1. We are submitting this Representation on behalf of Mrs JM Beatty and Mrs I Clarke who own land in and around the settlement of Earls Barton.

2. We have previously submitted Representations to the Earls Barton Neighbourhood Plan through the Call for Sites Exercise in August 2012 and the Regulation 16 Consultation in August 2014. (I enclose a copy of the Representations submitted in Submitted in 2014 which includes a copy of the original Representations to the Call for Sites Exercise in August 2012 at Appendix 1).

3. Our initial Representation to the Call for Sites Exercise highlighted sites in our clients’ ownership which we believe have potential for residential development and also identified other land owned by our clients which our clients were prepared to enter into dialogue with the Neighbourhood Plan Group if they had any specific thoughts or proposals for alternative uses.

4. Our principle items of concern and objection remain as set out in our Regulation 16 Consultation submitted August 2014 which can be summarised by the following two bullet points:
   - Lack of a robust process of site selection.
   - Retention of historic and out of date village policy line.

5. On 02 February 2015, Earls Barton Neighbourhood Plan Group published a housing site selection process document which we now comment on.

**Housing Site Selection Process**

6. The Housing Site Selection Process Document (HSSP) was published 02 February 2015. It provides additional evidence in respect of the Site Selection Process. It largely forms a narrative of the steps taken by the Parish Council in arriving at its conclusion to allocate a single site known as The Grange, to the north of Earls Barton and to discount other potential locations for housing development. In our previous Regulation 16 Representation submitted in August 2014 (copy enclosed at Appendix 1) we expressed concern that there was no evidence of any kind of selection process which would comply with the requirement set out in the Planning Practice Guidance. The Planning Practice Guidance makes it clear that where Neighbourhood Plans seek to allocates sites for development:

   “a qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria”

7. The Planning Practice Guidance also provides further guidance on preparing a site assessment. The core outputs of a site assessment process are set out below:

   “The following set of standard outputs should be produced from the assessment to ensure consistency, accessibility and transparency
• A list of all sites or broad locations considered, cross referenced at their locations on maps
• An assessment of each site or broad location, in terms of its suitability for development, availability and achievability (including whether the site/broad location is viable)
• To determine whether a site is realistically expected to be developed and when
• Contain more detail for those sites which are considered to be realistic candidates for development, where others have been discounted for clearly evidenced and justified reasons
• The potential type and quantity of development that could be delivered on each site’s broad location, including a reasonable estimate of build out rates, setting out how any barriers to delivery could be overcome and when
• An indicative projector of anticipated development and consideration of associated risks”

8. We remain concerned that the housing site selection process document shows that the site selection process has not been carried out in accordance with the requirements of the PPG. This is a fundamental flaw in the plan preparation process.

9. We would also like to highlight that the Appeal Report produced by Inspector Manning into Redrow Homes’ Application on land off Station Road, Earls Barton (Appeal Reference APP/H2835/A/12/2168915 – attached at Appendix 2) recommended a grant of planning permission on the site in direct conflict with the Village Policy Line. Inspector Manning therefore considers that the Village Policy Line is historic and out of date.

10. We also comment that HSSP has not been robustly prepared and merges two separate and distinct items by including both capacity and new housing required and alternative options for housing sites within the same document.

11. We retain very serious concerns about the lack of a robust Sites Selection Process and a lack of evidence of a qualified analysis of individual sites and associated ranking.

12. The HSSP should fully set out the detailed evidence base and qualitative analysis undertaken of each individual site proposed for residential development.

13. We are concerned that significant flaws remain to the preparation of the Earls Barton Neighbourhood Plan which will require significant alteration or amendment by the Inspector.
1) We are submitting this Representation on behalf of Mrs JM Beatty and Mrs I Clarke who own land in and around the settlement of Earls Barton.

2) In our original submission to the Earls Barton Neighbourhood Plan ‘Call for Sites’ exercise in August 2012 (copy of letter and plan enclosed at Appendix 2) we highlighted sites in our client’s ownership which have potential for residential development. We also identified other land owned by our clients which the Landowners were prepared to enter into dialogue on if the Neighbourhood Plan group had any thoughts or proposals for other uses.

3) We are concerned that the Earls Barton Neighbourhood Plan has not undertaken an assessment of the individual sites submitted by our clients through the call for sites exercise. This is contrary to the advice set out in the Online Planning Practice Guidance which states: “A Neighbourhood Plan can allocate sites for development. The qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria”.

4) We are also concerned that the historic and out of date Village Policy Line is being retained and used to restrict future development of the village over the Plan period (15 years).

5) Earls Barton is identified by Wellingborough Borough Council as the second most sustainable settlement in the District. There are a significant range of services and facilities within the settlement and scope for the settlement to take further growth over the plan period. We therefore believe that the Neighbourhood Plan is unnecessarily restrictive and does not allow for additional suitable sites to come forward for development to help meet current and future housing needs.

6) In relation to the site off Station Road, Earls Barton (identified A on the attached plan) we confirm that our clients’ have entered an Option agreement with Redrow Homes (South Midlands) on this site and we support the Planning Representations made on behalf of the company by Pegasus Group and the Legal Submission made on behalf of the company by No 5 Chambers.

7) We also highlight that Wellingborough Borough Council Development Control Officers recommended an application submitted by Redrow Homes (South Midlands) for approval at a planning committee meeting on the 29th January 2014 (copy of Committee Report enclosed at Appendix 2). This confirms that the site off Station Road, Earls Barton is suitable for development and that no technical reasons exist that would prevent the site being developed.
8) We trust that our Representations will be taken into account and our concerns addressed. We also welcome the opportunity to participate in any further consultation/examination event.

Appendix 1

Your Ref:  
Our Ref: PELM/CM/15367

02 August 2012

Earls Barton Project Group  
c/o 56 Doddington Road  
Earls Barton  
Northampton  
NN6 0NQ

Dear Sir,  

Re: Earls Barton Strategic Housing Land Availability Assessment  

We act on behalf of the Beaty family and have pleasure in enclosing a completed Call for Sites Pro forma Questionnaire. We have completed the Questionnaire on the basis of three different areas around the village which we are promoting for residential development (coloured green on attached plan). We have also indicated the family’s wider ownership (edged red on attached plan) and would be happy to discuss any other thoughts or proposals which may be relevant to our clients.

I would be grateful if the information regarding the wider ownership is kept confidential to the Earls Barton Neighbourhood Plan Project Group although we would of course be prepared for the areas we are directly promoting to be made publicly available.

We would be very happy to maintain an open dialogue with the Earls Barton Neighbourhood Project Group as the process moves forward and if you feel that a meeting would be beneficial, then I would be only too happy to attend.

I look forward to discussing matters with you further.

Yours faithfully,

BLETSOES  
Email: peter.moore@bletsoes.co.uk
Enc.
BOROUGH COUNCIL OF WELLINGBOROUGH
Planning Committee 29/01/2014
Report of the Head of Planning and Local Development
APPLICATION REF: WP/2013/0457/OM
PROPOSAL: Outline application with all matters reserved except access for up to 85 dwellings, public open space and associated infrastructure on land off Station Road and Allebone Road, Earls Barton.
LOCATION: Land between and to rear 145 and 153 Station Road, Earls Barton, Northampton.
APPLICANT: J M Beatty, I S Clark and Redrow Homes South Midlands
Earls Barton Parish Council have requested that this application be subject to a visit by the Site Viewing Group before determination by the Planning Committee.
PROPOSAL AND DESCRIPTION OF SITE:
The site, which extends to 2.92 ha is located on the south eastern edge of Earls Barton and comprises a single field which is currently used for the grazing of livestock. To the north lie residential properties fronting onto Dowthorpe Hill, to the west and south residential properties fronting onto Station Road whilst open countryside lies to the east.
This application is submitted in outline form with all matters reserved for future approval with the exception of access. It is envisaged that the site could accommodate up to 85 dwellings (59 market housing units and 26 affordable housing units). An illustrative concept plan has been submitted but does not form part of the application. Two points of access are proposed, one off Station Road to the west and the other connecting into Allebone Road to the north. A public right of way (TC8) crosses the site from north to west which is to be retained within the development proposals.
RELEVANT PLANNING HISTORY:
WR/1962/0162 Housing site – refused
WR/1965/0028 Residential development – withdrawn
BW/1980/0524 Residential development – refused
BW/1981/0804 Site for 3 detached dwellings – approved with conditions
BW/1988/1111 Site for residential development – refused
WP/2013/0457/OM
NATIONAL GUIDANCE, DEVELOPMENT PLAN POLICY AND SUPPLEMENTARY PLANNING DOCUMENTS/GUIDANCE:
National Planning Policy Framework (NPPF)
Borough of Wellingborough Local Plan
Policy G4 – Villages
Policy G6 – Open Countryside
Policy H2 – Limited Development Villages
Policy H4 – Restraint Villages and Open Countryside
Policy H8 – Affordable Housing
Policy H9 – Affordable Housing – Exception Sites
North Northamptonshire Core Spatial Strategy
Policy 1 – Strengthening the Network of Settlements
Policy 6 – Infrastructure Delivery and Developer Contributions
Policy 7 - Delivering Housing
Policy 9 - Distribution and Location of Development
Policy 10 - Distribution of housing
Policy 11 - Distribution of jobs
Policy 13 - General Sustainable Development Principles
Policy 14 - Energy Efficiency and Sustainable Construction
Policy 15 - Sustainable Housing Provision

