable drainage system, thereby preventing any additional run off from the site to adjacent land or additional discharge into the main sewerage systems. Anglian water has confirm that there is sufficient existing capacity of sewerage and sewage treatment infrastructure to accommodate the proposed development. Through verbal discussions with the Case Officer, Anglian Water have confirmed that recent works to increase capacity in Greens Norton mean that the proposed development, plus the recently approved development at Mill Lane, can both now be accommodated.
- 10.23 In light of this, the Environment Agency has confirmed it has no objection to the application, subject to the inclusion of a condition with any consent requiring the submission and approval of a scheme detailing the proposed foul and surface water drainage.
- 10.24 THE EFFECT ON ADJOINING RESIDENTS - The nearest adjacent properties are on the opposite side of Towcester Road. Consequently, no existing dwelling would stand within 30 metres of the site itself, let alone any proposed dwelling on that site. Given that the Council's adopted guidance (SPG for residential extensions) requests a minimum separation distance of 22m between facing living area windows, the proposed development would clearly maintain a much larger separation and so could not be considered to cause any detriment to neighbouring amenity.
- 10.25 PLANNING OBLIGATIONS/CONTRIBUTIONS TO LOCAL INFRASTRUCTURE – The applicant has submitted a draft S106 agreement with the current application. This is currently under consideration and an update on this will be provided at the committee meeting.
- 10.26 However, if planning permission were to be granted for this development then this should be subject to the completion and signing of a legal agreement securing the following contributions/provisions:
- Affordable housing – 40% of all units to a mix that reflects the identified local housing need
 - Secondary Education – at a rate of £0 per one bedroom unit, £599 per two bedroom unit, £2,810 per three bedroom unit, £5,110 per four bedroom unit and £10,024 per five bedroom unit and above.
 - Libraries - £116 per one bedroom unit, £155 per two bedroom unit, £229 per three bedroom unit, £290 per four bedroom unit, £236 per five bedroom unit and above.

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- Fire and Rescue - £92 per unit.
 - Provision of bins/recycling - £55 per unit
 - Leisure and recreation – Although yet to be confirmed, this would be approximately £2,364 per unit for local off-site provision, plus £300 per unit for strategic provision. However, this figure can be reduced if provision is made on site

10.27 As stated above the local PCT has confirmed it does not seek a contribution in this instance.

11. CONCLUSIONS

11.1 In summary, the proposal is considered to be contrary to policies G2, EV2, H5 and H6 of the South Northamptonshire Local Plan and the spatial vision for the area. Given that the 5 year housing land supply is considered to have been restored there are now considered to be no material considerations that would over-ride the development plan.

11.2 In addition, and even if the 5 year land supply is not considered to have been met, with the extant outline permission for 49 dwellings on the edge of Greens Norton the indicative allocation for the village (5% or 34), as set out in the IRHP, has already been met. Therefore, to grant consent for a significant number of additional houses outside the village confines is, again, considered to be contrary to the spatial plan for the area (which seeks urban focused development), contrary to local and regional policies which aim to protect the character of the area and settlement itself, and to exceed any local need for such a scale of housing in Greens Norton. The development would, therefore, conflict with the relevant development plan policies and there are no material considerations to outweigh that conflict.

11.3 Finally, the site does not relate well to the existing village confines and built form and would be a 'projection' of development into the open countryside, surrounded by undeveloped land on three sides. Consequently, the development of the site would not comply with the criteria outlined in the IRHP because it would be detrimental to the character and appearance of the area and would be an intrusive encroachment of development into the open countryside.

11.4 As a result, Officers recommend that the application be refused planning permission

12. REASONS FOR REFUSAL

1. The proposed development would not accord with the relevant Development Plan in particular 'saved' policies G2, H6 and EV2 of the adopted South Northamptonshire Local Plan which seek to concentrate future developments primarily in the rural service centres of Brackley and Towcester, whilst strictly controlling development in the remainder of the rural areas in order to provide sustainable growth and to protect the intrinsic character of the countryside and rural area. It is not considered that there are material planning considerations that would outweigh this conflict as the Council has a 5 year land supply of housing in accordance with PPS3 'Housing'.

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2. In this instance the proposed residential development would relate poorly to the existing built form of the village, would be detached from the established village confines and would be surrounded on three sides by open undeveloped land. Consequently, the development would be an intrusive and harmful encroachment of development into the open countryside, to the detriment of the character of the village and the wider area. Consequently, the proposed development is contrary to policy 1 of the East Midlands Regional Plan, saved policies G3, EV1 and EV2 of the South Northamptonshire Local Plan, the Council's adopted Interim Rural Housing Policy and Planning Policy Statement 7 which seek to guide such development.
 3. In this instance the proposed residential development would contribute towards a cumulative scale of development outside the village confines of Greens Norton (when considered with extant planning permissions elsewhere in the village) that would exceed the local need for housing and would conflict with sustainable development objectives and the spatial priorities for the region, which seek urban focused development and the protection of villages from inappropriate growth. As a result the proposed development is contrary to policies 1, 2, 3, 11 and MKSM SRS Northamptonshire 1 of the East Midlands Regional Plan and 'saved' policies G2, G3, H5, H6 EV1 and EV2 of the South Northamptonshire Local Plan, as well as the guidance contained in PPS1, PPS3 and PPS7 and the Council's adopted Interim Rural Housing Planning Policy, which seek to guide such development and concentrate future developments primarily in the rural service centres of Brackley and Towcester, whilst strictly controlling development in the remainder of the rural areas, in order to provide sustainable growth and to protect the intrinsic character of the countryside and rural area.
 4. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate affordable housing, public open space and leisure facilities and education facilities required as a result of the development, to the detriment of both existing and proposed residents and contrary to Policies 1, 14, 15 and 41 of the East Midlands Regional Plan (RSS8), Policies H7 and IMP1 of the adopted South Northamptonshire Local Plan and the Council's adopted Supplementary Planning Guidance relating to Affordable Housing (2003) and Supplementary Planning Document relating to Developer Contributions (2011)

Application Number : S/2011/0513/FUL
Application expiry date : 7 June 2011

Parish : Adstone

Case Officer : Clare Finn

Applicant : Mr R Chalcraft

Location : -
15-16 School Lane Adstone

Description : -
3 Bedroom detached dwelling

RECOMMENDATION – GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT AT THE END OF THIS REPORT

S/2011/0513/FUL

WARD : Blakesley & Cote
WARD MEMBER : Cllr Roger Clarke & Cllr Mrs Sandi Smallman
REASON FOR REFERRAL TO COMMITTEE: Called In by Councillor Smallman

This application was subject to a Committee Members Site Visit, which took place on Tuesday 21 June 2011

1. APPLICATION SITE

1.1 The site consists of a partially built stone dwelling on Banbury Road (see planning history below). The site is bordered by residential dwellings and is identified in the Village Design Guide as containing an important hedge to the Banbury Road frontage, although this was largely removed some time ago. Historically the site contained two cottages. The site is slightly elevated above the adjacent dwelling, Stonedene.

1.2 Banbury Road is a classified (unnumbered) road and School Lane is unclassified.

2. CONSTRAINTS

2.1 The site lies in the centre of the village within the village confines and Conservation Area. It is located within an Archaeological Asset Area and the Catesby, Fawsley, Maidford and Litchborough Special Landscape Area.

3. RELEVANT PLANNING HISTORY

3.1 In 2005 an application for a two storey detached house and garage was withdrawn by the applicants following advice from officers that the development could not be supported in the proposed form due to its design, bulk and height and relationship with adjoining dwellings which would be at odds with the locality (S/2005/0891/P

refers).

- 3.2 A subsequent planning application submitted later in 2005 was refused (reference S/2005/1418/P) for the erection of a dwellinghouse and garage on the grounds that the design and scale of the proposal would be a discordant and visually intrusive feature within the locality that would not preserve or enhance the Conservation Area/Special Landscape Area and because the development would be detrimental to the safety of highway users because vehicles would not be able to turn into the site.
- 3.3 Planning permission was granted on appeal in 2007 for a two storey detached dwelling with parking and turning areas to the front and side (S/2006/0819/P refers). The application was recommended for approval to committee however the applicant appealed on grounds of non-determination. Members opted to give grounds to defend the appeal and the appeal was subsequently allowed by the Inspector. This is the most recent and relevant approval.
- 3.4 Most recently an application for a similar dwelling with minor modifications in size, design and positioning (S/2008/0671/P) was recommended for approval but was withdrawn by the applicant before it could be determined at committee.

4. PROPOSAL

- 4.1 This application seeks planning permission to finish the partially constructed dwelling currently on site, with parking and turning facilities to the front and side. The proposal incorporates the provision of a new highway crossover and access from Banbury Road. The previous owner and applicant commenced work on the site.
- 4.2 The proposed dwelling is very similar to that previously approved on appeal (application S/2006/0819/P) except for the two storey and single storey elements to the rear, a number of minor amendments to overall size and minor modifications to the size and number of window/door openings which are described in detail later in this report.
- 4.3 The proposed dwelling results in a small less dominant development than that previously refused in 2005 (application number S/2005/1418/P) and the differences in scale, size and design are described in detail later in the report.

5. PRE-APPLICATION ADVICE

- 5.1 No formal advice given.

6. KEY ISSUES

- 6.1 The main issues for consideration are:
 - the principle of the development and the implications of the previously approved dwelling;
 - design matters, visual amenity and the impact on the Conservation Area and Special Landscape Area;

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- impact on neighbours; and
 - highways matters.

7. RELEVANT PLANNING POLICIES

- 7.1 This application falls to be considered in the light of policies 2 (promoting better design), 26 (protecting and enhancing the region's natural and cultural assets) and 27 (the historic environment) of the East Midlands Regional Plan (EMRP/RSS8), policy BN5 (the historic environment) of the Pre-Submission Core Strategy and policies G2 and G3 (general development strategy), H5 (housing in restricted infill villages), EV1 (design), EV7 (Special Landscape Areas), EV9 (Conservation Areas), EV10 (Preservation or Enhancement of Conservation Areas), EV21 (Hedgerows and other Natural Landscape Features) of the South Northamptonshire Local Plan (SNLP).
- 7.2 Consideration should also be given to the NCC Highway Authority Standing Advice (July 2008) and national policy documents PPS1: Delivering Sustainable Development, PPS3: Housing and PPS5: Planning for the Historic Environment.

8. CONSULTATIONS

- 8.1 ADSTONE PARISH COUNCIL: Object to the application on the following grounds: the design statement is inaccurate; inaccuracies in the plans in regards to the development on the ground (different position in plot and size of footprint); proposal fails to satisfy Policy H5; lack of vision splays and vision splays unachievable given the position of the proposed access and need to access neighbours land; overbearing and dominant for adjoining occupiers; Adstone does not have the facilities to support new development; loss of important green gap; adverse affect upon the character of the Conservation Area and Special Landscape Area; removal of front boundary hedge; discordant and visually intrusive form of development.
- 8.2 SNC ENVIRONMENTAL PROTECTION: No adverse comment.
- 8.3 NCC ARCHAEOLOGY: No adverse comment.
- 8.4 The consultation period expired on 09 June 2011 and no new material planning considerations were raised. As a result the recommendation is for approval subject to conditions set out at the end of this report.

9. REPRESENTATIONS

- 9.1 THIRD PARTIES: Three letters received objecting to the application on the following grounds: overdevelopment of the site; detrimental to highway safety; lack of adequate parking and turning space; the development would be harmful to the character of the area/conservation area; important hedgerow has been removed; loss of light to neighbouring property; inaccurate plans and Design Statement; concern about the height of the proposed dwelling; provision of vision splays would involve clearance of neighbours land.
- 9.2 The consultation period expired on 09 June 2011 and no new material planning

considerations were raised. As a result the recommendation is for approval subject to conditions set out at the end of this report.

10. OFFICER'S REPORT

10.1 THE PRINCIPLE OF THE DEVELOPMENT AND THE IMPLICATIONS OF THE PREVIOUSLY APPROVED DWELLING. The site lies within the village confines area of Adstone and has a direct road frontage. The proposal therefore represents the infilling of a gap in an otherwise built up frontage in accordance with policy H5 of the Local Plan. It is considered that there are no overriding 'in principle' objections to such a development at the present time.

