The Planning Inspectorate

Appeal Decision

Inquiry held on 12-20 May 2015

Site visit made on 20 May 2015

by David Nicholson RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 June 2015

Appeal Ref: APP/Y2810/A/14/2228921
New Street, Weedon Bec, Northamptonshire NN7 4QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Gladman Developments Ltd. against the decision of Daventry District Council.
- The application Ref. DA/2014/0455, dated 28 May 2014, was refused by notice dated 9 October 2014.
- The development proposed is residential development for up to 121 dwellings including access with all other matters reserved.

Decision

1. **The appeal is allowed** and outline planning permission is granted for residential development for up to 121 dwellings including access with all other matters reserved at New Street, Weedon Bec in accordance with the terms of the application, Ref. DA/2014/0455, dated 28 May 2014, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The application to which the appeal relates was submitted in outline form with all matters reserved except for access.

3. An Agreement was submitted under section 106 of the Town and Country Planning Act 1990 (s106). I deal with the contents and justification for this below. The Inquiry sat for 5 days. I conducted unaccompanied visits prior to the Inquiry and held an accompanied site visit on 20 May 2014.

4. Some policies from the Daventry District Local Plan (LP), adopted in June 1997, were 'saved' in September 2007. The West Northamptonshire Joint Core Strategy Development Plan Part 1 (JCS) was adopted on 15 December 2014. A revised version of the saved policies was published in December 2015 after the JCS was adopted. The Daventry Settlements and Countryside Local Plan (SCLP) will address development needs in rural settlements but is at an early stage of development. The draft Weedon Bec Neighbourhood Plan (NP) was published for consultation from 8 April until 3 June 2015.

5. Reason for Refusal (RfR) 3 was resolved with the Northamptonshire County Council archaeologist, subject to conditions, prior to the start of the Inquiry. RfR2 was similarly resolved with the local highway authority (LHA) with regard

to highway safety. Nevertheless, the Council maintained its objections on highway safety grounds with regard to local concerns.

Main Issues

6. From the evidence before me at the Inquiry, the written representations, and my inspection of the appeal site and its surroundings, I find that the main issues are:
   (a) the effects of the proposals on the character and appearance of the area;
   (b) their effects on the adjoining special landscape area (SLA);
   (c) whether the proposals would preserve the settings of nearby listed buildings;
   (d) the effects of the proposals on the open field systems (ridge and furrow);
   (e) whether the Council can demonstrate a 5 year housing land supply;
   (f) the effects of the proposals with regard to integration and accessibility;
   (g) their effects on highway safety and the free flow of traffic;
   (h) whether any benefits would outweigh any harm which might be caused;
   (i) whether the proposals would amount to sustainable development as defined in the National Planning Policy Framework (NPPF).

Reasons

Character and appearance

7. The village of Weedon Bec essentially encompasses three small settlements, one to the north of the River Nene and two older parts to the south, sometimes together referred to as Weedon. The appeal site lies to the south, just beyond Weedon, on ground rising up onto Round Hill. The site and surrounding area lie within the landscape of the Northamptonshire Uplands. This area is characterised by gently rolling hills and valleys, with many long, low ridgelines and a great variety of landform, and by wide, far reaching views from the edges and across the ridgetops. Locally, the site falls within the Undulating Hills and valleys landscape character type, with the landscape character area Bugbrooke to Daventry being a specific geographical example of this type.

8. The site adjoins existing residential development along its northern boundary and is adjacent to a bridleway between it and Round Hill to the south. The topography of the site varies with the eastern side rising to a highpoint of just over 105m above ordnance datum (AOD) compared with a lower level to the west of under 100m AOD. From the top of Round Hill, I saw that the site fits into the pattern of undulations, albeit nestling closer to the bottom of the valley. The DAS sets out other aspects of the site's context in some detail as does the Spatial Portrait of Weedon Bec in the draft NP.

9. I did not have the opportunity to assess views across the appeal site and the village from the bridleway on horseback, as was suggested by one local resident, which would have given me a clearer vantage point. Nonetheless, I did walk its length from New Street, along the southern boundary and back through the site to the village, as well as view the site from higher up towards Round Hill.