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:
1. 191 individual letters of objection plus a petition containing 601 signatures–
   • Currently Dowthorpe Hill is used as a shortcut by drivers who choose not to
use Station Road due to the level of parked cars, several cars have been damaged by passing traffic as at its narrowest point the road is only 10 feet wide.

- The level of additional traffic entering Dowthorpe Hill and Station Road due to additional residents means that this will get worse as Station Road will be able to accept additional traffic and traffic flows in Dowthorpe End will increase.
- It is understood that buses were re-routed down Doddington Road as they were unable to pass by parked/moving vehicles, not sure additional traffic can be accommodated, may also affect HGV deliveries and emergency vehicles.
- Has witnessed numerous housing developments over the years which have resulted in this end of the village becoming overloaded
- Amazed at the Redrow traffic survey, should not be taken as fact, an independent survey should be commissioned. The figures do not stack up
- Understand about the requirement for affordable homes having two sons at home who cannot afford to buy in the village but intrigued who is going to be buying all of these houses if they are built, it is well known that property prices are high because this is a popular place to live.
- Years ago people worked and lived in the village but the shoe factories who were the major employers have gone and the village has become an ideal place for commuters who probably have a higher income and can afford to spend more pushing property prices up
- Increased pressure for school places and infrastructure from more family houses. The provision for a new school should be mandatory.
- The line has to be drawn somewhere otherwise the village will be conjoined with Wellingborough and Northampton as predicted but denied many years ago
- Please consider the impact of construction traffic on residents of Station Road and Dowthorpe, if all the developments are passed it is going to be very dangerous and absolute bedlam down here.
- Existing roads are at capacity, the time has come when all services are at stretching to bursting point.
- Applicant gives the illusion of a quiet road system but it is totally the opposite, at many times of the day it is almost impossible to get up to the village.
- Already have a long wait to see a Doctor at the local surgery and it will become an impossible task if we have all the extra population that this and the other proposed developments will bring.
- Redrow say that the local bus services are about a kilometre away from the site and have easy access to them but the reality is that it is uphill and a good 15 minute walk to the nearest bus stop and the village centre, most people will jump in their car meaning more traffic in the centre of the village which already has a parking problem
- A development of this size is a non starter and goes against the preferred neighbourhood plan which recommends development to the north of the village on the A4500 where it will minimise issues of traffic and noise pollution as well as giving new residents easy transport links.
- Our village needs to stay a village, we are fast becoming a town without the amenities. Please do not destroy village life for us.
- Station Road already suffers badly from underground leaks with the current traffic loads.
- The developments take no account of the wishes of villagers expressed
through the recent Neighbourhood Plan Survey (Localism Act 2011)

- It is outside the village policy line against WBC planning Policy G4
- There are existing plots within the village development lines, on derelict or brownfield sites which should be developed before building outside policy lines (Policy G4 and G6)
- It will have an adverse impact on the size, form, character and setting of the village, especially if taken in combination with other developments (Policy G4)
- There will be irreversible loss of agricultural land (Policy G1)
- Increased noise and car headlights shining directly in windows (Policy G1)
- It will increase the risk of flooding due to the already inadequate drainage system at the end of Station Road (Policy G2)
- Revision to the Core Spatial Strategy, due to be adopted shortly by the Council will show a 6 year land bank (the last appeal succeeded as they were deemed to have only 2 years)
- Site is crossed by a footpath used by dozens of people on a regular basis and as such must be regarded as an important recreational facility for the villagers, the loss of which would impact hugely on the quality of life of all residents living nearby.
- Parts of the site are regularly under water after any significant rainfall, concerned about the threat of flooding to existing properties in the area should this development be allowed

- Concerned that if this opportunistic scheme is allowed that a precedent will be set and there will be a domino effect right up the hill.
- As a village, recognise the need for expansion and as such have set a democratic process in motion which should it be adopted will more than fulfil the requirements incumbent on us for the next 20 years. The current uncertainties due to changes in the law must not be allowed to undermine the process, if no clear new guidelines are in place we must be guided by convention: village boundaries and Greenfield sites must be protected.
- Devaluation of property
- Loss of birds and wildlife
- Plan shows 2 vehicular access points into the adjacent field and whilst these are marked a ‘agricultural access’ it is clearly the developers intention to continue development further up the valley.
- If this proposal is permitted it sets an undesirable precedent for further similar development.
- Understand the site to be of Archaeological Significance but the developer has not evaluated the site sufficiently to determine whether this is the case.
- Although detailed plans are yet to be submitted concerned that the positioning and density of the dwellings will both increase noise and disturbance and will also invade privacy, particularly the case for the bungalows at 1 Allebone Road and 32-36 Dowthorpe Hill that back onto the site
- Development will have a direct impact on quality of life and quality of living.
- Development proposes to connect into the existing sewer which runs down Station Road but this has blocked 4 times this year. On the last occasion Anglian Water put a camera down the drain and found a problem where it connects to the main sewer so disturbing this sewer may cause more problems.
Developer already has the Compton Way site to develop.

Delivery vehicles should have limited delivery hours so as not to disturb residents and shift workers.

Redrow say that a new bus service will be a condition of the Compton Way site but buses don’t always run where people work or at the times they need them. They also say people will be encouraged to walk but how will they do that?

Another bone of contention is the proposed placing of the social housing. Surely this should be placed away from existing residences as having seen the state of these developments in other areas, they just become a dumping ground.

The noise levels from the A45 are too high to allow housing development on this site without considerable earthworks and planting schemes to absorb/deflect the noise.

No benefit to the community from this development.

Cannot look at this application in isolation, need to consider all of the developments proposed.

Existing traders have lost business due to the lack of parking facilities on The Square and in Station Road.

Earls Barton Junior Youth Club has over 125 members aged between 7 and 11 years, due to the size of their premises only 80 members can be admitted into the building at any session, frequently members are turned away. The village has had a youth club facility since the 1970’s and it has never been so well attended. Would love to be able to put on more sessions but depend on adult volunteers this is an impossible task. We are struggling to keep the club running with member numbers as they are, what will happen if Earls Barton out grows this facility and other amenities the community has worked hard to provide.

Various comments made regarding the detail of the indicative layout produced by the applicant for consultation purposes but this is not before the Borough Council for consideration.

Development is contrary to NNCSS Policies 1 and 13 and Local Plan Policies G4, G6 and H9.

The David Wilson development which is preferred by the village will cause minimal disturbance to the historic village centre and provides additional sports and leisure facilities to all villagers which the applicant’s piecemeal, opportunistic development is demonstrably unable to do.

The Allebone Road access is located on a totally blind uphill bend.

For a realistic assessment of the total impact on village traffic and access this development must be considered cumulatively with the added impact of the applicant’s development at Compton Way and Bowbridge Land’s application at the rear of Thorpe Road, all of which depend upon Station Road and Dowthorpe Hill for access.

Employment opportunities within the village are very limited.

Object to the unreasonably short period specified for the return of letters of objection.

No decision should be made on this application until the Core Spatial Strategy has been adopted. And decisions can then be based upon the wishes of local people and a coherent long term strategy rather than short sighted opportunism by a commercial outfit, interested only in profit, not our valued community.
The application should be rejected out of hand because it is based on inaccurate data and misleading information.