10.2 It is also necessary to consider the implications of the recent planning permission for an almost identical dwelling granted on appeal under reference S/2006/0819/P. The differences between the approved dwelling and the proposed dwelling are as follows:

- The single storey extension would be of stone construction rather than glazed and has been increased in depth to be in line with the two storey element;
- The two storey projection has decreased in both depth and width by 300mm and increased in height by 200mm;
- The width of the single storey projection has increased by 100mm leaving an overall width reduction of 200mm across the whole of the rear projection;
- Overall the proposed dwelling has reduced in width by 500mm and moved into the site by between (approximately) 1.8m and 2m;
- The height of the dwelling remains the same as that previously approved although the eaves to ridge height has decreased by 300mm;
- In regards to the front elevation one additional single casement first floor window has been added and the porch canopy altered to a gable design;
- To the rear; one first floor window has been reduced from a three casement to a single casement opening, one ground floor window has been altered to provide French Doors; and
- Additional French Doors have been inserted to rear face of the single storey projection.

The amendments in size from the 2006 approved plans represent the development that is currently on the ground. In light of the relatively minor alterations to the proposed dwelling when compared with the approved development it is considered that the previous planning permission sets a compelling precedent for this application to follow.

10.3 On site the damp proof course of blue engineering bricks are above ground level

and easily visible and the dwelling has been constructed (to the current stage) at a higher level than the approved plans. It is proposed to slightly raise the ground level around the house to cover the damp proof course. The Inspector stated in her decision that the height of the proposed dwelling would not make it appear significantly obtrusive in comparison with neighbouring properties and that some variation in height would be expected and would add variety to the street scene. The Inspector did not consider that a condition requiring details of levels and finished floor and ridge levels was necessary on the basis of the information supplied. However a street scene drawing has not been supplied in this application and therefore it is recommended such a condition be imposed here, should the application be approved.

- 10.4 The Inspector also considered that the design was of high quality and would preserve the character and appearance of the conservation area and Special Landscape Area. She was satisfied that the development would not be harmful to highway safety. Bearing in mind that the inspector considered the previous scheme to be acceptable, the current scheme is not so significantly different or worse that it justifies a different decision. A copy of the Inspectors Decision is attached to this report.
- 10.5 In specific regard to the previously refused scheme (application number S/2005/1418/P) the proposed dwelling is considerably smaller in size and scale being approximately 2.6metres smaller in width (not counting the proposed attached garage in the 2005 application) and sits more comfortably in its plot. The refused scheme extended almost the full width of the site and in doing so did not allow for visual gaps between the site and its neighbours. In addition, the previous design of the rear elevation differs from the current proposal in that it sought to pick up on design elements on 15 School Lane by using a large catslide roof arrangement and substantial amounts of glazing. The current proposal presents a simple traditional design that is in keeping with the vernacular architecture of the area.
- 10.6 DESIGN MATTERS, VISUAL AMENITY AND THE IMPACT ON THE CONSERVATION AREA AND SPECIAL LANDSCAPE AREA. The area is characterised by larger dwellings in spacious plots set back from the road frontage to provide a green setting to the dwellings, which are built in stone under pitched slated roofs. The original site comprised a garden to no. 15 School Lane, providing a break in the built form which contributed to the rural character of this part of the village. The dwelling (as partially built, as previously approved and as currently proposed) infills this space but it does not extend the full width of the site. Substantial visual gaps of approximately 3 metres and 6 metres are retained between the proposed dwelling and existing properties thus reflecting the spaciousness of the plots in this locality. Consequently, the appearance of the street scene would not be harmed.
- 10.7 The proposed dwelling (and especially the front elevation of the property) has a relatively simple, vernacular style which would be largely consistent with traditional village architecture. It is considered that the proposed dwelling would not be incongruous in relation to other dwellings in the locality. It is believed that the proposal would preserve the character of the Conservation Area. Furthermore, the development would not be detrimental to the purposes of the Special Landscape

Area in the view of Officers.

- 10.8 With regard to detailed design matters it is considered appropriate to add a condition to require details of the windows, doors, cills, lintels, eaves and verges to ensure an appropriate and high quality finish notwithstanding the detail shown on the submitted plans. It is also considered to be reasonable in this case to add a condition relating to the finished floor and ridge heights because no street scene elevation or levels details have been supplied with this application. The addition of these conditions would help to ensure that the proposed dwelling is sympathetic to its surroundings.
- 10.9 In regard to the loss of the important hedgerow to the front of the property, it is considered reasonable in this case to specify the requirement for a replacement hedge by way of condition as part of the conditions requiring the submission of full details of hard and soft landscaping works to be submitted and approved by the LPA.
- 10.10 **IMPACT ON NEIGHBOURS.** An examination of the relationship of the dwelling (and its openings) with adjoining properties has revealed that the proposal would not result in a significant loss of light, outlook or privacy for neighbouring occupiers. It is not considered that the dwelling would be overbearing for neighbours in light of the gaps retained between the proposed house and adjoining properties.
- 10.11 **HIGHWAYS MATTERS.** The proposed access is as the approved access in the 2006 appeal consent. In view of the comments made by the Highways Authority in the 2006 application and that the proposal is compliant with Highways Standing Advice, it is considered that the development would not be detrimental to the safety of highway users subject to the imposition of appropriate conditions regarding vehicle and pedestrian visibility splays, and provision of parking and turning facilities as per the submitted plans.

11. CONCLUSIONS

- 11.1 The proposal is acceptable in principle and a previous planning permission for an almost identical dwelling approved on appeal under the 2006 application sets a compelling precedent for the current application. Bearing in mind that the inspector considered the previous scheme to be acceptable, the current scheme is not so significantly different or worse that it justifies a different decision. The proposed dwelling would preserve the character of the conservation area and would be sympathetic to the Special Landscape Area and street scene. The development would not be seriously harmful to the residential amenities of neighbours and would not be detrimental to the safety of highway users.
- 11.2 In light of the above appraisal and conclusion the application is recommended for approval subject to conditions.

12. CONDITIONS AND REASON FOR APPROVAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

-
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans being Drawing nos. 011-014-001 received 12 April 2011 and 011-014-002 received 24 May 1011, unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (General Development Procedure) (Amendment No3) (England) Order 2009.

Reason : To clarify the permission and for the avoidance of doubt.

PRE-COMMENCEMENT CONDITIONS

3. Development shall not recommence on site until samples of the slates to be used in the covering of the roof of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy G3 of the South Northamptonshire Local Plan.

4. Development shall not recommence until full details of hard and soft landscaping works shall be submitted to and have been approved in writing by the Local Planning Authority and the development shall be thereafter carried out in accordance with the approved details during the planting season immediately following completion of the dwelling of these details which shall include:-

(a) details of the replacement hedgerow to be planted to the front of the property and proposed tree and shrub planting, including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Reason : To ensure that a satisfactory landscape scheme is provided in the

interest of well planned development and visual amenity and to accord with policies G3(L) and EV29 of the South Northamptonshire Local Plan.

5. Development shall not recommence on site until details of all existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy G3 of the South Northamptonshire Local Plan.

6. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwelling, including the windows and doors (and their surrounds), together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the recommencement of development. The development shall thereafter be carried out in accordance with the approved details.

Reason : To preserve the character and appearance of the conservation area in accordance with Policies EV9 and EV10 of the South Northamptonshire Local Plan.

7. Development shall not recommence on site until full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details

Reason : To preserve the character and appearance of the conservation area in accordance with Policies EV9 and EV10 of the South Northamptonshire Local Plan.

PRE-OCCUPATION AND STAGE CONDITIONS

8. Any additional stone required for the finishing of the external walls shall be natural stone of the same type, texture, colour and appearance as the stone on the existing building and shall be laid, dressed, coursed and pointed to match that of the existing building unless otherwise approved in writing by the Local Planning Authority prior to the works commencing.

Reason : To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy G3 of the South Northamptonshire Local Plan.

9. The proposed windows and doors shall be inset to give at least 75mm of external wall reveal unless otherwise previously approved in writing by the Local Planning Authority.

Reason :To preserve the character and appearance of the conservation area

in accordance with Policies EV9 and EV10 of the South Northamptonshire Local Plan.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five 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 similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies G3(L) and EV29 of the South Northamptonshire Local Plan.

11. The parking space and turning area shown on the approved plan(s) shall be constructed/laid out, drained, surfaced and completed before the dwelling is first occupied and shall not thereafter be used for any purpose other than the parking/turning of private motor vehicles.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and to comply with Policy G3 of the South Northamptonshire Local Plan.

POST OCCUPATION REGULATORY CONDITIONS

12. Any gate(s) at the point of access shall be hung to open inwards only and shall be retained as such thereafter.

Reason : To ensure that the gate does not open over the highway thus causing danger to road users in accordance with Policy G3(B) of the South Northamptonshire Local Plan.

REASON FOR APPROVAL:-

1. The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the principle of the proposed development has already been established and the proposed amendments do not have a significant detrimental impact on the character and appearance of the area or residential amenity. As such the proposal is in accordance with Policies G3, H5, EV1, EV7, EV9, EV10 and EV21 of the South Northamptonshire Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

Application Number : S/2011/0518/MAR
Application expiry date : 14 July 2011

Parish : Potterspurty

Case Officer : Paul Seckington

Applicant : Francis Jackson Estates Ltd

Location : -
Land to the West of Potterspurty
House Poundfield Road Potterspurty

Description : -
Residential development for the erection of
twenty dwellings and associated works
(Reserved matters to S/2010/1403/MAO).

**RECOMMENDATION – DELEGATE TO THE HEAD OF ENVIRONMENT &
DEVELOPMENT TO GRANT PERMISSION SUBJECT TO RECEIPT OF
SATISFACTORY AMENDED PLANS AND SUBJECT TO THE CONDITIONS SET
OUT AT THE END OF THIS REPORT**

S/2011/0518/MAR

WARD : Whittlewood
WARD MEMBER : Cllr Rupert Fordham
REASON FOR REFERRAL TO COMMITTEE: Major application;

1. APPLICATION SITE

- 1.1 The application site is located outside but adjoining the village confines of Potterspurty. It consists of overgrown and unused land (previously paddocks) associated with Potterspurty House.
- 1.2 To the west of the site is the housing estate of Mays Way which comprises a mixture of detached and semi-detached houses and bungalows. To the north is Chettle Place which is an extension of Mays Way and consists of red brick semi-detached and terraced houses, and is an affordable housing scheme. To the north east of the site a residential development is underway of 26 houses granted outline consent at appeal. This consists of a mixture of detached, semi-detached and terraced houses, and will be finished in local stone and red brick. That development is accessed off Poundfield Road.
- 1.3 The A5 borders the site to the south. A public footpath runs along the western boundary of the site linking the A5 to Mays Way and continues through to Homestead Way. The site lies within an archaeological asset area. There are a number of mature trees and hedges along and within the boundaries of the site.

2. CONSTRAINTS

- 2.1 The site lies within an Area of Archaeological Assets

3. PROPOSAL

- 3.1 This application seeks reserved matters approval for the 20 dwellings approved under outline consent S/2010/1403. Only access and the principle of development were approved under the outline, as such this latest application seeks approval for layout, scale, appearance and landscaping.
- 3.2 Access to the development has been previously approved from Poundfield Road, via the estate road serving the housing development currently under construction. The applicant, Francis Jackson Homes, is the developer of the adjoining development.
- 3.3 The submitted layout indicates a mix of detached, semi-detached and terraced properties. A pedestrian access is proposed to Chettle Place to provide access into the village centre. The dwellings would be finished in a mixture of stone and brick under slate and plain tiles. The dwellings are designed to reflect the vernacular of the village and South Northamptonshire. The existing pond on site is to be retained.