10. Access is not reserved. The Council has made an assessment of the likely effects of the access on the site (ID15) with regard to the extent of cutting and

earthworks that might be required to achieve satisfactory gradients within the site. I accept that the new access would require significant regrading of the land around the entrance. However, subject to control over subsequent details of the layout, including associated landscaping, I find no reason why the proposed access could not allow an acceptable overall layout.

11. Landscaping buffers could screen views of the proposed houses from the bridleway, in time even from on horseback. As the landscaping would be based on the existing hedgerow it would have the potential to grow relatively quickly, and preserve its rural qualities along the southern boundary to the site.

12. The illustrative drawings show how housing might be arranged on the site. I acknowledge that these are effectively just sketches and do not fully take into account the change in contours and that the access information does not illustrate or resolve the potential problems around the changes in ground level that would occur. Nevertheless, subject to the close scrutiny of reserved matters, which is likely to follow given the extent of local interest, the information is sufficient to demonstrate that a new access could be made off New Street and that there is nothing to prevent a good standard of design and layout being achieved on the site from the proposed access point.

13. The Council also raised concerns with regard to the potential height of new dwellings. I saw that the houses along New Croft Road follow the contours of the road but are single storey at the higher, eastern end. I can find no reason why the new development should not avoid the highest parts of the site, as suggested by the illustrative drawings, or include lower homes for the higher areas, similar to the existing approach along New Croft Road, or both. I have also noted that the houses along the south side of New Croft Road are quite exposed when viewed from the site and beyond. There is therefore an opportunity for the new homes to incorporate fuller screening than is available for the existing dwellings when seen from the bridleway and so produce a softer boundary to this side of the village.

14. Nevertheless, the change from agricultural fields to residential development would harm the site itself and cause some harm to the rural character and appearance of the immediate area, particularly during construction and from loss of views from the bridleway, contrary to saved LP Policy GN1(B) which aims to protect and enhance the environment. The proposals would also conflict with saved LP and JCS policies which aim to limit, restrain or restrict development in the villages, open countryside, and rural areas (see below).

Special landscape area (SLA)

15. Much of Daventry district lies within a SLA defined in saved LP Policy EN1 and sets criteria for development in these areas. Policy GN2(G) normally grants permission for development providing that it would not adversely affect a SLA. Two points arise. First, the appeal site adjoins the SLA, but is not itself within it, and so Policy EN1 does not apply and Policy GN2(G) does not apply directly. Secondly, these are very old policies being based on a Structure Plan which pre-dated the 1990 Act. Under the National Planning Policy Framework (NPPF) paragraph 215 (NPPF 215) policies relating to landscape areas should be criteria based whereas Policy GN2(G) is not. This policy should therefore be given limited weight.

16. I have noted the concerns of local residents of all ages as to the potential impact on tobogganing down Round Hill. I do not underestimate the pleasure this may bring. However, the development would not prevent this continuing although, given that the land is in private hands, the landowner could do so. By contrast, the scheme proposes to create public open space within the site, secured by the s106 Agreement, albeit at a shallower gradient than Round Hill, which would be available to both future and existing residents. With regard to views, as above, I find that the appearance of the back of New Croft Road provides potential for enhancement and there is the option to screen the development from the bridleway while not preventing the longer views across the village from further up the hill.

17. For the above reasons, I find nothing to show that the appeal site comprises land of particular significance to the form or character of the village, which is a criterion to be taken into account of in both saved LP Policy HS22 and in JCS Policy R1(B). On this issue, I conclude that proximity to the SLA should not count against the scheme.

Listed building settings

18. In March 2015 Historic England published its *Historic Environment Good Practice Advice in Planning, Note 3 – The Setting of Heritage Assets* with guidance on the steps to follow in assessing these. I have taken this guidance into account in reaching my conclusions.

Mullions

19. No.9 Oak Street, now named Mullions, dates from the mid 17th century and is listed at Grade II. It is mostly of stone under a slate roof and has fine stone mullion windows with hood moulds. I saw that the exterior has been thoughtfully, but extensively, renovated and that a substantial rear extension, granted consent in 2007, faces the appeal site and obscures most of the house from this direction.

20. Historical maps show that the house once stood a little way apart from the village and at a short distance from the larger, and partly earlier, listed house nearby. Otherwise, I have little evidence of the use or status of the house within the village apart from the obvious points that it was built to live in and by someone of reasonably high status at that time. I therefore find that the special interest of the building lies in the survival of original fabric, and features, and its relationship with the contemporaneous buildings on the eastern edge of the historic settlement of Weedon.