As the Nation's population increases so does the demand for food and so to take out valuable agricultural land is ridiculous.

Request the Council commission a noise survey as it is believed the site falls within Category C where planning permission should not normally be granted. Noise is a problem for existing residents.

Site would be better developed as a school, maybe even a secondary school.

Type of housing proposed will not meet local need.

2. Northamptonshire County Council, Archaeology –

- There are no records of undesignated assets within the study area however there are a number of records to the south and north.
- The records to the north relate to Iron Age and Romano British settlement which was identified in the 1960’s.
- To the south and west the Historic Environment Record indicates a number of crop marks of Bronze Age, Iron Age and Romano British date.
- Excavations in advance of the construction of the A45 identified an Iron Age and Romano British settlement.
- The settlement of Earls Barton includes evidence for its Saxon origins, notably the church tower, a number of Saxon burials and the site known as Berry Mount, an earthwork mound and ditch thought to date from the Saxon period.
- In light of the archaeology in the vicinity there is potential for as yet undiscovered activity within the application area.
- It is disappointing in light of the above that the submission does not contain the results of any archaeological evaluation.
- I am somewhat surprised at the omission as I was contacted in October 2012 and again in 2013 with regard to the archaeological requirements for submission with any forthcoming application.
- It is unfortunate that a Desk Based Assessment produced by Phoenix Consulting has been submitted as part of the application. None of my preapplication requested this document as I have full access to all the information provided within this document. The DBA is merely a regurgitation of the Historic Environment Record and provides no new insights.
- I disagree with the conclusions with the DBA with regards to the potential for activity especially given that Iron Age and possibly Roman activity was identified within the residential area to the north.
- It is unfortunate that these areas were identified before the advent of developer funded archaeology. It is therefore not inconceivable that this activity could extend into the application area.
- A DBA alone does not provide sufficient information on the date, nature and state of preservation of the surviving archaeology. I advised that evaluation in the form of geophysical survey and targeted trial trenching would need to be undertaken in advance of determination, as recommended by section 128 of the NPPF.
- The evaluation could provide sufficient information to identify if any areas of national significance were present within the development area that would form a constraint on development.
- Current policy and guidelines indicate that this information should be provided.
as part of the planning application in order to allow the LPA to make a balanced and informed decision as to the archaeological potential of the area.

- I therefore recommend that further information in the form of an archaeological field evaluation is provided by the applicant before the determination of this application. This will enable us to ascertain the existence and state of preservation of any buried remains in order to assess the importance of the site and the impact of the development as per section 128 of the NPPF.

3. Chris Heaton-Harris MP –

- I have been contacted by a very significant number of my constituents who are extremely concerned about this planning application.
- Parliamentary convention dictates that Members of Parliament do not involve themselves in planning matters, as they are determined at the local authority level.
- Personally I am happy to make an exception to the rule and make a representation in the event of a proposal involving more than 10 dwellings and if there is very considerable local concern registered with me – these two criteria have been met: the latter overwhelmingly.
- I am writing therefore to object to this application on the following grounds, which have featured prominently in many representations I have received from local people.
- The levels of traffic using Station Road are already excessive and access for emergency vehicles is already compromised by parked cars particularly towards The Square (Policy G1). Development at this site is only likely to exacerbate this problem particularly if WP/2013/0398 is granted permission also.
- I recently visited the area at the request of local residents and it was apparent to me that Dowthorpe Hill, in the midst of winter, would not serve as a good alternative as an exit from the village due to the glare from the position of the sun in the mornings – at the peak time for school buses and residents leaving for work. I understand that there was an accident in recent years caused by a driver being unable to see clearly, resulting in him damaging a skip on the opposite side of the road and pushing it into a parked car. The exit from Allebone Road is just after a bend, raising further safety concerns (Policy G1).
- The proposed development would be situated on a field which is prone to flooding and with the presence of hard materials and surfaces as part of the development, there would be an increase in the likelihood of flooding (Policy G2) – a very significant concern for existing residents.
- This application takes no account of the wishes of existing residents in the village, as articulated in the recent Neighbourhood Plan Survey – as a committed ‘localist’, this is of particular concern to me; to my mind, local wishes should be respected and parishes such as Earls Barton, who have done the right thing on behalf of local people by going down this route, should be rewarded and not penalised. I know that a great deal of hard work has, and continues to, go into neighbourhood planning process and this should not be disregarded, not to mention the potential loss of faith locally in the process.
- I know that people in the village also feel very strongly that within the village development lines there are derelict and brownfield sites which should be developed before building is considered outside the policy line – a position which I know elected members at BCW actively support (Policy G4 and G6)
- The development itself is outside of the village policy line, which goes against BCW planning Policy G4.
Under the old Regional Spatial Strategy (RSS) targets, I understand that BCW had just over a two year ‘land bank’ (supply of land for housing) and in law it should have had a 5 year ‘land bank’. I was recently in a meeting, also attended by the Parish Clerk and Earls Barton Parish Council members where we were told by BCW officers that the abolition of the RSS means that after a short consultation and the revised Core Strategy is adopted, the same amount of land taking into account local demands could stretch to a six year ‘land bank’; thus negating the need for development here (Policy G1).

In concluding, I can only reemphasise the level of correspondence I have received on this issue and the strength of local feeling against this development.

With WP/2013/0398 also in the planning system at the moment, there is understandably very considerable concern locally relating to overdevelopment, exacerbated by a lack of appropriate infrastructure in Earls Barton.

I would therefore be most grateful if you could ensure these important points are taken into consideration when this application is determined.

4. Ramblers Association –

Wish to register an objection to this application, our principle concern is its impact on the public right of way TC8 but there are concerns that yet more countryside in Earls Barton is being lost to housing development.

This development extinguishes the footpath TC8 in its present form, the suggestion that the existing route is to be maintained along existing estate pavements is not acceptable.

The Ramblers suggest that consideration could be given to either the existing path being encompassed in a green corridor through the estate or alternatively diverting the right of way along the southern and eastern boundaries of the site.

It is noted that the planning application indicates the establishment of green open space at the south west corner of the site and along the eastern boundary.

5. Borough Council of Wellingborough, Design and Conservation Officer –

I note that as all matters are reserved, we would not be approving the layout or house style shown indicated.

Nevertheless, it needs to be said that the rationale in the D & A Design Response (page 29) is flawed. The NPPF requires development to reflect or meaningfully respond to authentic local character – not simply that which happens to lie adjacent to a given site. So the vernacular form in the village core should be the primary design reference.

The proposed “Arts and Crafts” style is all very well but what distinguishes the developer’s standard units in that form from anywhere else in the country? This is not achieving local distinctiveness as stipulated in the NPPF.

6. Borough Council of Wellingborough, Environmental Protection –

The Hydrock Ground Investigation Report Ref R/13297/001 Issue 2 ERA report is acceptable for this site. No further information is required.

7. Natural England –

Statutory nature conservation sites – no objection

This application is in close proximity to the Upper Nene Valley Gravel Pits Site of Special Scientific Interest (SSSI). The SSSI forms part of the Upper
Nene Valley Gravel Pits Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site).

- Natural England advises your Authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Upper Nene Valley Gravel Pits has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site’s conservation objectives.

- In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application as submitted, will not damage or destroy the interest features of the Upper Nene Valley Gravel Pits SSSI has been notified. We therefore advise your Authority that this SSSI does not represent a constraint in determining this application.

- Protected species – bats and great crested newts – it is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development, on the basis of the information available to us, our advice is that the proposed development would be unlikely to affect bats and great crested newts.

- We have not assessed the survey for badgers, barn owls and breeding birds, water voles, white clawed crayfish or widespread reptiles, referred to standing advice.

- If the proposal site is on or adjacent to a local wildlife site the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies before it determines the application.

- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.

- The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

- This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably and bring benefits for the local community.

8. Northamptonshire County Council, Highways –

- Review of the Transport Assessment

- Passenger Transport – please mention that the nearest bus stop is outside of the recommended 400m distance and please specify the times of the first and last bus for the existing weekday services.

- Local Highway Network – traffic surveys were undertaken on Thursday 23rd May 2013. This was within the school term.

- Local Highway Network – it has not been possible to verify the geometries used in the junction assessments undertaken and therefore the plans/measurements used in the assessment will need to be submitted.