4. RELEVANT PLANNING HISTORY

- 4.1 Planning permission has been granted (and development of it is underway) for 26 dwellings to the north of the application site granted outline consent at appeal under S/2008/0450/PO and reserved matters approved under S/2009/1233/MAR.
- 4.2 Outline planning permission was refused for 26 houses on this site in 2010 (application S/2010/0817/MAO refers). It was accepted under that application that whilst the site was outside the confines it was considered that a development on the site would accord in principle with the IRHP but that the number of dwellings sought was too high, exceeding the number of units suggested by the IRHP for the village. In addition, given the need to protect natural features on the site and to ensure the dwellings were a sufficient distance away from the A5, it represented too high a density for the remaining developable land.
- 4.3 A revised outline application for 20 houses was subsequently permitted under S/2010/1403/MAO as it overcame the above reasons for refusal.

5. PRE-APPLICATION ADVICE

- 5.1 None

6. KEY ISSUES

- 6.1 As the principle of development has already been approved, the main issues in consideration of this application are
- design and layout and impact on character of area
 - impact on neighbouring properties

-
- highway safety and parking
 - effect on biodiversity and ecology

7. RELEVANT PLANNING POLICIES

- 7.1 The relevant Development Plan comprises the East Midlands Regional Plan (RSS8) (March 2009) and the 'saved' policies of the South Northamptonshire Local Plan (SNLP)
- 7.2 The relevant Policies of the Local Plan comprise; Policies G2, G3, H5, H6, H7, EV1, EV2, EV21 EV24, EV29 and IMP1.
- 7.3 The relevant policies of RSS8 comprise; Policy 1 (Regional Core Objectives), Policy 2 (promoting Better Design), Policy 3 (Distribution of new development), Policy 11 (Development in the Southern Sub-area), Policy 13b (Housing Provision (Northamptonshire), Policies 14 and 15 (Regional Priorities for Affordable Housing and for Rural Areas), Policy 26 (Protecting the Regions Natural and Cultural Heritage), Policy 27 (Regional Priorities for the Historic Environment), Policy 29 (Enhancing the Region's Biodiversity), Policy 41 (Regional priorities for culture, sport and recreation) and MKSM SRS Northamptonshire 1 (The Spatial Framework).
- 7.4 Supplementary Planning Guidance is also of relevance to this proposal and constitutes a material planning consideration, particularly; Developer Contributions, Affordable Housing and Residential Design in the Countryside.
- 7.5 Government Guidance is also a material planning consideration. Of particular relevance is guidance in PPS1, PPS3, PPS5, PPS9, PPS25 and PPG13. PPS3 relates to the amended version June 2010 particularly in relation to density requirement.
- 7.6 In addition, the Council has the adopted the Interim Rural Housing Policy (IRHP).

8. CONSULTATIONS

- 8.1 POTTERSPURY PARISH COUNCIL: No response received to date
- 8.2 ENVIRONMENT AGENCY: **No objections** subject to condition on foul drainage.
- 8.3 NCC HIGHWAYS: **No objections** and make no comments
- 8.4 NCC ARCHAEOLOGY: The outline consent has a condition for an archaeological programme of works
- 8.5 NATURAL ENGLAND: **No objections** subject to compliance with standing advice and enhancements to biodiversity
- 8.6 WILDLIFE TRUST: Unable to comment due to limited resources
- 8.7 POLICE CPDA: **No objections** to the development but have two reservations

related to the footpath to Chettle Place between units 14 and 15 and the need for defensible space to distinguish garden areas from the footpath and a fence that's not easily sat on to prevent loitering/congregation. Rear gardens of houses which back onto existing footpath should be supplemented with a trellis to provide surveillance and prevent climbing over.

8.8 **SNC STRATEGIC HOUSING: No objections**, subject to the following comments being addressed:

- The intermediate housing should comprise 1 x 2 bed house and 1 x 3 bed house (rather than 2 x 3 bed house)
- Care should be taken to ensure that the design and footprint of the affordable homes is of similar standard and comparable size to the market units
- Consideration should be given to the inclusion of a bungalow.

9. REPRESENTATIONS

9.1 One response received objecting to the principle of development, that the school is overcrowded and flooding issues in the village. However, these are not relevant considerations to this application as all these matters were considered under the outline application which was approved.

10. OFFICER'S REPORT

10.1 **DESIGN AND LAYOUT:** The layout and design of the development has been designed as an extension to the scheme currently under construction, which is a high quality development and in keeping with the village and therefore this application proposes houses that largely reflect the vernacular of the village and South Northamptonshire and follows the guidance with the Council's SPG on Residential Design in the Countryside. The house types generally have a high wall to window ratio, chimneys are proposed on most buildings, the majority of the dwellings have plain front elevations and the architectural detailing around the windows and doors reflects that of the village – namely brick arches over the windows, with some timber lintels as an alternative, bull nose bricks for cill details, and simple eaves and verge detailing.

10.2 The layout generally consists of a lane that informally meanders through the site, with some houses providing a sense of enclosure and some set back to provide green frontages, and reflecting a village appearance. Therefore subject to some minor amendments to the layout and house types; which include the following: providing further sense of enclosure to some parts of the layout; increasing the number of chimneys; increasing the number of stone properties, amending some of the porch details; the size and position of dormer windows; ensuring the affordable units are tenure blind; improving the parking layout for the affordable units; improving the housing mix; and reducing the size of some of the windows and gable spans of some of the properties, the application is recommended for approval.

10.3 **IMPACT ON AMENITY:** The houses have been positioned to be a sufficient distance away from existing neighbouring properties surrounding the site and those

being built on the adjacent site, with the distances according with the Council's minimum separation distances.

- 10.4 With regards to the amenity of the new houses. Plots 4-10 along the boundary to the A5 have been positioned 20m away from the edge of the A5, which coupled with the proposed acoustic fence and provision of suitable glazing and ventilation for these plots (as required by the conditions on the outline permission) will ensure that these properties will not be unduly affected by noise.
- 10.5 The front elevation of plot 7 is only 7m from the side gable of plot 6, which is below the guideline separation distance of 12m, plot 7 would also overlook part of the rear garden of plot 6. As such this element of the scheme also requires amending.
- 10.6 HIGHWAY SAFETY AND PARKING: NCC Highways have raised no objection to the application and every plot has at least two parking spaces. As such the application is considered acceptable in this regard.
- 10.7 AFFORDABLE HOUSING PROVISION: The development provides 40% affordable housing in accordance with the outline consent. Subject to some minor alterations the Council's Strategic Housing Team are happy with the location and provision for the affordable housing. As such, subject to overcoming these concerns, which relate to changing the amount of intermediate housing from 2x 3 bed house to 1 x 2 bed house and 1 x 3 bed house; making the properties tenure blind; and considering the inclusion of a bungalow; the application is considered acceptable in this regard.
- 10.8 IMPACT ON BIODIVERSITY: The application proposes the retention of the existing pond, which will lie to the front of Plot 5, and will be linked to the mature tree and hedge screen along the A5 by way of a proposed native hedge and planting strip between the tow and to the south of Plot 5. The application also proposes to retain and make a feature of the Ash tree within the site. In addition the majority of all the mature vegetation surrounding the site is to be retained and supplemented where necessary. This approach follows the requirements set out within the Ecological Report submitted with the outline consent and which accompanied this reserved matters approval. Conditions attached to the outline consent required further details of the landscaping and requirements for enhancements to biodiversity to be submitted prior to commencement and carried out within appropriate timescales.

11. CONCLUSIONS

- 11.1 Subject to the receipt of amended plans improving the layout and house types, the application is recommended for approval

12. CONDITIONS AND REASON FOR APPROVAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development shall not be carried out otherwise than in complete accordance with the approved plans [insert plan nos and received date] and other details [specify] unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (General

Development Procedure) (Amendment No3) (England) Order 2009.

Reason : To clarify the permission and for the avoidance of doubt.

PRE-COMMENCEMENT CONDITIONS

2. No development shall commence until details of all external facing materials to be used in the construction of the dormer windows hereby approved 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.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy G3 of the South Northamptonshire Local Plan.

PRE-OCCUPATION AND STAGE CONDITIONS

3. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwelling, including the windows and doors (and their surrounds), together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details

Reason : In order to safeguard the visual amenities of the area in accordance with Policy G3 of the South Northamptonshire Local Plan.OR

Reason : To preserve the character and appearance of the conservation area in accordance with Policies EV9 and EV10 of the South Northamptonshire Local Plan.

REASON FOR APPROVAL:-

1. The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal is in keeping with the village and the surrounding area and what not cause harm to the amenities of neighbouring properties. As such the proposal is in accordance with the Policies of the Development Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved subject to appropriate conditions, as set out above

Application Number : S/2011/0520/FUL
Application expiry date : 15 June 2011

Parish : Croughton

Case Officer : Sarah Rogers

Applicant : Mr David Castle/Mrs Brenda Reeves/Ms Kate Reeves

Location : -
17, 19 & 21 Park End Croughton

Description : -
Three garden tool stores (Retrospective)

RECOMMENDATION – DELEGATE TO THE HEAD OF ENVIRONMENT & DEVELOPMENT TO GRANT PERMISSION SUBJECT TO NO NEW MATERIAL PLANNING CONSIDERATIONS BEING RAISED BEFORE THE EXPIRY OF THE CONSULTATION PERIOD ON 07 JULY 2011 AND SUBJECT TO THE CONDITIONS SET OUT AT THE END OF THIS REPORT

S/2011/0520/FUL

WARD : Little Brook
WARD MEMBER : Cllr John Townsend
REASON FOR REFERRAL TO COMMITTEE: Called In by Councillor Townsend

1. APPLICATION SITE

- 1.1 The application site comprises three rear residential garden areas, namely nos. 17, 19 and 21 Park End, Croughton.
- 1.2 The gardens are elevated above the properties and are bounded by post and rail fencing to the northern, western and eastern boundaries of the gardens. Additional native hedging has also been planted to the northern boundaries of nos. 19 and 21, between the common boundary of these two gardens and to the eastern boundary of no, 21.

2. CONSTRAINTS

- 2.1 The application site is located within the open countryside.

3. PROPOSAL

- 3.1 The application seeks retrospective consent for the construction of three garden tool stores at 17, 19 and 21 Park End, Croughton.
- 3.2 The sheds are finished in horizontal timber cladding with felt pitched roofs. Their dimensions are as follows:

-
- 17 Park End – Footprint of 0.8m x 1.9m with a height to the eaves of 1.5m and a height to the ridge of 1.9m. The shed is set 14.8m from the rear elevation of the dwelling.
 - 19 Park End – Footprint of 1.3m x 1.7m with a height to the eaves of 1.7m and a height to the ridge of 2.3m. The shed is set 7.3m from the rear elevation of the dwelling.
 - 21 Park End – Footprint of 1.7m x 2.3m with a height to the eaves of 1.7m and a height to the ridge of 2.4m. The shed is set 9.3m from the rear elevation of the dwelling.

4. RELEVANT PLANNING HISTORY

- 4.1 S/2009/0520/P – Application for a change of use of agricultural land to residential use. The application sought extensions to the garden areas of nos. 11a, 15, 17, 19, 21 and 23 Park End. This application was approved by the Development Control Committee on 16th August 2009.
- 4.2 Condition 6 of S/2009/0520/P removed permitted development rights for hardstandings, buildings and structures without the prior express permission of the Local Authority; in order to protect the character of the area. Conditions 2, 3, 4 and 5 related to details of boundary treatments and landscaping.

5. PRE-APPLICATION ADVICE

- 5.1 The submission of this application has resulted from the investigation of an alleged breach of planning control of the above described development. No formal pre-application advice was sought prior to the submission of this application.

6. KEY ISSUES

- 6.1 The main issues to consider in this case are:
 - Visual impact on the character of the area.
 - Residential amenity.

7. RELEVANT PLANNING POLICIES

- 7.1 The application should be assessed with regard to policies 1 (core objectives) and 2 (design) of the East Midlands Regional Plan (EMRP/RSS8) and saved policies G2 and G3 (general principles), EV1 (design), EV2 (development in the open countryside) and H17 (residential extensions) of the South Northamptonshire Local Plan. These policies seek to restrict the encroachment of development into the open countryside, ensure development is compatible with the existing character of the locality and minimise its visual impact. Consideration should also be given to PPS1, PPS7.