21. I have nothing to suggest that Mullions was functionally related to the use of any of the adjoining land or that its position, orientation or outlook related in any way to the adjacent landscape. I therefore conclude that the extent of the setting that contributes to the significance and special interest of the house is confined to the village insofar as that has not been compromised by later development. Moreover, with regard to the appeal site, the extension to the rear of Mullions is such that little if any of the original house can now be seen, or appreciated, from the fields.

22. For the above reasons, I find that while residential development on the appeal site might be within close proximity of Mullions, and so alter its immediate surroundings, it would not affect any part of its setting which currently

contributes to its significance as a listed building, which would therefore be unharmed. Its special interest would be similarly preserved.

Royal Ordnance Depot

23. Standing as it does on the north bank of the river, the Royal Ordnance Depot dominates Weedon. It dates from between 1804 and 1816 and is a complex of some 26 buildings of considerable historic importance all listed at Grade II*. In particular, as noted in the extensive conservation plan, its significance stems from: *the strategic decision in 1802 to create the first major Board of Ordnance Establishment to be built far inland in a central location, where it was well connected by canal and road … principally to counter an expected invasion by Napoleon …*[1].

24. I have also noted the significance of the vistas between the buildings and gateways looking along the canal which was constructed to serve the new depot. However, other than the obvious observation that a large, vacant central site was likely to be in the countryside, I can find nothing about the surrounding open fields that offer anything to the significance or special interest of the buildings. This is in stark contrast with the canal where there is a clear functional relationship.

25. I have considered the argument that remoteness from settlements was a part of the locational choice of the buildings and that consequently the open fields in some way contributed to their setting. However, even if I were persuaded that this were the case, which I am not, the setting has changed considerably since that time with substantial and continuous residential development between the listed buildings and the appeal site which has now become the more dominant feature of its setting to the south.

26. I have noted the importance given to views of the vast scale of the depot from Farthingstone Road[2] but also that, subject to reserved matters, a scheme for 2-3 storey houses would be unlikely to obscure these views. For all these reasons, I find that the scheme would not affect the contribution which the settings make to the significance or special interest of the listed buildings of the Depot, which would remain unharmed.

27. I conclude on this issue that the proposals would not conflict with: JCS Policy R1C) which requires residential development in rural areas to preserve and enhance historic buildings; JCS Policy BN5 which requires heritage assets, and their settings, to be conserved and enhanced in recognition of their significance to local distinctiveness and sense of place; or with saved LP Policy GN2(E), whose underlying objectives are the same.

28. The scheme would accord with NPPF 132 which, when considering the impact of a proposed development on the significance of a designated heritage asset such as a listed building, gives great weight to its conservation. The scheme would comply with the general duty[3] that, *in considering whether to grant planning permission … the Secretary of State shall have special regard to the*

[1] Storehouse Enclosure Royal Ordnance Depot Weedon Bec, Northamptonshire. Conservation Plan Volume I Report Adopted 2005
[2] As identified in the Conservation Plan Volume I Report, p71
[3] As respects listed buildings in exercise of planning functions, in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest which it possesses.

Ridge and furrow

29. The Northamptonshire Historic Landscape Character Assessment 2006 defines an open field system as a well-established means of land management during the medieval period that was widespread across much of lowland England. From the late Saxon period, peasant farmers would cultivate strips of land grouped into furlongs. It was the physical act of ploughing which created ridges marking out the strips of land. Few other forms of permanent boundary (such as the hedges employed today) were used and consequently the system is termed 'open fields'. The distinctive ridge and furrow landform survives in many places today as earthworks.

30. Much of the appeal site demonstrates the remains of ridge and furrow since overlain by hedgerow enclosures. Within the site these are concentrated towards the higher and eastern side and continue, with more pronounced examples to the south and further east, beyond the site. As these open field systems survive in many places throughout the country, English Heritage (as was) sought in particular to preserve good examples of ridge and furrow.

31. Although clearly discernable on site, there was no evidence that the ridge and furrow remains are particularly good examples and they are not as pronounced as those further east. While it would be regrettable to lose all these patterns, which comprise non-designated heritage assets under the NPPF, as the scheme would include public open space, probably towards the eastern side, the extent of loss could be limited at reserved matters stage. Following a desktop study based on consulting the historic environment record, a geophysical survey and trial trenching, reviewed by the County Archaeologist, the Council accepted that any remains of human activity could be controlled by a condition.