- Highway safety – a map showing the location of each accident within the study area should be provided. More detail on the serious accident should also be provided.

- Existing Travel Patterns – 2011 journey data is now available. Please present this instead to provide an up to date summary of existing travel patterns.

- Development Proposals – How has it been ensured that there is no through route to general road traffic? Please provide further explanation.
Drawing 1303-19 PL01 should show the dimensions of the visibility splays from the Station Road access and demonstrate that they are achievable within either land owned by the developer or the limits of public highway.

Drawing 1303-19 SP01 has not been provided. This will need to be issued to check vehicle tracking.

In line with discussions with NCC please confirm that the proposed footway which maintains the Public Right of Way through the site will be 3 metres in width and also accommodate cycle movements.

It is agreed that the design concept for the management and arrangement of parking on Station Road would need to be agreed with NCC.

Base Traffic – please state the future years represented by the growth factors set out in table 12. The future year assessment should be 2026 in line with NCC planning policy not 2018. The trip rates from the TRICS output report are acceptable for use in the assessment of the proposed development.

The trip rates from the latest TRICS output have been compared to locally derived traffic surveys and trip rates used in the planning application for the neighbouring Compton Way development. It is agreed that they are broadly similar and the trip rates used within the TA are acceptable.

Distribution – the distribution of development traffic assumes a 70/30 split from Station Road and Allebone Road respectively. What is this based on.

Total Forecast Traffic Flows – the future year should be 2026 in line with NCC planning policy.

Highway Capacity Analysis – Due to the issues raised above with regard to the future year chosen and the geometries used in the assessment of the proposed development it has not been possible to verify the results of the junction assessment undertaken in the TA.

For clarification where a junction is predicted to be operating over capacity without the proposed development traffic then the TA will need to set out what mitigation will be required to achieve nil detriment at the junction. Once this has been done then a view will be taken as to whether this work needs to be undertaken or whether a contribution is required to a bigger solution at that junction.

NB Following discussions between the Applicant and the Highways Authority an amended Transport Assessment has been submitted which is understood overcomes the earlier concerns and the revised comments of the Highway Authority are awaited.

9. Earls Barton Neighbourhood Plan –

The Project Group was established in February 2012 to bring forward a Neighbourhood Plan for the Parish.

The Project Group has been working with the community to determine where the best location(s) would be within the village to meet its needs over the next 20 years.

A preferred option for 250 dwellings has been developed following consultation and examination of alternative options

A planning application is being prepared for this site by David Wilson Homes which will demonstrate that this is deliverable – NB application WP/2013/0510 now submitted.

With this background context in mind the Project Group wishes to strongly object to this application on the following grounds.

Not in alignment with the emerging Neighbourhood Plan and against the wishes of the majority of the community.
The preferred site can provide significant benefits for the village in delivering increased sports pitches, changing rooms and the ability to develop a community meeting facility, aspirations which the Parish have been pursuing over 10 years.

- It has been established that the housing needs for the village, with completions and commitments that are already in the pipeline, would only require a further 155 houses to be allocated.
- Housing growth over and above the emerging plan’s allocation would bring significant impacts and externalities on the village which would be hard to mitigate contrary to saved Policy G4 of the Local Plan.
- The location of the application in relation to other proposals will cause cumulative traffic impacts both along Station Road and at the village crossroads.
- The suitability of Station Road to accept large volumes of traffic is limited due to its narrowness in parts and the fact that many residents have to park on either side of the road causing difficulties for emergency vehicles contrary to Policy 13 (n) of the NNCSS.
- In contrast the preferred site would channel traffic from the directly out onto the A4500 and not require additional vehicular movements to pass through the village. Improved pedestrian and cycle links will also provide better access for non-motorised forms of transport.
- Impact on existing services, the Project Group has been working closely with the village schools and Doctors surgeries to identify what impact there might be from increasing the population of the village, there is great concern that access to healthcare and particularly the provision of primary education will be significantly impacted if the level of development exceeds the emerging plan.
- The school sites are very constrained and further expansion will be difficult.
- Pressure would be felt on other services forcing people outside of the village for access to doctors and dentists contrary to Policy 13 (c) of the NNCSS.
- Design and character – Borough’s Design and Conservation Officer has commented that the submitted Design and Access Statement is flawed and that the development would not respond to the local area.
- Although design is a reserved matter, National Planning Policy and the NNCSS require developments to be of a high standard of design and strengthen the distinctive historic and cultural qualities of the area. The development does not fulfil NNCSS Policy 13 (h) or 13 (i) and should be refused.
- Community facilities – the applicant suggests off-site contributions towards sports and leisure facilities but has not specified the amount or provided land for these facilities.
- An off site contribution does not add anything to the community infrastructure of the village, consider greater community benefits will be accrued from the development of the preferred site.
- Flood risk – the Environment Agency indicated that the submitted Flood Risk Assessment is deficient and does not meet the requirements of the NPPF. It is also contrary to Policy 13 (q) of the NNCSS and should be refused.
- Application should be considered in parallel to the other applications and proposals which will have an impact on the neighbourhood plan.
- On assessment of these alternative development proposals we would request that you refuse this application in favour of a larger and more sustainable development proposal to the north of the village which has the support of the
10. Northamptonshire Police, Crime Prevention –
   • Has no formal objection other than to suggest the inclusion of an informative
     if permission were to be granted which if implemented would reduce the
     likelihood of crime, disorder and anti-social behaviour occurring.
     • This is in the interest of the security and quality of life of future occupants of
       the development in accordance with Policy 13 of the North Northamptonshire
       Core Spatial Strategy.

11. Environment Agency –
   • In the absence of an acceptable Flood Risk Assessment (FRA) we object to
     the grant of planning permission and recommend refusal on this basis.
     • The FRA submitted with this application does not comply with the
       requirements set out in para 9 of the Technical Guide to the NPPF. The
       submitted FRA does not therefore provide a suitable basis for assessment to
       be made of the flood risks arising from the proposed development.
     • In particular the FRA fails to base allowable discharge rates on the proposed
       impermeable area only, therefore excluding gardens and public open space.
     • Fails to use Flood Estimation Handbook (FEH) data to determine the volume
       of surface water attenuation required on site.
     • Fails to justify the proposed rate of discharge to the public surface water
       sewer.
     • Consider the maintenance and/or adoption proposals for every element of the
       surface water drainage system proposed on the site for the lifetime of the
       development
     • You can overcome our objection by submitting a FRA which covers the
       deficiencies highlighted above and demonstrates that the development will
       not increase risk elsewhere and where possible reduces the flood risk overall.
       If this cannot be achieved we are likely to maintain our objection to the
       application. Production of a FRA will not in itself result in the removal of an
       objection.

   NB following discussions between the Applicant and the Environment Agency a
   revised Flood Risk Assessment has been submitted which it is understood
   overcome the earlier concerns, written confirmation is awaited from the
   Environment Agency.

12. Earls Barton Parish Council –
   • Would like to strongly object to this application and request a site viewing by
     the Planning Committee prior to a decision being made
     • This application is in direct contradiction to the emerging Neighbourhood
       Plan, previous consultation with the people of Earl Barton have indicated the
       preferred site for development is to the north of the village.
     • The Parish Council (PC) are not against development and, in fact re
       proactively working to bring forward the required level of development in the
       preferred location.
     • In addition, this development offers little, if anything, towards the community
       benefits that are highlighted in the emerging Neighbourhood Plan.
     • The ministerial forward to the NPPF states that Sustainable means ensuring
       better lives for ourselves don’t mean worse lives for future generations. Due
       to the current problems with on street parking and volume of traffic on Station
       Road, this proposed development will mean that the lives of those already
       living in the area will be changed for the worse due to the increase of traffic

   Bletsoes
on an already dangerous and busy road.

- NPPF (section 9) states that “pursuing sustainable development involves seeking positive improvements in people’s quality of life including improving the conditions in which people live, work, travel and take leisure. As mentioned above this development will have an adverse effect on those already living in the area and is, therefore, in contradiction to this point in the NPPF.

- Section 17 of the NPPF states that planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. The PC are working on a Neighbourhood Plan and have already consulted with residents to ascertain the preferred location to benefit the village. We feel that due weight should be given to the consultation results and the emerging Neighbourhood Plan.