8. CONSULTATIONS

- 8.1 CROUGHTON PARISH COUNCIL: No objections

8.2 ENVIRONMENTAL HEALTH: No comments

8.3 HEALTH PROTECTION: No comments

8.4 NCC ARCHAEOLOGY: No comments

9. REPRESENTATIONS

9.1 No third party representations have been received at the time of writing this report

10. OFFICER'S REPORT

10.1 VISUAL IMPACT – The extended garden areas lie outside of the village confines and within the open countryside. The village confines run approx. 4 m behind the rear elevations of nos. 17, 19 and 21 Park End. Beyond the northern boundary of the gardens lies an agricultural field.

10.2 The original and extended garden areas are elevated above the ground floor of the residential properties, being set at the level of the agricultural field.

10.3 New development within the open countryside is severely restrained to protect it for its own intrinsic value; indeed condition 6 of permission S/2009/0520/P removed permitted development rights to these six extended gardens for buildings, structures and hardstandings protect the character of the area on the rural fringe of the village. The removal of permitted development rights is not intended to prevent any further development; instead it allows the Local Planning Authority to retain control of future developments in sensitive locations where development normally in compliance within the permitted development criteria may potentially be inappropriate or visually harmful.

10.4 The three tool sheds are of a typical domestic shed appearance, finished in horizontal timber boarding (with the sheds to nos. 19 and 21 painted) with all three having a felt roof. The height of the structures does not exceed 2.4m and they are positioned to the side boundaries of the plots, at varying positions down the length of the gardens. The largest footprint (shed at no. 21) of the three sheds is 1.8m x 2.4m. None of the three sheds are located to the end of the boundary and all three sheds are orientated so their gable ends are positioned to face the agricultural field to the north.

10.5 While the sheds are visible outside of the extended gardens, due to the boundary treatment (post and rail fencing), their position, orientation, scale and footprint ensures that they do not have a significant visual appearance within the open countryside on the rural fringe of the village or adversely intrude into the surrounding open countryside.

10.6 It should also be noted that conditions attached to S/2009/0520/P require the planting of a native hedgerow along the boundary of the extended gardens with the adjoining field which will, with time, provide further screening.

10.7 There is a public footpath some 300m to the north of the application site. The path is considered to be of a distance and the sheds to be of a minimal scale to ensure

that any views obtained of these sheds and the garden areas would not be significant or visually harmful.

- 10.8 In this instance, the rural fringe of the village and open character of the surrounding countryside is not considered to be so adversely impacted upon by the introduction of these garden sheds to warrant refusal of this permission and subsequent enforcement action.
- 10.9 RESIDENTIAL AMENITY – The proposed sheds are functional to the residential use of the gardens and are of a scale and position that would not cause harm to the residential amenities of the adjacent occupiers.

11. CONCLUSIONS

- 11.1 The proposed tool sheds are not considered to adversely impact upon the rural character of the surrounding area by reason of their size, design and position. Furthermore the sheds by reason of their use and scale would not cause harm to the amenities of the surrounding occupiers.

12. CONDITIONS AND REASON FOR APPROVAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development shall not be carried out otherwise than in complete accordance with the approved plans unnumbered location plan and unnumbered proposed layout plan/ elevations stamped as received 20th April 2011 unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (General Development Procedure) (Amendment No3) (England) Order 2009.

Reason : To clarify the permission and for the avoidance of doubt

REASON FOR APPROVAL:-

1. The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the three sheds are considered to be of a scale, position and design that would not adversely impact upon the rural character of the village fringe or adversely intrude into the character of the surrounding open countryside. As such the proposal is in accordance with Policies G2, G3, EV1 and H17 of the South Northamptonshire Local Plan 1997, Policy 2 of the East Midlands Regional Plan 1997, PPS1 (Delivering Sustainable Development) and PPS7 (Sustainable Development in Rural Areas). For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

Application Number : S/2011/0564/FUL
Application expiry date : 7 July 2011

Parish : Towcester

Case Officer : Clare Finn

Applicant : South Northants Council

Location : -
Towcester Centre For Leisure
Springfields Towcester

Description : -
Installation of solar panels on roof

RECOMMENDATION – GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT AT THE END OF THIS REPORT

S/2011/0564/FUL

WARD : Towcester Brook
WARD MEMBER : Cllr Mrs Diana Dallyn & Cllr Martin John Cllr Christopher Lofts
REASON FOR REFERRAL TO COMMITTEE: Application affects Council's own land and the Council is the applicant

1. APPLICATION SITE

- 1.1 Towcester Centre for Leisure is located within the town confines of Towcester immediately to the south-east of the Council Offices. It comprises a modern leisure centre, floodlit all-weather pitch to the south and associated parking (approximately 100 spaces) which is accessed off the private road serving the Council Offices. The site is bounded to the south-west and south-east by modern housing and public open space adjacent to the Silverstone Brook and to the north-east by Springfields.
- 1.2 The specific location for the installation of the solar panels is the two roof slopes to the far side of the building facing south-west and facing Docklewell Close.

2. CONSTRAINTS

- 2.1 The site is located within the town confines and a residential area to the west of the town. The building is located in an Archaeological Assets Area although given the nature of the application any archaeological remains will not be affected. Parts of the building are located in flood zones 2 and 3 but, again, the solar panels will have no impact upon the risk of flooding.
- 2.2 There are a number of trees subject to Tree Preservation Orders to the north and east of the building. These are located away from the roof slopes where the solar panels are intended to be installed.

3. PROPOSAL

- 3.1 The application seeks consent for the installation of Photovoltaic solar panels (990mm by 1650mm each) on two separate roof slopes to the south-west of the building. On the higher roof slope (of the main sports hall) it is intended to install 34 panels to the width of the roof running 4 panels high and on the lower roof slope (of the dance studio); to install 18 panels to the width of the roof and 4 panels high.

4. RELEVANT PLANNING HISTORY

- 4.1 S/2001/0226/P - Single Storey Extensions To Front To Form Additional Gymnasium Area And Entrance Lobby And Single Storey Martial Arts/dance Studio To Side - APPROVAL
- 4.2 S/1990/1330/PDC - Erection Of Public Leisure Centre With Leisure Pool, Sports Hall, Catering And Associated Parking And Facilities - APPROVAL

5. PRE-APPLICATION ADVICE

- 5.1 No pre-application advice was sought.

6. KEY ISSUES

- 6.1 - The principle of development;
- The visual impact of the proposed panels; and
- Residential amenity.

7. RELEVANT PLANNING POLICIES

- 7.1 The application should be assessed with regard to saved policies G3 (General Principles) and EV1 (Design). Consideration should also be given to the adopted SPG for Energy and Development, PPS1: Delivering Sustainable Development and its Supplement, Planning and Climate Change. The advice contained within PPS22 Renewable Energy is also relevant in this instance.

8. CONSULTATIONS

- 8.1 Towcester Parish Council have been consulted on this application, no response has been received at the time of writing this report.
- 8.2 The County Archaeology Officer was consulted on the application and no response has been received at the time of writing this report.

9. REPRESENTATIONS

- 9.1 No representations have been received at the time of writing this report.

10. OFFICER'S REPORT

- 10.1 PRINCIPLE OF DEVELOPMENT: Sustainable development is the core principle underpinning planning and this includes the inclusion of renewable energies both

within new and existing developments. Whilst the relevant material considerations change between individual sites the promotion of renewable technologies is sought.

- 10.2 PPS22 Renewable Energy states that *“the wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission”* and *“local planning authorities and developers should consider the opportunity for incorporating renewable energy projects in all new developments. Small scale renewable energy schemes utilising technologies such as solar panels, Biomass heating, small scale wind turbines, photovoltaic cells and combined heat and power schemes can be incorporated both into new developments and some existing buildings.”*
- 10.3 Solar panels would provide renewable energy offering environmental benefits. Any energy created that was not used at the site would be fed into the National Grid. As described above, the development of renewable energy should be given considerable weight in determining planning applications and it is considered that the Towcester Centre for Leisure presents an excellent opportunity for SNC to increase its renewable energy production significantly.
- 10.4 VISUAL IMPACT: It is noted that the proposed solar panels are substantial in size. However, given the nature and use of the building upon which they are installed it is not considered that they will have a harmful visual impact upon the host building. The centre is situated within a residential area however it is adjacent to the main council offices and the solar panels will be minimal in terms of the scale and size of the existing building.
- 10.5 The panels are proposed to be located on the southwest facing roofslope and will be visible from the residential area to the west and partially visible from the open green space to the west and south. Due to the design and orientation of the building the roofs of the leisure centre have ridgelines running northwest to southeast and therefore roofslopes facing southwest and northeast (with the exception of the roof of the swimming pool which has four slopes being a hipped roof). The Solar Specialists providing the panels have advised the best location for maximum efficiency are the two southwest facing slopes as per this application.
- 10.6 The roofing is currently red and the panels will result in the roof appearing visually different due to the change of colour as the panels will appear dark in colour. It is not considered that the solar panels will significantly change the overall character of the building or the surrounding area as they represent a minimal change in the overall appearance. Furthermore, solar panels are not incongruous on large commercial, community or local authority buildings and although it is in a residential area, it is arguably a more appropriate urban location for installation away from any conservation area, rural location or other sensitive landscape.
- 10.7 RESIDENTIAL AMENITY: Although the panels will be partially visible from some areas of the residential estate to the west of the site they will not directly impact upon the amenity of residents in terms of privacy, daylight/sunlight or appearing overbearing.

11. CONCLUSIONS

- 11.1 The proposal accords with the relevant Local Plan policy, G3 & EV1. The solar panels would not have a significant detrimental visual impact on the host buildings or the character of the surrounding area, nor will they have a detrimental impact on the amenity of neighbouring residents. The environmental recompense is a clear benefit to allowing the proposed development in accordance with PPS 22.

12. CONDITIONS AND REASON FOR APPROVAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans; SNC/TCFL/01, SNC/TCFL/02 and SNC/TCFL/03 stamped as received 19 April 2011, unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (General Development Procedure) (Amendment No3) (England) Order 2009.

Reason : To clarify the permission and for the avoidance of doubt.

REASON FOR APPROVAL:-

1. The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposal would not have a detrimental visual impact, nor would it harm the amenity of any neighbouring residents. Furthermore, as a result of installing solar panels the site would generate renewable energy for its own use, and to feed into the National Grid offering environmental benefits. As such the proposal is in accordance with Policies G3 and EV1 of the South Northamptonshire Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

Application Number : S/2011/0374/MAR
Application expiry date : 28 June 2011

Parish : Greens Norton

Case Officer : Nigel Jarvis

Applicant : Stamford Homes Midlands

Location : -
Land off Mill Lane Greens Norton

Description : -
Residential development of 49 dwellings, associated garages, estate road and ancillary works - pursuant to outline planning permission S/2009/0620/PO

RECOMMENDATION – DELEGATE TO THE HEAD OF ENVIRONMENT & DEVELOPMENT TO GRANT PERMISSION SUBJECT TO NO OBJECTIONS RAISING NEW SUBSTANTIVE GROUNDS FOR OBJECTION FROM NEIGHBOURS ALONG CALVERT CLOSE WHO HAVE BEEN RECONSULTED WITH CORRECTED DRAWINGS, AND SUBJECT TO THE CONDITIONS SET OUT AT THE END OF THIS REPORT

S/2011/0374/MAR

WARD : Kingthorn
WARD MEMBER : Cllr Tony Wilkinson
REASON FOR REFERRAL TO COMMITTEE: Major application

1. APPLICATION SITE

- 1.1 Greens Norton is a large village within the context of villages in the South Northamptonshire district. It is located approximately 2 miles north west of Towcester.
- 1.2 The character of the settlement is well described by the Design Guidance leaflet published for 'Greens Norton' as referred to in the adopted "Residential Design in the Countryside" SPG. The key characteristics highlighted in this guidance note that Greens Norton's historic character has been diluted since the second world war by modern housing estates with diverse finishes, window treatments, open frontages and garage / driveway arrangements.
- 1.3 These modern developments stand at odds with the historic core of development in the village that can be followed through the central (north/south) spine of the village from Blakesley Hill / Towcester Road along High Street and then through Bengal Lane. As the village design guide highlights most surviving older and listed buildings can be found along this route. This historic core of the village is characterised by a tighter arrangement of development. A high degree of enclosure is typical but

remains informal due to a significant mix of terraced and narrowly spaced detached dwellings. Key local vernacular characteristics feature such as narrow plan forms, simplistic principal elevations and steeply pitching gable roofs.