32. For all these reasons, I agree with the Council that protection of the open field systems is not an over-riding factor but one to be weighed in the balance, as required by NPPF 135, and I find that the loss should not be afforded substantial weight in my Decision.

Housing land supply (HLS)

33. The Council and appellant produced a joint Table illustrating their respective positions with regard to a 5 year HLS (ID4). This draws on the Daventry District Housing Land Availability paper (HLA paper), dated 2 April 2015, and sets out agreement on housing requirement from the JCS of 2,628 dwellings between 2015/16 and 2019/20, but disagreement on the appropriate buffer (from NPPF 47), the supply of deliverable sites, the potential lapse rate, and expected contribution from windfalls.

Buffer

34. The ten years from 2001-2011 were governed by the East Midlands Regional Strategy (RS), revoked in 2013. This set out a target of 5,400 over 10 years or an annual target of 540 dwellings per annum (dpa). Delivery for these years varied between 158 and 435 dpa so that the target was never met. Between 2011 and 2014 the RS no longer applied and the JCS had yet to be adopted. There were therefore no direct target figures for these years. On an annual basis, the next 5 years equates to 552 with a 5% buffer or 631 dpa with a 20%

addition. Appendix 3 to the JCS (ID3) sets out the proposed trajectory from 2011 to 2029, using the actual delivery figures for the years 2011/2012 to 2013/2014 and an approximation for 2014/2015, which vary between 98 and 350 dpa. Since adoption of the JCS, the Council has considered that the basis for the 5 year HLS is the adopted housing trajectory. It argued that this justifies revising its position to one of a 5% authority with regard to buffer on the basis that it has met or exceeded the JCS requirements over the past 4 years. The appellant pointed to the poor delivery record against the RS followed by under-delivery against the annualised target for the last 5 years, using either the RS or the JCS.

35. The JCS Inspector reached a judgement that this plan was sound on the basis of the trajectory with a new starting point of 2011. This plan has now been adopted unchallenged. The issue is therefore whether or not 'delivery' can be assessed retrospectively and the suitability of the last 4 years as an appropriate record. To my mind, in judging the plan to be sound, the JCS Inspector accepted both the nature and the duration of the Council's record of delivery over the early years of the plan. I therefore find that the Council has an acceptable delivery record, at least for the last 4 years. While this does not apply before 2011, even if I take the earlier years into account, I am aware of the deep economic recession during the last 3 years of that period and so give less weight to the under delivery at that time. On this basis I conclude that over 7 of the last 10 years the Council's record was acceptable. Consequently, the Council does not have a persistent record of under delivery and, under NPPF 47, only a 5% buffer is required taking the 5 year HLS requirement to 2,759 or 552 dpa.

Supply

36. As above, the parties reached a good deal of agreement such that the evidence on both sides was credible and the differences were based on reasonable judgements, mostly with regard to build rates. I have reached the following assessment based on the evidence before me.

37. Of the identified sites with planning permission, the parties essentially agreed on all but two: Monksmoor in Daventry and Byfield Road in Woodford. In both cases, the disagreement was over the rate of delivery. NPPF footnote (f/n) 11 requires that sites with planning permission should be considered deliverable unless there is clear evidence to the contrary. While I acknowledge some doubt over these sites, as the economy starts to pick up after the prolonged economic downturn, I consider that there is likely to be a greater incentive to deliver houses more quickly and so these sites should be considered as capable of delivering the estimated 2,010 dwellings.

38. The HLA paper also identifies a small number of sites which do not yet have written permission but which are expected to contribute over the next 5 years. NPPF f/n11 is silent on sites with a resolution to grant permission but awaiting completion of a s106 agreement. To my mind, here there is a greater onus on the Council to show that there is a realistic prospect of delivery within this period. Of these, the Council and appellant disagree on 5 sites.

39. Taking these sites in turn, Daventry sites 3 and 6 are owned by the Council. An outline planning application was submitted some 3 years ago but it remains undetermined. The appellant therefore argued delivery within 5 years is ambitious. The Council told me that funding is now available for designers and

that 50 out of 300 dwellings within 5 years was not an unreasonable estimate. On the basis of this information, I accept that 50 dwellings should be added to the supply.