- Section 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. As all traffic from the proposed development will need access from the already over stretched Station Road and will most likely also travel through the village centre, which has its own issues with parking and traffic flow, this site is not located in an area where it will enhance the community. In fact the opposite is true.

- Section 58 of the NPPF states that local and neighbourhood plans should develop robust and comprehensive policies to ensure developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the build. This development will not function well and, as mentioned above, will put additional strain on Station Road, the village centre and surrounding areas.

- NNCSS Policy 1 states that rural area development will take place on sites within village boundaries, subject to criteria to be set out in development plan documents. Developments adjoining village boundaries will only be justified where it involves the re-use of buildings or, in exceptional circumstances, if it can be demonstrated that it is required in order to meet local needs for employment, housing or services. This development does not fall into any category in order for it to be considered to be appropriate to build outside of the village boundary line.

- NNCSS Policy 13 states that development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to. Development should have satisfactory means of access, not result in an unacceptable impact on the amenities of neighbouring properties or the wider area and not have an adverse impact on the highway network and will not prejudice highway safety. As already mentioned this will have a significant impact upon the safety of Station Road which is already overstretched. The access’ to the site are also inadequate. The planned access of Station Road is at part of the road which is already extremely narrow due to on street parking and will meant that there is limited vision when exiting the site, making access extremely dangerous. The access of Allebone Road is also inadequate. Allebone Road is a small cul-de-sac and the junction of Allebone Road and Dowthorpe Hill is close to a blind bend. The increased traffic travelling from Allebone Road to Dowthorpe Hill will also mean an increase risk of an accident due to this bend.

- Local Plan Policy G1 states that proposals for development will normally be granted planning permission where development will not affect the amenities of any neighbouring properties, has satisfactory means of access, will not have an adverse effect on the road network and will not prejudice highway safety, will not involve the irreversible loss of the best and most versatile agricultural land. This proposal will result in the loss of valuable agricultural
land, does not provide a satisfactory means of access and prejudices highway safety by increasing the traffic on Station Road. In addition, the access to the development will have an adverse effect on highway safety, as explained in the point above.

- Local Plan Policy G2 states that unless flood protection and mitigation measures appropriate to compensate for the impact of the development are provided, planning permission will be refused for development in areas at risk of flooding. The area for the proposed development is at risk from flooding. Residents in the properties on Station Road adjacent to the site already suffer from flooding.

- Local Plan Policy G4 states that in the limited development and restricted infill villages development will be granted planning permission subject to more specific policies regarding individual sites area or uses, if it is within the village policy line, as defined on the proposals map or will not either individually or cumulatively with other proposals have an adverse effect on the size, form, character and setting of the village and its environs. This application is not within the policy line. Although the PC would consider applications outside of the boundary line if they did not have an adverse effect on the village, it is our opinion that this application will have an adverse effect on Earls Barton, especially when the already granted Compton Way development and proposed rear of Thorpe Road application are taken into consideration.

- Local Plan Policy H9 states that in exceptional circumstances residential development may be permitted within or on the edge of villages on sites where planning permission would not normally be granted subject to the following criteria being met – the proposal is intended and able solely to meet an identified need for affordable housing which cannot be met in any other way. This proposal is for market value housing with a small amount of affordable housing so does not meet the criteria of Policy H9.

- In addition to the above we have grave concerns over the impact on services in the village centre. There is a real issue with parking, resulting in residents being unable to park outside local shops and then choosing to shop elsewhere. The development will exacerbate the problems with parking in Earls Barton and could contribute to the loss of trade to local shops.

- Earls Barton Infant and Junior Schools are both at capacity and will not be able cope with additional children from new development. The NPPF states that developers should work with local schools to identify and resolve key planning issues before applications are submitted. I do not believe that the developers have carried out this action.

- There is also pressure on local resources such as doctors and dental surgeries, as well as parking and traffic issues around the village. All of this infrastructure should be considered and improved in order to cope with additional development.

- In light of the reasons stated above, Earls Barton Parish Council would urge the Planning Authority to refuse this application.

13. Borough Council of Wellingborough, Housing Strategy –

- Pre-application discussions were held regarding the type and tenure of affordable housing based 84 dwellings, 25 affordable units would be required.

- The application is for up to 85, based on 85 being delivered we would expect to see 26 units delivered. The proposed mix of
  a. 8 x 1 bed
  b. 14 x 2 bed
  c. 3 x 3 bed
  d. 1 x 4 bed
  is considered to be acceptable
The SHMA (2012) identifies that the following breakdown should be applied to meet affordable housing needs:
- 77% social rented
- 18% affordable rented
- 5% shared ownership

Therefore in terms of affordable housing delivery, the split between rented and intermediate should comprise a split based on the above, for example, 24 units to be rented and 2 shared ownership.

In respect of any proposed mix for the affordable units, a mix of one and two bed units would be preferred and should include some bungalows, achieve Lifetime Homes Standards and 5% of the units to be wheelchair accessible, in accordance with the Housing Action Plan 2013 – 2018.

A proposed Heads of Terms document has been submitted with the application, and affordable housing is dealt with at section 1. Whilst we would have no objection in principle to paragraphs 1.1, 1.2, and the first part of 1.3, subject to agreed figures being included in the S106 based on the above. At this time, we would not be agreeable to the latter part of paragraph 1.3 linking the viability and grant funding to the provision of affordable housing in the S106. Paragraph 1.4 is not considered to be relevant, and in any event, we would seek to have a minimum of 5% of the properties wheelchair accessible.

In conclusion, the proposed level of affordable housing provision is considered acceptable and a S106 agreement should be drawn up requiring 30% of the dwellings to be constructed, pursuant to a reserved matters approval being implemented, to be Affordable Housing Units, with a split based on SHMA (2012) and 5% to be wheelchair accessible, on the basis of the mix set outlined above.


- Planning and Compulsory Purchase Act 2004, Part 3 Section 38: If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

- Relevant Adopted Policies: Local Plan: Policy G4 (Villages), Policy G6 (Open Countryside), Policy H2 (Limited Development Villages), Policy H4 (Restraint Villages and Open Countryside), Policy H8 (Affordable Housing), Policy H9 (Affordable Housing – exception sites)

- Adopted Core Spatial Strategy (CSS): Policy 1 (Strengthening the Network of Settlements), Policy 7 (Delivering Housing), Policy 9 (Distribution & Location of Development), Policy 10 (Distribution of Housing), Policy 13 (General Sustainable Development Principles), Policy 14 (Energy Efficiency and Sustainable Construction) and Policy 15 (Sustainable Housing Provision).

- The Development Plan: Policies 1 and 9 of the CSS establish a hierarchy of settlements for development. The spatial vision in the CSS is to direct the bulk of development to Wellingborough town and Sustainable Urban Extensions (SUEs), with an emphasis on regeneration and reuse of previously developed land in the town. The CSS policies together with saved Local Plan policy G4 allow limited development inside village boundaries where such development will not have an adverse impact on the size, form, character and setting of the village. Outside the village boundaries, development is severely restricted by CSS policies 1 and 9 and saved policy G6 of the Local Plan, unless exceptional circumstances such as a requirement to meet local needs for housing, employment or services exist.

- In respect of housing, CSS policy 10 distributes the bulk (90%) of housing to the town and the remainder (10%) to rural areas, limiting and restricting development in the villages and open countryside respectively. Inside the
boundaries of Limited Development Villages, policy H2 allows housing development on allocated sites or where the development will not have an impact upon the size, form, character and setting of the village. Outside the village boundaries, policy H4 proscribes housing development unless it involves replacement dwellings, is for essential agricultural or forestry workers, or comprises affordable housing, subject to meeting criteria set in policy H9. The Council will negotiate 30% of affordable housing on new developments in line with policy 15 of the CSS, based on the thresholds set in saved policy H8 of the Local Plan.

- Earls Barton is identified as a Limited Development Village where housing development should be confined to within the village boundaries. The proposed development of up to 85 dwelling houses outside the village policy line fails to satisfy the criteria for excepted development in the countryside. The proposal is not small scale in nature, is on greenfield land, is not principally required to meet local needs and is not solely for affordable housing purposes. It is therefore contrary to policies 1, 9 and 10 of the CSS and saved policies G4, G6, H2, H4 and H9 of Wellingborough Local Plan.