- 1.4 Dwellings align at varying but reasonably close distances to the highway. Where small front gardens do feature additional enclosure is created by linking stone and brick walls. Larger detached dwellings that face at 90 degrees to the highway, aligned at its edge, add diversity and frame certain segments of streets. Dwellings tend to be finished in either natural stone or red brick although variation is provided within the streetscene by painted brick properties.
- 1.5 The site lies on the southern edge of Greens Norton village and comprises approximately 1.5ha of agricultural land in a single rectangular field that slopes away gently from north to south.
- 1.6 To the north west the rear gardens of properties on Calvert Close back on to the site. The properties are a part of a residential estate built in the 1970's. The site, land to the north east and mostly that to the south/south east is open countryside. The rear gardens of numbers 9 to 19 Mill Lane lie to the south west. A children's day nursery is also sited on part of the south eastern boundary.
- 1.7 It is clear that the site lies on the sensitive rural fringe expanding the settlement into the open countryside. This south eastern edge of the village, currently framed by the rear elevations of no.'s 1 to 27 and 45 Calvert Close is prominently visible on approach from Towcester due to the relatively flat topography of the landscape. The site is also evident from Mill Lane itself though views would be restricted down the access road to certain plots.

2. CONSTRAINTS

- 2.1 The site lies within an Archaeological Asset area
- 2.2 A Public Right of Way crosses the site which connects the end of Calvert Close to the north to the open countryside to the south. There are also a number of trees and hedges on the site perimeters.
- 2.3 The southern boundary of the site is bordered by a continuous field hedgerow. The northern boundary hedge has been removed in many places from the rear boundaries of Calvert Close / Road properties.

3. PROPOSAL

- 3.1 This scheme is a second application for the "Reserved Matters" details of the development which includes the appearance, scale, layout and landscaping of the development. Continuing on from in-depth pre-application advice provided to the applicant officers have requested further revisions be made to their submitted scheme following in depth negotiations. Revised plans were received by the Council on the 10th June which incorporate all of the changes which have been requested including to the layout of the scheme, the design of the house types, landscaping and other minor elements.
- 3.2 The proposal as before is for 49 dwellings on the site which creates a density of

approximately 33 dwellings per hectare. The outline planning permission for housing on the site was granted in 2010 (Ref: S/2009/0620/PO) subject to a number of planning conditions and planning obligations set out within a section 106 undertaking. Apart from access all remaining matters were reserved at the outline stage and the consent, via condition 1 requires the submission of these matters prior to the 1st April 2010. This restrictive timescale was included as advocated in the IRHP to achieve rapid delivery of housing to urgently address the former shortfall of housing supply. Consequently this reserved matters application is the last application which can be accepted for reserved matters.

- 3.3 In terms of building scale the proposed development comprises 44 2 storey houses in a configuration of terraced, semi-detached and detached dwellings, and four flats in a two storey block and one bungalow. The latter, and affordable unit, is included at plot 39 to meet in part an identified local need.
- 3.4 The southern boundary hedge will be bolstered by a 3-metre buffer area of new planting, maintained between the development and the open countryside to the south. Hedgerows and tree planting are also being provided (in line with the planning conditions on the outline consent) to the northern boundary with Calvert Close properties and the eastern boundary.
- 3.5 The public right of way through the site would be maintained by a 2-metre wide footpath buffer.
- 3.6 The outline scheme sets requirements that includes providing parking spaces for number 19 Mill Lane, maintaining and providing access space to the rear of no.'s 13, 15, and 17 Mill Lane and provision of 12 car parking spaces on land adjacent to the site for the existing children's nursery.
- 3.7 The application which comprises a site layout, landscaping plans, and house types elevations is further supported by;
 - streetscene/building group elevations
 - an Arboricultural method statement (including tree protection measures)
 - a swept-path analysis
 - a draft drainage strategy
 - indicated finished floor levels for layout

4. RELEVANT PLANNING HISTORY

- 4.1 This application includes reserved matters details pursuant to the outline planning consent given in 2010 (under application S/2009/0620/P) for the "Residential development of 49 dwellings and estate road (outline)". Following in depth consideration by officers and members alike the scheme was considered to be an acceptable site / development that met the requirements of the Council's Interim Rural Housing Planning Policy (IRHP) and would contribute to the identified shortfall in the Council's 5 year housing land supply.

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- 4.2 Following pre-application advice the applicant's (Stamford Homes are now known as Linden Homes, their parent company name) submitted their first reserved matters application, S/2010/01417/MAR, which was refused for 11 reasons. These addressed concerns regarding layout, housing design, affordable housing, private amenity, and landscaping compliance issues.
- 4.3 The applicants have appealed against the Council's decision to refuse the last scheme. To date statements have been exchanged by the parties through the Planning Inspectorate and an informal hearing of the appeal is scheduled for the 1st August.
- 4.4 Further planning applications have been submitted to the Council in the interim besides this scheme which remain current. The first and most important of those, in relative terms, is another outline planning application which seeks a further consent for the same development, i.e. 49 dwellings. With the restrictions imposed on the timescale in which the reserved matters could be submitted, and the lack of any mechanism to extend a planning permission granted after the 1st October 2009, the applicants have had to submit this as a fall back.
- 4.5 The applicants have also submitted an application (S/2011/0139/FUL) seeking consent to vary condition 2 of the outline permission to allow the commencement of some limited works on the site ahead of reserved matters being approved. An application for full planning permission was submitted concurrently for the construction of the access road and parking bays in connection with this site. This would ensure that the detailed consent existed for the works ahead correlated to varying the planning condition.
- 4.6 Having taken legal advice from the Council's solicitor, officers are not convinced that such a variation could be agreed as it seemingly grants an extension of time. This is contrary to the provisions in the primary legislation which to paraphrase state permission must not be granted to change a condition that extends the time within which a development must be started or an application for approval of reserved matters must be made. All three of these applications are undetermined at this time.

5. PRE-APPLICATION ADVICE

- 5.1 Pre-application advice was given prior to the last application for reserved matters submission which was not followed, as is detailed in section 5 of the former committee report which is attached at appendix A for reference.
- 5.2 Following the refusal of S/2010/1417/MAR the applicants re-engaged with officers for further pre-application advice. This provided a further de-brief of the reasons for refusal and outlined the expectations which officers had for any future schemes in terms of;
- The layout approach to a scheme on this site
 - The design requirements of housing and ancillary buildings and architectural detailing common to locally distinctive design in South Northants

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- The use and deployment of boundary treatments
 - Functional requirements and expectations such as highways, access within the development, parking and private amenity
 - Landscaping requirements defined in the outline consent
 - Refuse collection requirements and specifications

5.3 Officers have been insistent that fundamental changes needed to be made to overcome the reasons for refusal in the last scheme and to deliver an acceptable .

6. KEY ISSUES

6.1 While this application proposes a very different scheme to that refused before it is important to ensure wherever relevant that it has addressed the reasons for refusal that were issued in connection with the last reserved matters application.

6.2 In addition the following are key issues which need to be considered in evaluating the present scheme;

- The quality of the design, layout and landscaping of the development together with its impact on the character and appearance of the village.
- The impact of the scale, design and layout of the development on the visual amenities of the area and within views of the village from the adjacent countryside.
- The impact of the scale, design and layout of the proposals on the residential amenities of the occupants of dwellings which back onto the site from Calvert Close, Calvert Road and Mill Lane.
- The adequacy of the reserved matters scheme in terms of accessibility, and parking provision in the interests of design quality, streetscene impact and highway safety.
- The compliance of the scheme with the planning conditions attached to the outline planning permission and the Section 106 Agreement.

7. RELEVANT PLANNING POLICIES

7.1 The relevant Development Plan comprises the East Midlands Regional Plan (RSS8) (March 2009) and the 'saved' policies of the South Northamptonshire Local Plan (SNLP).

7.2 The policies set out in RSS8 remain relevant at this time despite the Coalition Government's stated intention to revoke the Regional Strategies in England in the near future as part of scrapping regionally set housing delivery targets. In particular the policies relevant to the Reserved Matters planning application comprise; Policy 2 (promoting Better Design), Policies 14 and 15 (Regional Priorities for Affordable Housing and for Rural Areas), Policy 26 (Protecting the Regions Natural and Cultural Heritage) and Policy 29 (Enhancing the Region's Biodiversity).

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- 7.3 The relevant policies of the SNLP comprise; Policies G3, EV1, EV21 and EV29. In particular the policies on design, G3 and EV1, seek to ensure that development is compatible in its context so far as scale, density, layout, height, massing, landscaping and use of materials is concerned.
- 7.4 Government Guidance is also a material planning consideration. Of particular relevance is guidance in PPS1, PPS3 and PPG13. PPS1: Delivering Sustainable Development (para's. 31-38) and PPS3: Housing, emphasise the importance of high quality design highlighting it as indivisible from good planning. PPS3 clarifies that design quality for housing development is judged on matters which include the extent to which it;
- Is easily accessible and well-connected to public transport and community facilities and services, and is well laid out so that all the space is used efficiently, is safe, accessible and user-friendly.
 - Provides, or enables good access to, community and green and open amenity and recreational space (including play space)/private outdoor space, is well integrated with/complements the neighbouring buildings and the local area more generally in terms of scale, density, layout and access
 - Facilitates the efficient use of resources, during construction and in use, and seeks to adapt to and reduce the impact of, and on, climate change
 - Takes a design-led approach to the provision of car-parking space, that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly
 - Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity
 - Provides for the retention or re-establishment of the biodiversity within residential environments.
- 7.5 Good practice advice on design and residential layouts is provided in the CABE publication 'By Design: Urban Design in the Planning System, Towards Better Practice', which is further supported by the English Partnerships and Housing Corporation 'Urban Design Compendium'. Further guidance is found in 'Building for Life' (CABE, 2008) and 'Manual for Streets' (CLG / DfT 2007).
- 7.6 The Council's adopted Supplementary Planning Guidance relevant to this application includes in particular 'Residential Design in the Countryside' (1998) which in turn references village design guides, along with 'Roofscapes' (1998), 'Windows & Doors' (1996), Affordable Housing (2003) and 'Residential Extensions'.

8. CONSULTATIONS

8.1 GREENS NORTON PARISH COUNCIL – The Council has now discussed this application and whilst continuing to object to the principle of the development of this site should the Planning Authority be minded to [give] consent to the application has the following comments to make:

1. The layout of plots 39 and 40 will lead to considerable loss of amenity for 45 Calvert Close and the dwelling types should be changed to place the bungalow on plot 41 onto plots 39 and 40 and the properties on 39 and 40 on to plot 41 in order to mitigate this. OFFICER NOTE: Amended plans have been submitted that address this point.
2. The Council would wish to see a quickthorn hedge for the boundary with properties in Calvert Close so as to provide a more naturalistic boundary and act as a crime prevention measure.

8.2 ENVIRONMENT AGENCY – Raise no objection to this application as submitted. However, the approval of the landscaping, layout and scale [in the] Reserved Matters must not result in insufficient space for the required Sustainable Drainage Systems (SuDS) as detailed in Condition 16 of S/2009/0620/PO.

Request to be consulted on the details submitted for approval for discharge conditions 15, 16, and 17 of outline permission S/2009/0620/PO, and on any subsequent amendments/alterations.

8.3 ANGLIAN WATER – Nothing received

8.4 NCC CRIME PREVENTION DESIGN ADVISOR, [response to revised plans] –

Parking areas

Pleased to note measures put in place to further define the parking courts as private space with the addition of dwarf walls, pillars and other structures at the entrances to the majority of the courts. The reorientation of some dwellings also provides more supervision over these spaces. The only one still to give cause for concern is the first one where plots 9 – 11 back onto the space. Even with the provision of a see through rear perimeter there is still minimal surveillance over these spaces from routinely inhabited rooms.

In all instances the gated access into the rear gardens from the court should be protected with a keyed mortice lock operable from both sides for convenience.