- Material Considerations: The above notwithstanding, the decision taker must have regard to material considerations in determining the application. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. Paragraph 14 states that a presumption in favour of sustainable development should be seen as a golden thread running through both plan making and decision-taking. Decision-taking means that where the development plan is absent, silent or relevant policies are out-of-date, local authorities should grant planning permission unless:
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or
  - where development should be restricted, for example sites protected under the Birds and Habitats Directives and/or designated as Site of Special Scientific Interest; land designated as Green Belt, local Green Space, an Area of Outstanding Natural Beauty, designated heritage assets and locations at risk of flooding.
- Paragraph 215 provides that proportionate weight should be given to existing policies in accordance with their degree of consistency with the NPPF. A key aim of the NPPF is to boost significantly the supply of housing. Paragraph 49 requires that housing applications are considered in the context of the presumption in favour of development and states that housing related policies should not be considered up-to-date if the local authority cannot demonstrate a five year supply of deliverable housing sites. The Annual Monitoring Report (AMR) 2012 identifies a 1.53 years supply in Wellingborough measured against the adopted Core Spatial Strategy, 6.14 years supply against the emerging draft Joint Core Strategy minimum requirement and 6.02 years against the strategy opportunity figure. The Inspector presiding at the recent Irchester appeal (APP/H2835/A/12/2182431) concluded in his decision notice that the emerging Joint Core Strategy was at an early stage and could not carry significant weight and that the adopted CSS remains the authoritative basis for the calculation of the five year housing supply. Further work is being carried out in respect of the interim housing supply paper the Council recently consulted upon to address issues that were raised by the consultees particularly in relation to the determination of objectively assessed housing needs.
- The Earls Barton Parish Council is currently progressing the Neighbourhood Plan through the Earls Barton Neighbourhood Plan Project Group (NPPG) which promotes a large site to the north of the village, now subject of a planning application for up to 280 dwelling houses, to provide for the housing
requirements of the village in the period leading up to 2031. That site is now the subject of a planning application for up to 280 dwelling houses. The Parish Council chose the site in preference to two other options which they considered less sustainable, one of which was for dispersed development which would require a number of small disparate sites, such as the current proposal, to make up the housing requirement for the plan period and, the other, a major development site to the south of the village. The application site itself was previously identified among the potential sites for development outside the village boundary which were assessed and ranked in 2010 as background evidence to the Site Specific Development Plan Document (SSDPD) whose aim was to guide future housing developments in the area. The site was ranked 4th, the only concern at the time being the means of access.

- In terms of paragraph 216 of the NPPF, the work on the interim housing position is in its formative stages and can only be accorded little weight. The Neighbourhood Plan has also not sufficiently progressed to pre-submission consultation but from consultations carried out in the village, the site north of the village has emerged as the preferred option, which is also clear from the consultation responses to this application and the support from the NPPG. There is no clear guidance yet on how much weight should be given to emerging Neighbourhood Plans but the Inspector, in the appeal decision dated 1st August 2012 relating to land at Compton Way (ref APP/H2835/A/12/2168915), attached considerable weight to the Government’s intentions behind localism but was only able to attach, in his own words, ‘moderate weight’ to the plan at the time. The plan has now moved forward to preferred option stage and the aspirations of the community in respect of where they wish to see development located are clearer. The NPPG has objected to the application on the basis it does not adequately address the objectives in the emerging neighbourhood plan. It is conceivable that the Inspector in the above appeal might have accorded more than ‘moderate’ weight in the circumstances.

- In respect of weight to be attached to development plan policies, saved local plan policies H2, H4, H9 and policy 10 of the CSS dealing with housing supply can only be accorded little or no weight because they are out of date in terms of paragraph 49 of the NPPF. However, full weight should be attached to CSS policies 1 and 13 and Local Plan Policies G4 and G6 relating spatial strategy, settlement hierarchy and protection of the countryside because they are consistent with the Framework and satisfy the core planning principles in paragraph 17 of the NPPF.

- Weighing the planning balance: As discussed above the proposal is contrary to the development plan and would be harmful to the spatial strategy of the area by directing development to less sustainable areas in terms of the settlement hierarchy. Consideration should also be given to the emerging plan in respect of where the community wishes to see future development located. The extent of the harm should be tempered by the conclusion that the housing policies are out of date in terms of the NPPF, given the acute housing supply situation in the borough, the benefits associated with the proposed development particularly in terms of housing development, the absence of a plan specifying how the housing supply will be made up to meet the housing requirements of the CSS and the fact the site is not a sensitive area specifically protected by the NPPF. Paragraph 14 of the NPPF requires that in situations where the policies are out of date, planning permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. A judgement also needs to be made as to whether the site specific considerations in respect of the access, layout and scale are significantly and demonstrably adverse to the form, appearance, character or setting of the village in terms of design policy 13 of the CSS and other relevant design considerations. Having regard to the foregoing, the policy objection on the basis of transgression to the
development plan alone is unlikely to be sufficient to sustain a refusal.

15. Joint Planning Unit – Design comments

- This scheme is in outline and so we have a lack of information to support higher scores. The key issue is the lack of connectivity within the site which leads to a confusing street hierarchy and a lot of dead ends and streets which will need turning circles etc. We recommend that the street network is joined up, but that concerns over rat running are overcome by design for very low speed connections through the use of home zones. Some additional design work to show how these could work should be submitted.

NB. This application is submitted in outline form with all matters except access reserved for future approval. Whilst an illustrative concept plan has been submitted this does not form part of the application.

ASSESSMENT:
Section 38 of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts the determination shall be made in accordance with the Development Plan unless other material considerations indicate otherwise.

Compliance with Policy:
Policies 1 and 9 of the North Northamptonshire Core Spatial Strategy (CSS) establish a hierarchy of settlements for development. The spatial vision in the CSS is to direct the bulk of development to Wellingborough town and Sustainable Urban Extensions (SUEs), with an emphasis on regeneration and reuse of previously developed land in the town. The CSS policies together with saved Local Plan Policy G4 allow limited development inside village boundaries where such development will not have an adverse impact on the size, form, character and setting of the village. Outside the village boundaries, development is severely restricted by CSS Policies 1 and 9 and saved Policy G6 of the Local Plan, unless exceptional circumstances such as a requirement to meet local needs for housing, employment or services exist.

In respect of housing, CSS Policy 10 distributes the bulk (90%) of housing to the town and the remainder (10%) to rural areas, limiting and restricting development in the villages and open countryside respectively. Inside the boundaries of Limited Development Villages, Policy H2 allows housing development on allocated sites or where the development will not have an impact upon the size, form, character and setting of the village. Outside the village boundaries, Policy H4 proscribes housing development unless it involves replacement dwellings, is for essential agricultural or forestry workers, or comprises affordable housing, subject to meeting criteria set in Policy H9. The Council will negotiate 30% of affordable housing on new developments in line with Policy 15 of the CSS, based on the thresholds set in saved Policy H8 of the Local Plan.

Earls Barton is identified as a Limited Development Village where housing development should be confined to within the village boundaries. The proposed development of 39 dwelling houses outside the village policy line fails to satisfy the criteria for excepted development in the countryside. The proposal is not small scale in nature, is on greenfield land, is not principally required to meet local needs and is not solely for affordable housing purposes. It is therefore contrary to Policies 1, 9 and 10 of the CSS and saved Policies G4, G6, H2, H4 and H9 of Wellingborough Local Plan.

In respect of the weight to be attached to development plan policies, saved local plan Policies H2, H4, H9 and Policy 10 of the CSS dealing with housing supply can only be accorded little weight because they are out of date in terms of paragraph 49 of the NPPF. However, full weight should be attached to CSS Policies 1 and 13 and Local Plan Policies G4 and G6 relating spatial strategy, settlement hierarchy and protection of the countryside because they are consistent with the Framework and satisfy the core planning principles in paragraph 17 of the National Planning Policy Framework (NPPF).

Other Material Considerations: The above notwithstanding, the decision taker must have regard to material considerations in determining the application. The NPPF is a material consideration in planning decisions. Paragraph 14 states that a presumption in favour of sustainable development should be seen as a golden thread running through both plan making and decision-taking. Decision-taking means that where the development plan is absent, silent or relevant policies are out-of-date, local authorities
should grant planning permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or
- where development should be restricted, for example sites protected under the Birds and Habitats Directives and/or designated as Site of Special Scientific Interest; land designated as Green Belt, local Green Space, an Area of Outstanding Natural Beauty, designated heritage assets and locations at risk of flooding.

Paragraph 215 provides that proportionate weight should be given to existing policies in accordance with their degree of consistency with the NPPF. A key aim of the NPPF is to boost significantly the supply of housing. Paragraph 49 requires that housing applications are considered in the context of the presumption in favour of development and states that housing related policies should not be considered up-to-date if the local authority cannot demonstrate a five year supply of deliverable housing sites.

The Annual Monitoring Report (AMR) 2012 identifies a 1.53 years supply in Wellingborough measured against the adopted Core Spatial Strategy, 6.14 years supply against the emerging draft Joint Core Strategy minimum requirement and 6.02 years against the strategy opportunity figure. It is the later figures which are referred to by objectors however, the inspector presiding at the recent irchester appeal (APP/H2835/A/12/2182431) concluded in his decision notice that the emerging Joint Core Strategy was at an early stage and could not carry significant weight and that the adopted CSS remains the authoritative basis for the calculation of the five year housing supply. Further work is being carried out in respect of the interim housing supply paper the Council recently consulted upon to address issues that were raised by the consultees particularly in relation to the determination of objectively assessed housing needs.

The Earls Barton Neighbourhood Plan: Many objectors make reference to the Earls Barton Neighbourhood Plan and the fact that in producing the Plan the village has accepted that some growth is inevitable. A preferred site has been identified and is the subject of a planning application for up to 280 dwellings contained elsewhere in this agenda – see WP/2013/0510.

Objectors consider that this application and that submitted by Bowbridge on land to the rear of Station Road (see WP/2013/0398) are ‘are riding roughshod over the provisions of the Localism Act 2011 which makes it clear that local communities should have a say where development should go i.e. through the production of a Neighbourhood Plan.

Earls Barton Parish Council is currently progressing the Neighbourhood Plan for the housing requirements of the village in the period leading up to 2031.

The Parish Council chose the northern site in preference to two other options which they considered less sustainable, one of which was for dispersed development which would require a number of small disparate sites, such as the current proposal, to make up the housing requirement for the plan period and, the other, a major development site to the south of the village. The application site itself was not previously identified among the potential sites for development which were assessed and ranked in 2010 as background evidence to the Site Specific Development Plan Document (SSDPD) whose purpose was to guide future housing developments in the area.

In terms of paragraph 216 of the NPPF, the work on the interim housing position is in its formative stages and can only be accorded little weight. The Neighbourhood Plan has also not sufficiently progressed to pre-submission consultation but as mentioned above from consultations carried out in the village, the site north of the village has emerged as the preferred option, which is also clear from the consultation responses to this application and the support from the NPPG.

There is no clear guidance yet on how much weight should be given to emerging Neighbourhood Plans but the Inspector, in the appeal decision dated 1st August 2012 relating to land at Compton Way (ref APP/H2835/A/12/2168915), attached considerable weight to the Government’s intentions behind localism but was only able to attach, in his own words, ‘moderate weight’ to the plan at the time. The plan has now moved forward to preferred option stage and the aspirations of the community in respect of where they wish to see development located are clearer. The NPPG has objected to the application on the basis it does not adequately address the objectives in the
emerging neighbourhood plan. It is conceivable that the Inspector in the above appeal might have accorded more than ‘moderate’ weight in the circumstances.

**Highway Considerations**

Local residents raise strong opposition to the proposed development on highway grounds. They consider the site to be in an unsustainable location whilst Station Road is unable to cope with the additional traffic generation.

In the Compton Way appeal decision the Inspector noted the concerns of the Parish Council and local residents in relation to traffic, highway safety and parking issues. He went on to say “I have no doubt that indiscriminate parking on Station Road and parking availability in the village centre; coupled with parking associated with the school are the cause of frustration to many local residents and businesses. However, the Highway Authority has not raised any technical objection to the proposed development. The Highway Authority also has powers available to introduce parking restrictions to improve the flow of traffic and improve highway safety if such action is considered to be justified. It has not been demonstrated therefore that highway issues are sufficiently significant issues upon which this appeal should turn.”

The Highways Authority has not raised any objection in principle to the proposed development concluding that the traffic generation from the site would, in all probability, be accommodated at the local junctions but not necessarily along Station Road without some modifications to the parking and waiting arrangements. There is a further need to improve bus services to run close to the site which will necessitate a financial contribution plus off-site works to provide bus stops and shelters.

Given the volume of highway based objection to this development an independent transport assessment has been commissioned the findings of which are as follows –

In accordance with your instructions we have reviewed the following planning applications and considered their transport implications:

- WP/2013/0398 - 39 dwellings and associated works (access, and scale to be determined at this stage), Land Rear of 1-27 Thorpe Road, off Station Road
- WP/2013/0457 - 85 dwellings with all matters reserved except access, Land between and to the rear of 145 and 153 Station Road

We have taken account of the Compton appeal and the cumulative impacts of these three developments.

The Transport Assessment (TA) for the 85-unit Redrow scheme combines the traffic flow of the proposed 85 units together with that of the Compton Way scheme and considers the following junctions.

- Junction 1: Station Road/Dowthorpe Hill
- Junction 2: Dowthorpe Hill/Allebone Road
- Junction 3: Doddington Road/Station Road/West Street/High Street
- Junction 4: Doddington Road/Dowthorpe Hill
- Junction 5: Northampton Road/West Street
- Junction 6: Station Road/Site access
- Junction 7: A4500 Main Road/Northampton Road

The TA reports that Junction 5 has capacity problems and the Highway Authority response makes it clear that mitigation measures are expected here. The further impact of the 39 unit scheme will also need to be allowed for by the mitigation measures.

The Redrow TA reports that the other junctions operate within capacity and there seems to be plenty of spare capacity to accommodate the 39-unit scheme’s traffic. We have reviewed the methodology adopted in modeling these junctions and are satisfied that the TA’s conclusions are robust.

The junction models do not make allowance for the traffic generated by the 39-unit scheme. However the model outputs show that there is ample spare capacity for the volume of traffic that could be generated by the 39-dwelling scheme. I therefore do not consider that an objection based on the development’s traffic impact on the operation of these junctions can be sustained.

We understand that there is sensitivity over the impact of the development(s) on Station Road and particularly its interaction with current on-street parking.

However, the Highway Authority has recommended that (in respect of the 85-unit
development) that a scheme for traffic calming/improved parking arrangements along Station Road should be a condition of the development. Unfortunately, the Highway Authority seems satisfied that the details of the traffic calming proposals can be developed post-planning. Given that the Highway Authority only considers the development is acceptable if it is accompanied by works to Station Road, I would have expected details of the proposed works to be available for scrutiny at this stage. In my opinion I consider that it would be reasonable to object to the proposal due to the lack of information in relation to the necessary traffic calming works and on the basis that the developer(s) have not demonstrated what this will involve or how it will be achieved. This may cause annoyance to the applicant(s), however I consider that it will not be difficult for the applicant(s) to design a suitable traffic calming scheme. Station Road’s carriageway is generally some 6 to 7m wide. This is more generous than modern estate roads (typically 5.5m wide) and therefore provides the designers of the traffic calming scheme with room to develop a suitable scheme. It is therefore likely that once a scheme has been produced, you may have to drop the objection, but at least the public will be able to see how the development will affect Station Road.

One area of Station Road which has not been commented on by the Highway Authority is the narrow section near to the junction with West Street. I found that the footway on the eastern side narrows down to just one metre here and given that it is a primary pedestrian route to the local facilities, it would not be unreasonable to insist that the developer widens the footway to make it safe. This may be awkward due to the existing physical restriction of the existing road width. Therefore a relatively detailed design based on a topographical survey needs to be provided before a suitable scheme could be proven to work. Displacing the existing parked cars with parking restrictions to allow for the narrowing would, in my opinion, be unreasonable given that there is no off street parking alternatives. If a solution cannot be found, then we may be able to sustain an objection.

Again, I would suggest that you object until details are provided. In this way you will not run the risk of losing an appeal with costs by just objecting due to increased traffic and it may prove that a solution cannot be found in which case the development should not go ahead.

Measures will be required by condition 8.