Alleyways

The alleyways which provide rear garden access to some plots should have a key lockable gate as close to the front building line as possible so that the entire length of the alley is in the ownership of the person requiring access – access to plots 20 & 30 are particularly bad examples.

Apartments

Access to the apartments both front and rear should be controlled by an access control system and each individual flat entrance door should be tested and certificated to comply with the requirements of BS PAS 24:2007

Secured by Design

I would hope that the applicant would build the development to Code for Sustainable Homes level 3 including the security elements.

OFFICER NOTE: Achieving Level 3 of Code for Sustainable Homes is a condition of the outline permission.

- 8.5 NCC ARCHAEOLOGY – The application site lies to the east of the modern settlement of Greens Norton. The County Historic Environment Record indicates that in the fields to the south is a complex group of cropmarks thought to represent prehistoric and Romano-British settlements; this has been backed up by finds of Romano-British pottery. The cropmarks are recorded to within 40m of the development site, and features of archaeological interest could therefore be expected to be present on the development site.

Notes PPS5 stresses the importance of pre application discussions in order to assess the significance of potential heritage assets but that NCC Archaeological Advisor was not consulted on the outline application, despite the size of the site. There was no provision at the time for checking the weekly lists, thus no opportunity for the impact on the historic environment to be considered. Normally for such a site pre-determination evaluation would be recommended to allow the impact to be assessed and a suitable mitigation strategy devised.

As this is an application for reserved matters it may not be possible to attach any archaeological requirements at this stage. However I would advise that an archaeological programme of works allowing for observation of topsoil stripping, investigation and recording of any archaeological remains, and analysis and publication of results (“Strip, Map and Sample”) would now be a suitable mitigation strategy in the absence of the information which an evaluation would have provided. In the event that this can be arranged, I will be happy to provide a brief for the programme of works.

OFFICER NOTE: At the time of the outline application archaeological advice was not available and there were no indications that the site was of any Archaeological significance.

- 8.6 NCC TRANSPORT & HIGHWAYS – Raise no objection but note the access road and vertical alignment of the access road to be substandard to meet NCC’s requirements for adoption – Consequently note that the access and estate road will need to be maintained by way of private management company. Confirm the Traffic Regulation Order in respect of the “No waiting at any time” restriction has been made by the County Council.

OFFICER NOTE: The roads within the scheme will not be adopted by NCC (see 10.55 of this report)

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- 8.7 NCC RIGHTS OF WAY – Nothing received
- 8.8 THE RAMBLERS ASSOCIATION – Nothing received
- 8.9 SNC STRATEGIC HOUSING – Comments awaited
- 8.10 SNC TREES OFFICER – Notes the Arboricultural Statement is largely satisfactory, but is concerned about the vagueness of it in part 8.1; which refers to ‘minimum excavation’. Comments to follow on the landscaping scheme.
- 8.11 SNC ENVIRONMENTAL HEALTH DIVISION – No adverse comments
- 8.12 SNC WASTE MANAGEMENT – Nothing received
- 8.13 CPRE - Nothing received

9. REPRESENTATIONS

- 9.1 In response to the initially submitted plans there have been 11 representations from 8 properties raising concerns and objection to the proposals which include the following grounds;

Access

- Access to the site; possibility the development will add significant traffic and access to the site made more difficult due to existing highway issues
- The planned access appears very dangerous; alternative access can be taken from the Towcester road at the other side of the housing development – In the event of a fatality the LPA would have been aware of the danger and might show a case of culpable negligence

Character / Density of development

- Density and number of properties proposed is too high and are too constricted, resulting in a cramped layout with buildings too close to existing properties
- Uneven distribution of properties with terraces and flats aligned to the northern part of the site which does not relate with the detached properties on Calvert Close – understand the intention has been to protect views of the village but the southern boundary has a 3m buffer and preference is given to a pleasant view of the village rather than residents of Calvert Close
- The larger detached units should be placed adjacent to the Calvert Close development / properties
- The restrictive shape of the site and other physical constraints such as the public footpath means the site is not suitable for 49 dwellings
- The character and style of housing is more appropriate to an urban

environment

- Over intensive nature of the development is shown in features such as that garages are shown to be smaller than the requirements in Condition 27 of the Outline consent; some pedestrian visibility splays are not sufficient; porches for some plots, no private amenity space for the flats, some houses plots are dominated by car parking spaces, which in some instances will be very difficult to use, front gardens leave little room for landscaping, some units are too close to Calvert Close properties

Effect on private amenity

- Overlooking and loss of privacy from proximity of housing
- Loss of sunlight due to height and proximity of some dwellings proposed to neighbouring development on Calvert Close
- The developers plans are inaccurate in places, omitting some extensions to existing properties

Landscaping

- Landscaping fails to comply with conditions 8, 9 and 10 on the Outline consent, as picked up in reason 10 of the refusal of the last reserved matters scheme
- Reliance on filling gaps in the existing hedge along the northern boundary will not provide sufficient screening

Other

- The development will put pressure on some local infrastructure, though some will be helped by additional people
- Affordable housing is the priority for development but has been restricted more than appropriate
- Features such as parking courts are not in keeping with rural environment and can foster anti-social behaviour and vehicle crime, flats similarly are not in keeping with the local vernacular
- Though houses have 2 spaces in many cases one of these is a garage space which is barely big enough to park a car in and would be used for storage, leading to cars parking on the pavement
- Bin storage / access is not shown for any units other than the flats, and access to terrace units rear gardens in particular makes this an issue

9.2 Following in depth negotiations with the applicant a number of further revisions have been made in response to some the above concerns.

9.3 Re-consultation of neighbours and statutory consultees was recently carried out, on

the 14th June, giving a further 14 days to comment on revised plans and further responses are awaited which will be updated to the planning committee via written update ahead of the committee meeting.

10. OFFICER'S REPORT

10.1 INTRODUCTION

10.2 The key issues relate to the detailed elements of the scheme. Matters of principle were already considered at the outline application stage. Therefore continuing concerns regarding principle issues, or the access to the site, must now be disregarded.

10.3 The reserved matters comprise 'layout', 'appearance', 'scale', and 'landscaping'. For clarity, issues concerning movement and accessibility within the site, including parking provision, meanwhile remain valid considerations as part of the consideration of the 'layout' of the scheme. The amount of development approved and requirements of the development are set by the outline planning permission. Key requirements of the outline permission affect the developable site area such as;

- adequate surface water drainage provision
- to maintain a 2m buffer around the public footpath through the western end of the site
- to establish and maintain a 3m landscape buffer to the southern end of the site to protect strategic views of the site from the countryside
- the protection of existing trees along boundaries and bolster planting to improve hedgerows on the eastern and northern site boundaries
- maintaining adequate separation distances from neighbouring properties

10.4 These constraints have informed the layout of the development, and do restrict the developable space somewhat further.

10.5 Hereafter the first reserved matters application, S/2010/1417/MAR is referred to as the 'last scheme' for simplicity. That application was refused for 11 separate reasons and where relevant those reasons are covered in the sections below prior to reviewing this current proposal.

10.6 Officers' aspirations for this site, in design terms, have been to secure a scheme that takes its cue from the village core of Greens Norton rather than the "overwhelming imprint of modern housing estates" which the Village Design Guide notes has diluted much of the village's historic character. In pre-application advice officers have advocated that the layout of any revised scheme for this site should arrange built form in a more informal and organic manner, and avoid the use of jarring urban elements, or suburban patterns of development.

10.7 MIX OF DEVELOPMENT

10.8 The scheme includes 49 dwellings, of which 20 (40%) would be affordable housing units, as set out as a requirement in the s106 undertaking. The scheme includes an acceptable mixture of detached, and terraced units with one pair of semi detached units. The affordable housing comprises (number/type [drwg. ref]);

- 7 x 2 bedroom houses [AF2b]
- 4 x 2 bedroom flats [AF2b Apts.]
- One 2 bedroom bungalow [AF Bung.]
- 5 x 3 bedroom houses [AF3b]
- Market housing within the scheme comprises;
- 1 x 2 bedroom FOG (flat over garages) unit [X]
- 15 x 3 bedroom house [C] [D+][N] [R] [Y]
- 13 x 4 bedroom house [A] [F] [W]

10.9 LAYOUT

10.10 Concerns about the layout of the last scheme were voiced in refusal reasons 1, 5, 6 and 7 (see Appendix A). These included;

- the uneven distribution of housing types throughout the site
- the geometric shape of the highway;
- private amenity consequences of plots 4 and 5 fronting onto an open parking court
- Inadequate parking due to restrictive spaces for **plots 43 and 44**
- Private vehicular parking spaces to **plots 18-19 and 25-27** being sited parallel to the front elevations of their respective dwellings creating a car dominated frontage
- Insufficient parking for affordable housing units on **plots 1-8, 12 and 13**

10.11 There was little continuity in the built form of the refused reserved matters' layout. The geometric design of the access road added a highly formal, urban character to the development. This was established in part by the access road which included 2 sharp corners but was substantially exacerbated by employing different surfacing materials within the 'Entrance Square', 'Central Square' and the 'Courtyard'. Houses sat rigidly within their plots, paying no regard even to minor variations in the position of the road. The consequence would have been to confirm the central urban feel of that scheme. The refused scheme arranged properties along a simple formulaic horizontal pattern. Where the layout did deviate houses were rotated at a very

formal 90 degree orientation.

10.12 Layout of the submitted scheme as revised

- 10.13 Towards the front (west) of the site this layout retains a mixture of generally terraced or detached dwellings as in the last scheme, though addresses the amenity concern (formerly plots 4 and 5) by avoiding fronting dwellings directly onto parking spaces used by other dwellings. The scheme retains a sharp chicane corner towards the front of the site. Beyond this the schemes are very different.
- 10.14 Officers have encouraged a more informal pattern of development that addresses the road with greater deviation; a gently meandering route through the development, which would more readily reflect the characteristics of a traditional rural village (as referred to in the Council's Residential Design SPG). Concurrently officers have worked very closely with the developer on the design of house types to ensure the quality of the scheme is improved.
- 10.15 In this layout the highway curtails the majority of development (41 of plots are set to the north of the main road through the development) separating it from the Countryside edge, with the exception of two limited groups of low density detached housing set to the south at plots 42-45 and 46-49. Adjacent development to the north of the main estate road is closely followed by a variety of dwelling types, including corner units, terraced properties, and units that face gable end on to the street to maximise the sense of a close knit traditional frontage to a village lane. A single pedestrian footway runs along the northern side of the 'main' road.
- 10.16 The scheme features a bias that generally aligns the road between the middle and the south of the site to ensure that the development provides a high quality, outward facing edge to the settlement given the site's prominence at the rural fringe of the village. To this end the road provides a further offset behind the required 3m landscape buffer setting the majority of housing development away from the boundary by about 8m. Furthermore as requested the applicant has included a high proportion of those units visible along the southern fringe (9 of 16) in natural stone to further soften the impact of the development upon the countryside and views approaching the settlement.
- 10.17 To the side and behind the units along the northern part of the main road the layout leads off into small parking courts hosting parking for terraces that sit at 90 degrees to Calvert Close. Towards the centre of the site (plots 26 and 32) the scheme includes a central 'mews' of five properties. Along the main route two smaller access 'lanes' lead into parking court areas serving small (3 or 4 unit) terraces.
- 10.18 The layout approach also seeks to minimise the effects on Calvert Close properties while meeting the conflicting aims of maximising the use of space and quality of built form to limit the visual impacts of the development especially on strategic views from the countryside. The relatively flat topography ensures that orientating blank terrace elevations at obtuse angles to the rear elevations / gardens of existing houses reduces intrusion on the whole to the adjacent development by allowing views from the back gardens of existing properties to permeate through the development. Officers were not satisfied with the initially submitted scheme. Having visited number 3, 5 and 45 Calvert Close on request from objectors it was clear that

the submitted scheme had not gone far enough to protect private amenities. Consequent changes have been made throughout the scheme to accommodate improvements to the mews area (plots 27-31) and to plots 39-41. Officers have insisted from the pre-application advice stage that minimum separation distances set out in the Council's SPG ('Residential Extensions') are respected. These stipulate that gable ends should not intrude within 12m of a rear elevation of an existing property, while facing elevation windows should not fall within 22m.

- 10.19 The affordable housing within the scheme has been provided, in line with adopted SPG, in groups of no more than 10 units across the site.
- 10.20 In terms of parking provision the layout provides a total of 96 parking spaces. The four 2 bedroom flats have 1 space per unit with 0.5 visitor spaces. Otherwise every single unit has two parking spaces. All garages are of a usable shape and size adequate to park a family car. Parking is provided through the site through a mixture of on-plot spaces, garaging, and in parking courts for terraces and flats. While the affordable houses are generally provided parking in courts, plot 1 has on plot parking while plots 36, 39 and 41 each have on road parking, sufficiently disguising this. Parking is now, so far as reasonably possible, tenure blind, overcoming the 5th reason for refusal of the last application.
- 10.21 Objectors have pointed to the fact that parking courts are not locally distinctive. Officers would not disagree with this and perhaps ordinarily would not support such courts in this number. However, in this case the surface water drainage characteristics of the site require large areas of permeable paving to ensure that a SUDS system can function adequately. The most appropriate solution has been considered to absorb this need through the use of parking courts. In addition use of these courts has facilitated the use of blank side gables adjacent to neighbouring properties and allowed gaps in built development affording views through from several houses on Calvert Close. Arguably an insistence on on-plot parking and the use of larger lower density housing on the northern part of the site would have had a greater impact on outlook and privacy.
- 10.22 They have been carefully reviewed and their size has generally been kept to a minimum, and balanced by on road parking. Officers have also sought for the four parking courts to be mitigated further and enclosed from views by a variety of high quality features. Thus the scheme employs a brick/tile bin store (parking for 13-16) screen walls (19-22) and structured planting (37-40).
- 10.23 Potential materials have also explored with the applicants, to determine the most sensitive materials for permeably surfaced areas. The use of more rustic grey/charcoal tegula blocks is envisaged instead of more modern pavements and could be laid in a random course rather than herringbone pattern. This will encourage a less urban character to the areas.
- 10.24 Addressing reason 8 for refusal on the last scheme officers have insisted that the development provide adequate amenity spaces within the scheme relative to the house types provided. While the Council does not have adopted SPG/SPD which stipulates a minimum garden size, as PPS3 notes it is important that new housing development is adequately provided for in this respect. To this end a minimum garden size of 50m² for two bedroom houses has been followed, with expectations

that larger houses, particularly four bedroom houses significantly exceed this target.

10.25 Though a couple of the 2 bedroom affordable houses feature gardens that skirt with this lower limit, overall the scheme provides proportionate garden spaces for each of the dwellings which are adequate. Sufficient area is also given to the flats for communal outdoor space, and those units also have access to their own lockable bin store that also provides space for cycle storage.

10.26 Finally, the layout enables the footpath route to be retained without diversion, while properties have been faced onto the footpath to create an active frontage through the site in the interests of legibility and security.

10.27 SCALE AND APPEARANCE

10.28 Achieving good design is a key principle of PPS1 which advises that while local planning authorities should not attempt to impose architectural styles or stifle innovation it is proper they to seek to promote or reinforce local distinctiveness, particularly where supported by clear plan policies or supplementary planning documents on design.

10.29 The last application for reserved matters was heavily criticised for the design of housing within the scheme which failed to pay due regard to locally distinctive design. Reasons 2 and 3 for refusal of the last scheme focussed in particular on the uncharacteristic scale of house types, and inclusion of inappropriate architectural detailing and features including;

- deep plan depths on a large number of plots
- poor use, design, and proportions of fenestration
- uncharacteristic window surrounds, cill detailing, porch design, door positions, meter boxes and verge design together with the use of bargeboards, quoins, low pitched roofs
- first floor link arrangements on plots 16, 17, 30 and 31 over driveways
- the lack of chimneys on the affordable housing on plots 1-8, 12-13 and 18-19

10.30 Exhaustive pre-application advice has been given regarding the key principles of local vernacular design within South Northants and in Greens Norton, as set out in adopted SPG listed above, and in the Village Design Guide. The applicant has engaged with the Council and has taken carefully on board the majority of officers' advice and there has, correspondingly, been a significant uplift in the general quality of the house types proposed in the scheme.

10.31 Excessive plan depths, which on many plots were in the region of 8m (with correspondingly lower pitched roofs) have been addressed. Plan depths in this scheme now generally comply within parameters set at 6-7m. Some flexibility has been agreed, for example for the bungalow (7.7m) and for the terraces (7.3m) which as larger blocks have greater capacity to absorb slightly deeper plan depths without this being detrimental.

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- 10.32 Roof pitches now generally average between 45-50 degrees with some variation afforded by the Y-type semi-detached houses, the bungalow, and ancillary buildings within the scheme.
- 10.33 The design of the revised house types is a significant improvement. House types have more sensitive elevational treatment and make use of correctly proportioned fenestration. Stone and brick units alike now include suitable window surrounds, cill detailing, and simple porch designs. Meter boxes (except on mid-terrace units) are no longer located on principal elevations. Other elements such as first floor (drive under links) have been omitted and all units now feature chimneys.
- 10.34 The architectural quality of affordable housing is not readily discernible from market housing within the scheme unlike in the refused reserved matters scheme. Further given that there are three market housing terraces distributed through the scheme, and the consistent design quality of the terraces it is considered in layout terms that the affordable housing is not readily identifiable within the scheme.
- 10.35 Overall the quality and consistency of design in the units proposed has been radically improved and can now be said to comply in the main with the Council's SPG advice. In particular the house types now feature simple roofs, unfussy elevation design, with visual interest (such as via different porches, or the odd bay window) provided sensitively. Subject to approval by planning condition buildings will be constructed from high quality materials. These see elevations finished in two different stock bricks (35 units), painted brick (5 units) natural stone (9 units). Roofs will consist of plain concrete tiles, or natural slate (typically on the more sensitively located units).
- 10.36 LANDSCAPING
- 10.37 As objectors rightly note the last scheme was refused, at reasons 10 and 11 for failing to include proposals and information relating to the protection of existing trees and provision of substantial landscaping to the northern and eastern boundaries of the site as is required in Conditions (8,9,10) of the outline consent. This application when submitted still included insufficient information.
- 10.38 As part of the substantial ongoing discussions with the developer this has now been satisfactorily addressed on the latest revision of their scheme and is supported by an Arboricultural Method Statement.
- 10.39 Landscaping plans now depict both the planting of a 3m buffer hedgerow along the southern boundary, as expected, and includes substantive hedge and tree planting / retention to the southern boundary with Calvert Close, and the eastern boundary adjacent to the paddock. The proposals meet the requirements of conditions 8, 9, 10 and the restrictions in these conditions complements the reserved matters process and so will in any case need to be complied with.
- 10.40 Concerning the landscaping within the site the comments of objectors have been taken on board. Clearly in seeking to ensure a close knit, and intimate rural character of properties involves creating a degree of enclosure not found in modern suburban layouts. As a consequence of siting many properties close to footways / highway, results in smaller front gardens with less capacity for planting and

landscaping. Through negotiation officers have secured a degree of variation in front garden depths. While front gardens tend to be 1-2m in depth in some cases they extend up to 4.5m.

- 10.41 Officers consider that the landscaping strategy proposed seems that it will be effective and in combination with the high standard of design of housing, will collaborate to provide a successful development and a high quality environment for residents of the development as well as protecting, sufficiently, the amenities of existing adjoining properties.
- 10.42 Judgement on this aspect is reserved however pending the Arboricultural officer's detailed comments which will be updated to the planning committee via written update.
- 10.43 IMPACTS OF THE SCHEME UPON VISUAL AMENITY AND THE CHARACTER OF THE COUNTRYSIDE
- 10.44 The outline planning application set the quantum of development. 49 dwellings were granted on this site. At the time of the decision was made in the context of PPS3's minimum density requirements of 30 dwellings per hectare.
- 10.45 Noting the objectors concerns first of all, it is plainly evident on the layout plan that this scheme appears to be of significantly higher density than Calvert Close / Calvert Road, as pointed out by adjoining residents. Indeed Calvert Close / Road development averages out at a very low density of approximately 22-23 dwellings per hectare. PPS3 (para.50) highlights that existing development should not dictate the density of new development by stifling change or requiring replication of existing style or form and that development should make an effective use of land. Consequently the fact that the scheme has an apparent high density, juxtaposed with the adjacent site does not make it unacceptable per se. Nonetheless this change in density has presented challenges and the distinction in relative densities does cause the layout to appear rather cramped in relative comparisons.
- 10.46 It must be noted, however, that this scheme does almost universally meet all functional requirements i.e. maintaining appropriate relationships with existing development, sufficient parking provision, adequate garden sizes, providing buffer landscaping, and retaining the footpath undiverted. The scheme also includes some strong desirable elements, such as outward facing development in the centre (south) part of the site and a majority of units along the southern fringe to be built in natural stone. The scheme would also integrate well into views from Mill Lane. Views into the site would be framed by detached houses on plots 8 and 49, both constructed from natural stone with high quality designs (House type's A and F).
- 10.47 While the scheme will also have little effect on the appearance of streetscene views at Calvert Close one potential negative aspect concerns how the development at plots 36 to 38, will integrate into views from the adjacent end of Calvert Road. Although stepped away from the boundary and set down at a slightly lower ground level the terrace proposed at this point is awkwardly orientated. Although the step forward from the building line of 45 is by no means fatal, it may be evident that it is the rear elevation on view within the Calvert Road cul-de-sac. As views through to the site are presently partially screened by an existing section of hedgerow and tree

planting reaching 4m+ in height. It is believed that this concern can be further mitigated using appropriate levels and if necessary, additional early planting. Overall, officers do not consider this to be sufficient to warrant refusal of the scheme.

10.48 Despite the concerns raised by residents it is considered that this scheme is now worthy of support from a visual impact standpoint and should be approved. While the layout includes elements, such as parking courts and the sharp dog-leg at the front of the site, which are not ideal solutions, but they do not compromise the overall quality of the scheme. The scheme will not have any significant adverse effect on the visual amenity of the built environment and, so far as is possible for such a development on a Greenfield site, will have only a limited effect on the character of the village and the wider character of the countryside. The scheme is considered therefore on balance, to comply with the aforementioned policies in the Local Plan, the aims of the IRHP and guidance set out in PPS1 and in the Council's adopted SPG.

10.49 IMPACTS OF THE SCALE, DESIGN AND LAYOUT OF THE PROPOSALS ON RESIDENTIAL AMENITIES

10.50 Turning to the effect on private amenities from the current revision to the scheme the 12m separation requirement between gables and existing development has been met or exceeded. In respect to separation from overlooking with the exception of plot 28 the back-to-back privacy distance has also been met.

10.51 The first floor rear elevation windows in Plot 28 (serving two bedrooms) are approximately 20m from the conservatory of no. 7 Calvert Close and a little over 21m from its rear elevation, and the two are splayed at around 25 degrees from each other. Similarly the separation to no. 5 Calvert Close is 19m. While this falls short the slight intrusion within the guidance distance in the SPG would not represent a significant compromise to the amenity of those occupiers or be sufficient to justify refusal of the scheme as a result having regard to the fact that the offending windows are bedrooms (rather than say a living room or kitchen) and the topography of the site.

10.52 Another factor considered by officers is the relationship of parking spaces to the rear boundaries of adjacent properties on Calvert Road / Close, however officers do not feel this compromises the amenity of adjacent occupiers despite the proximity of some spaces. Screen walls are shown to border the edge of the parking courts (with the exception of at plot 39). No objection has been received from the Council's Environmental Protection Officers to the layout and it is recommended that any further screening of the parking courts can be managed via planning condition.

10.53 Overall the scheme is acceptable in respect of the relationship of the proposed development upon neighbouring development but planning conditions will be required to prevent alterations under permitted development rights, such as the insertion of new first floor windows and roof or other extensions on properties close to the northern boundary of the site. The development will not create any unacceptable degrees of overlooking, loss of daylight, and as revised the scheme prevents any excessive degree of enclosure / obstruction to adjacent properties. In these respects the scheme is considered to comply with Policy G3 of the Local

Plan.