Impact on Local Services – Education and Medical facilities

A common thread running through the objections to this development is that local services are already at or near capacity and will be unable to cope with the additional demands placed upon them by this and the other developments proposed in the village. In particular there are concerns about the school and doctors surgery.

In response to the concerns regarding education provision Northamptonshire County Council has commented that a development of this size is expected to generate approximately 15 Primary School pupils, and 6 Secondary and Sixth Form pupils, based on the housing mix and pupil generation multipliers.

From a Primary Education perspective, Earls Barton is served by Earls Barton Infant School and Earls Barton Junior School. As of January 2013, both schools were running very close to their respective allocated capacity. It also needs to be considered that mobile classrooms are on site at both schools which increase capacity figures on a temporary basis. Should the mobile classrooms be removed, there would not be enough capacity for the number of pupils expected to be generated by this development. On this basis it will be necessary to request a Primary Education contribution in order to safeguard future pupil places so that the children generated from this development can be accommodated in the local school.

From a Secondary School perspective, at present there is enough capacity in local schools to accommodate the expected number of pupils this development will generate. Therefore, no Secondary Education contribution will be needed.

Turning to the Doctors Surgery, local residents have stated that it often takes weeks to get an appointment at the local surgeries, NHS England have commented on the cumulative impact of the three developments on medical facilities in the village. The
three developments in question (404 dwellings in total) will result in approx. 970 additional registrations, which is equivalent to 0.65 WTE GP. NHS England has been in contact with both Earls Barton GP practices. It appears that the Earls Barton Surgery (small branch surgery of Abbey Medical Centre in Wellingborough) is already operating at capacity and due to their premises being landlocked with no further prospect to extend, they only have very limited ability to accept new patients. Potential new residents are therefore most likely to register with the larger Earls Barton Medical Centre. Earls Barton Medical Centre patient list has grown rapidly and due to becoming a training practice, they also are close to reaching their capacity. For this reason a contribution would be sought to make these schemes favourable to the NHS England. We would like to propose that a charge is applied per dwelling in order to financially assist the practice to extend their existing premises. It is recommended that S106 contributions be sought from the Applicant towards the improvement of educational and medical facilities within the villages arising from this development.

Landscape and Visual Amenity Impact
The site is not the subject of any specific landscape designation that would make its development unacceptable. It is therefore concluded that the development proposal will not result in any adverse effect considered to be of significance to either the character or appearance of the site and surrounding landscape setting that would make this development unacceptable in landscape and visual terms.

Flooding
Reference has been made by objectors to this area of the village flooding during periods of heavy rain and the inadequacy of existing drainage system. The Environment Agency objected to the application as originally submitted based upon the adequacy of the accompanying Flood Risk Assessment, this document has been the subject of detailed discussions between the applicant and the EA which it is understood has resulted in the withdrawal of this objection however written confirmation is awaited. Whilst Anglian Water consider the submitted surface water strategy to be unacceptable as insufficient ground investigation has been carried out to determine the suitability of ground infiltration they have suggested a planning condition. Again it is understood that further discussions have taken place between the Applicant and Anglian Water which has clarified this and written confirmation is awaited. An objector has raised concerns regarding the adequacy of the Applicants proposed surface water management measures in respect of the natural fresh water springs in and around the application site. Correspondence has taken place between the objector, Environment Agency and the Applicants retained consultant. The EA has confirmed that they do not normally comment on springs but recognise they are a valid concern worth assessing. They recommend that the Applicant be asked to consider the springs as part of their flood risk assessment and surface water drainage strategy. It is considered that this matter can be satisfactorily dealt with by planning condition and does not pose a impediment to development.

Section 106 Contributions.
In support of their application the Applicants have submitted a set of Draft Heads of Terms which include the following items:
- Affordable housing
- Education contribution
- Emergency (Police and Fire) and Social (Libraries and Youth Service) contribution
- Public transport contribution
- Open space contribution
- Travel Plan
- Healthcare facilities contribution
- Waste collection/recycling contribution.
It should be noted that these draft Heads of Terms reflect those agreed by the Planning Inspector in the Compton Way appeal decision.

**Conclusion**
The proposal is contrary to the development plan and would be harmful to the spatial strategy of the area by directing development to less sustainable areas in terms of the settlement hierarchy. Consideration should also be given to the emerging Neighbourhood plan in respect of where the community wishes to see future development located. The extent of the harm should be tempered by the conclusion that the housing policies are out of date in terms of the NPPF, given the acute housing supply situation in the borough, the benefits associated with the proposed development in terms of housing development, the absence of a plan specifying how the housing supply will be made up to meet the housing requirements of the CSS and the fact the site is not a sensitive area specifically protected by the NPPF.

Paragraph 14 of the NPPF requires that in situations where the policies are out of date, planning permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. A judgement also needs to be made as to whether the site specific considerations in respect of the access, layout and scale are significantly and demonstrably adverse to the form, appearance, character or setting of the village in terms of design Policy 13 of the CSS and other relevant design considerations. Having regard to the foregoing, the policy objection on the basis of transgression to the development plan alone is unlikely to be sufficient to sustain a refusal. There are no technical reasons why this site should not be developed.

**RECOMMENDATION:**
Approve subject to conditions and a S106 Agreement,

1. Details of the appearance, landscape (including biodiversity enhancement), layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than two years from the date of this permission.
3. The development hereby permitted shall be begun not later than two years from the date of approval of the last reserved matters to be approved.
4. The development hereby permitted shall be limited to no more than 85 dwellings to be constructed within the red line indicated on Drawing nos. LLC937-100, LLC937_96 and PL01 Rev D. The vehicular access shall be constructed in accordance with Drawing no. LLC937-100, LLC937_96 and PL01 Rev D.
5. No development shall take place within the site indicated (red line boundary) until the Applicant or their Agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
6. The proposed development shall not begin until a scheme for the provision, implementation, ownership and maintenance of the surface water drainage for the site, based upon sustainable drainage principles and in accordance with the Flood Risk Assessment undertaken by Transport Planning Associates taking account of the natural fresh water springs on and in the vicinity of the site, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is occupied and shall be retained thereafter.
7. A Landscape Management Plan including long term design objectives, management responsibilities and maintenance schedules of all landscape areas, other than small privately owned domestic gardens shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The Management Plan shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority.
8. Prior to the commencement of development, details of the sustainable transport measures (including the promotion, monitoring and review) shall be submitted and approved by the local planning authority. The scheme shall be subsequently
implemented in accordance with the approved details prior to the occupation of the development unless otherwise agreed by the local planning authority.

Reasons:
1. To comply with the requirements of Section 91 of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To comply with the requirements of Section 91 of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
3. To comply with the requirements of Section 91 of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
4. For the avoidance of doubt and in the interests of proper planning.
5. To ensure that features of archaeological interest are properly examined and recorded, in accordance with the National Planning Policy Framework paragraph 141.
6. To ensure the satisfactory drainage of the development.
7. In the interests of the visual amenities of the area.
8. To ensure that sustainable drainage measures are identified and implemented as part of the development.

INFORMATIVE/S:
1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policies: Policies G4 (Villages), G6 (Open Countryside), H2 (Limited Development Villages), H4 (Restraint Villages and Open Countryside), H8 (Affordable Housing) and H9 (Affordable Housing - Exception Sites) of the Borough of Wellingborough Local Plan and Policies 1 (Strengthening the Network of Settlements), 6 (Infrastructure Delivery and Developer Contributions), 7 (Delivering Housing), 9 (Distribution and Location of Development), 10 (Distribution of Housing), 11 (Distribution of Jobs), 13 (General Sustainable Development Principles), 14 (Energy Efficiency and Sustainable Construction) and 15 (Sustainable Housing Provision) of the North Northamptonshire Core Spatial Strategy.
2. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and pursuant to paragraphs 186 and 187 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the Council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in The Framework.
3. The applicant is advised that this decision relates to the following drawing numbers received on the date shown:
Drawing Number: Date Received:
LLC937-100, LLC937_96 and PL01 Rev D 4th September 2013
4. Prior to occupation of the newly created properties, the street numbering for this development shall be agreed with the Street Naming and Numbering Officer. When issued, the number allocated must be clearly displayed on the outside of the property. Application forms for Street Naming and Numbering are available at www.wellingborough.gov.uk