- 10.54 THE ADEQUACY OF THE RESERVED MATTERS SCHEME IN TERMS OF ACCESSIBILITY, AND PARKING PROVISION IN THE INTERESTS OF DESIGN QUALITY, STREETSCENE IMPACT AND HIGHWAY SAFETY.
- 10.55 As covered above the scheme includes adequate parking provision and a suitable footway is provided through most of the site, ending where shared surfaces start, such as in the 'mews' section in the middle of the development.
- 10.56 The Local Highway Authority's comments are noted, and the developer has confirmed the estate road and shared surfaces will not be adopted but maintained by a management company set up for the development. The LHA raises no objection in this respect. Road and parking provisions in the layout are adequate and meet the requirements of condition 27 of the outline permission. The submitted swept path analysis demonstrates that access through the site can be made by both a fire engine and the largest refuse collection vehicles.
- 10.57 A planning condition is suggested to prevent the later conversion of garages to additional living accommodation. Though this is unlikely given the plots have single garages, it would leave plots with adequate parking and contribute to unplanned for on road parking.
- 10.58 THE COMPLIANCE OF THE SCHEME WITH THE PLANNING CONDITIONS ATTACHED TO THE OUTLINE LANNING PERMISSION AND THE SECTION 106 AGREEMENT.
- 10.59 The provisions built into the layout and supporting information meet the various constraints set out in the planning permission and its accompanying s106 Unilateral Undertaking. No objections have been forthcoming from expert consultees and it is considered the scheme does not prejudice the compliance with the requirements of the outline planning permission or planning obligations on the developer.
- 10.60 OTHER ISSUES
- 10.61 As noted above the access to the site was approved as part of the outline planning application. Therefore while ongoing concerns are noted they have been well rehearsed and are not a material consideration to the determination of this application.
- 10.62 The Crime Prevention Design Advisor's remaining concerns have been carefully considered. The surveillance of the parking court at the rear of plots 4-12 has already been improved following her earlier comments and officers tend to disagree that surveillance is minimal when factoring in the number of first floor windows facing the area and the semi-permeable fencing provided. Other suggestions such as lockable gates to rear gardens are agreed with and can be included via planning condition. The development will meet Code 3 on the Code for Sustainable Homes as per a planning condition on the outline permission.
- 10.63 The concerns raised by the County Archaeologist are noted. The request that a condition be added to any reserved matters approval has been carefully considered.

Planning conditions need to meet the tests set out in Circular 11/95 and your officers are not wholly convinced that such a condition (applied at this late reserved matters stage) would be defensible if challenged at appeal. It is suggested instead that the applicant be advised of the omission and benefits from carrying out the requested watching brief and suggest it by way of an informative rather than a planning condition.

10.64 The scheme as revised now has improved the relationship of the development with a few properties along Calvert Close. In particular overlooking to no. 45 Calvert Road has been significantly reduced by revising the location of single and two storey dwellings facing their side garden boundary. Any further comments received from neighbours will be updated to the planning committee.

11. CONCLUSIONS

11.1 Turning back firstly to review the previous reasons for refusal the layout now adequately addresses competing considerations of visual impact to the area and protecting the amenities of adjacent development. The revised scheme represents a significant departure from the previous scheme and addresses many of its shortcomings. While the relative density of the scheme as compared to Calvert Close, or Mill Lane is relatively high, the amount of development has hitherto been set at the outline stage.

11.2 The designs of house types have also overcome the concerns from the last submission. They are now arguably a strong point within the scheme and closely adhere to a common theme and the design principles set out in the "Residential Design in Countryside" SPG.

11.3 Affordable housing is no longer readily discernible from the market units within the site and integrates well into the development. Functional space concerns have been overcome. None of the parking spaces are artificially restricted and are all usable in size and position. Private gardens are now adequate in size across the scheme. Finally landscaping proposals which have been developed to support the scheme address reasons 10 and 11 of the last application, and are adequate to meet the planning conditions on the outline consent and contribute to the delivery of a high quality housing scheme.

11.4 Despite the constraints discussed the scheme presents a high standard of design which where possible fronts onto countryside views. Its layout approaches development on this site in a manner that more closely reflects traditional development found in the village core, as opposed to replicating the suburban forms found in modern estate developments that have enveloped it since the 1950s. The close-knit built form and sensitive treatment of spaces around buildings would create a development based around facets of local vernacular design. As a scheme it complies with the requirements of the Council's Supplementary Planning Guidance in terms of the use of spaces, orientation and layout of built form, the detailed design of the dwellings and ancillary buildings and the use of materials.

11.5 The scheme also includes some negative aspects as recognised above. Parking courts are not part of the local vernacular and tend to appear on more modern development. Nonetheless through sensitive mitigation and treatments they would

not significantly compromise the quality of the scheme. The retained chicance from the previous scheme is a further negative element, and indeed the geo-metric shape of the highway was a concern voiced in one of the previous reasons for refusal. However it sits in a vastly different context in this scheme, and is offset by the remainder of the proposed development found in the layout. Consequently officers do not believe it warrants refusal of this application, unlike in the last scheme where it was indicative of an incongruous urban theme.

- 11.6 The scheme, which it must be said has derived from a substantial degree of discussions with the agent is now of a form and quality that can be supported. Consequently officers recommend that delegated authority is given subject to further consultation with a select few neighbours. The majority of adjacent properties will have had a full period in which to comment further but unfortunately there were some minor errors in the latest revised plans which affect a handful of properties. On balance it is considered that, subject to the conditions below, not only does the scheme now comply with the relevant development plan policies, and guidance (within national planning policy and adopted Supplementary Planning Guidance) but it will also deliver a high quality housing development that meets the aspirations for the delivery of sites as envisaged by the IRHP, by exception to the adopted housing policies.

12. CONDITIONS AND REASON FOR APPROVAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development shall not be carried out otherwise than in complete accordance with the approved plans [PLAN NUMBERS AND DATES TO BE UPDATED] and other details [TO BE UPDATED] unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (General Development Procedure) (Amendment No3) (England) Order 2009.

Reason : To clarify the permission and for the avoidance of doubt.

PRE-COMMENCEMENT CONDITIONS

2. Prior to the commencement of development further details of the proposed surfacing to provide access between the estate road and the rear gardens of no.'s 13, 15 and 17 Mill Lanes shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be constructed in accordance with the approved details prior to the first occupation of any of the dwellings.

Reason: To ensure adequate provision of access to the rear of the aforementioned properties in line with the requirements of the s106 Undertaking.

3. Notwithstanding the specification on the 'planning layout' regarding 'contrasting surface treatment' (drawing number 1009/003/001 rev B) samples of the proposed permeable paving shall be submitted to an approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of visual amenity and to secure a satisfactory standard of design quality within the scheme, in accordance with Policies G3 and EV1 of the

South Northamptonshire Local Plan 1997.

4. The elevations of the dwellings and garages on;
- plots 8, 23, 24, 25, 26, 33, 45, 46 and 49, shall be constructed in natural limestone in accordance with condition 5 of this decision with natural slate roofs;
 - plots 1-3, 13/14, 28 and 32, shall be finished in painted brick with natural slate or plain tile roofs;
 - the remaining plots shall be constructed in stock brick, with roofs covered in either natural slate or plain tiles;

Unless otherwise agreed in writing by the Local Planning Authority, and in accordance with samples to be submitted and approved in writing as required by condition 21 of the outline planning permission.

Reason: To ensure that the materials are appropriate to the appearance of the locality, to ensure the satisfactory appearance of the completed development in accordance with Policies G3 and EV1 of the South Northamptonshire Local Plan.

5. The dwellings on plots 8, 23, 24, 25, 26, 33, 45, 46 and 49 shall be constructed in natural limestone which shall be laid, dressed, coursed and pointed in accordance with a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority prior to the commencement of the development for those plots hereby permitted.

Reason: To ensure that the materials are appropriate to the appearance of the locality, to ensure the satisfactory appearance of the completed development in accordance with Policies G3 and EV1 of the South Northamptonshire Local Plan.

PRE-OCCUPATION AND STAGE CONDITIONS

6. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwelling, including the windows and doors (and their surrounds), garage doors, and together with the eaves and verge treatment for all buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area in accordance with Policies G3, and EV1 of the South Northamptonshire Local Plan and deliver a satisfactory quality of development that meets adopted Supplementary Planning Guidance.

7. Notwithstanding the submitted details for the front boundary railings aligned to the public footpath along plots 10, 11, 12, and 13-16, railings shall be of a (vertical) design and height in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The railings shall thereafter be installed

and maintained in accordance with the approved details, prior to the first occupation of any of the dwellings with the aforementioned plots.

Reason: To adequately define the public realm from private amenity areas and reduce potential for conflict between users of the public footpath and occupiers of the affected properties, in accordance with Policy G3 of the South Northamptonshire Local Plan, 1997.

8. Notwithstanding the submitted plans (drawing no. BS01 rev C) full details of design of the proposed bin store associated with the affordable flats on plots 13-16) shall be submitted to and approved in writing by the Local Planning Authority and the bin store shall thereafter be constructed in accordance with those details prior to the first occupation of any of the aforementioned flats.

Reason: To secure a satisfactory development, and in the interests of visual amenity and security, in accordance with Policy G3 of the South Northamptonshire Local Plan 1997.

9. Prior to the first occupation of any of plots 42, 44, 45, 46, and 49 a post / rail fence shall be installed and thereafter retained along the inside (north) of the southern boundary landscape buffer on those plots, and thereafter no fence, gate, wall, or other means of enclosure shall be erected other than those hereby approved, notwithstanding the provisions of Class A, Part 2, of Schedule 2, of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting or amending that order), without the prior express planning permission of the Local Planning Authority.

Reason: To adequately define the public realm from private amenity areas and help prevent confusion about the need to retain the landscape buffer, in the interests of visual amenity in accordance with Policies G3 and EV1 of the South Northamptonshire Local Plan, 1997.

POST OCCUPATION REGULATORY CONDITIONS

10. Notwithstanding the provisions of Classes A to E (inclusive) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (no 2) (England) Order 2008 (or any order revoking or re-enacting or amending that order) no further enlargement, alteration or improvement of dwellinghouses shall be undertaken at any time without the prior planning permission of the local Planning Authority.

Reason: (i) To protect the wider rural character of the area in accordance with policies G3, and EV1 of the South Northamptonshire Local Plan
(ii) To protect the amenities of adjoining occupiers in properties along Calvert Close in line with policies G3 and H17 of the Local Plan and guidance contained within the Council's SPG, 'Residential Extensions' (iii) To retain control over those plots with restricted garden areas to ensure proportional and functional private amenity space is retained to serve the dwelling in line with the aims and objectives set out in PPS3: Housing and policy EV1 of the Local Plan.

11. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and

Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting or amending that order) no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in front of the front wall of any dwelling and the highway [or the flank wall of a dwelling at the junction of two roads], at any time, without the prior express planning permission of the Local Planning Authority.

Reason : In order to retain the open character of the development and area in accordance with Policy G3 of the South Northamptonshire Local Plan.

12. Notwithstanding the provisions of Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 and its subsequent amendments, the garages shown on the approved plans shall be retained for the garaging of private motor vehicles and shall not be converted to provide additional living accommodation without the prior express planning permission of the Local Planning Authority.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and to comply with Policy G3 of the South Northamptonshire Local Plan.

REASON FOR APPROVAL:-

1. The Council, as local planning authority, has determined this application in accordance with the adopted development plan policies, including 'saved' policies G3, EV1, EV21 and EV29 of the South Northamptonshire Local Plan and policies 2, 14, 15, 26 and 29 of the East Midlands Regional Plan 2009, and supporting guidance set out in adopted Supplementary Planning Guidance and national planning policy (PPS1, and PPS3). The submitted reserved matters scheme is considered to be acceptable on its planning merits and the proposal represents a satisfactory standard of housing development which would be in keeping with the village and the surrounding area and what not cause harm to the amenities of neighbouring properties. As such the proposal is considered to comply with the Development Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and reserved matters approval granted subject to appropriate conditions, as set out above.