40. The Daventry North East Sustainable Urban Extension is a large site with potential for some 4,000 dwellings of which 2,600 are expected to come forward by 2029. I accept that large allocations take longer to get off the ground and that delays are commonplace. On the other hand, the housing market is now more buoyant. The Council's estimate of 75 within 5 years therefore seems reasonable. The site at Middlemore is owned by the Council and has the potential to deliver 131 units. However, other than an agreed 'homes for rent' project for 50 dwellings, there is no developer interest or planning application for the remainder of the site. In these circumstances only 50 dwellings should be included.

41. A planning application has been submitted for the Northampton College site but this has been subject to an unresolved objection from Sport England. While some houses may come forward in due course, for the time being I consider that it should be excluded. An outline application for 450 dwellings at Mickle Well Park was recently approved by the Council subject to a s106 agreement. Although this will take time to deliver in full, given that it now has a resolution to grant permission, significant delivery should be included and the difference between the parties was again down to the build rate. The Council argued that there could be 2 developers but with little evidence to support this. To my mind the appellant's estimate of 80 units per year over 2.5 years would still be a good rate of delivery giving a total of 200 units. Taken together, I find that the Daventry sites are likely to deliver some 375 dwellings.

42. It emerged at the Inquiry that the Council's estimate for windfalls is a net figure based on 7 years of historical data. It confirmed that assumed policy compliant sites, typically those allowed within villages, and did not include an allowance for conversions which might arise as a result of changes to permitted development rights. In the absence of other evidence, 267 is therefore a reasonable number for me to adopt.

Conclusions on HLS

43. Adding the agreed figure of 334 for rural areas and deducting the Council's allowance of 105 dwellings for lapses, based on an historical average, gives a total supply of 2,881. On the evidence before me at the Inquiry, I therefore conclude that the Council could deliver some 5.2 years HLS. It follows that the exclusion of policies for the supply of housing, in NPPF 49, should not apply. Nevertheless, the numbers in the JCS are not intended to be a maximum and the aim of policy in NPPF 47 is to boost significantly the supply of housing. It follows that just because the Council can meet its targets does not mean that more housing should necessarily be refused. Rather, the scheme would help the Council achieve what it recognises to be a challenging trajectory.

Integration and accessibility

44. The older part of Weedon Bec lies south of the river. This includes a primary school, surgery, village hall and several shops and pubs including a foodstore. Further services lie a short distance away north of the river. The appeal site occupies a long, relatively thin area of land roughly parallel with New Croft Road. Vehicular access and, by extension, a route through for cycles and

pedestrians, would come from New Street where there is a bus stop. From here there is direct access to the centre of the village, albeit that there are issues with the use of the pavements (see under highway safety below). In addition, the bridleway runs through the site near the west end providing further cycle and pedestrian access to Oak Street and a more direct route to the village hall and primary school, and as an alternative to New Street for those concerned about the footways.

45. There are two sets of bus stops with shelters on New Croft Road, one near the start of the bridleway, the second near the surgery. The scheme would provide an extension to the surgery car park within the appeal site. From here there would be a pedestrian route to the entrance which is already open to New Croft Road. Although this is private land, on the balance of probability, a pedestrian route would be available through the new surgery car park to New Croft Road with its bus stops and access to the centre of the village. Taken with Oak Street and New Street, I find that the development would be well connected by a choice of short walking and cycling routes to local facilities.

46. Although buses are not usually as frequent as on the day of my site visit, when a major road was closed, the D3 provides a regular service from all the bus stops near the site to Daventry and to Northampton where there is a main line railway station. I have considered representations from local residents that the bus service might be withdrawn on account of the difficulties caused by on-street parking along New Street. However, I heard no persuasive evidence that this is likely to occur and the potential for new customers from the appeal site, together with the s106 contribution towards an enhanced service (see below), would be likely to improve its viability.

47. I acknowledge that in terms of vehicular access the site would be a cul-de-sac. However, in promoting sustainable development, the NPPF seeks the fullest possible use of public transport, walking and cycling. I therefore find that the choice of routes, and access to bus stops, are more important factors in assessing integration and accessibility. Finally, while many of the measures set out in the DAS could not be assessed until the reserved matters details, and so merit limited weight in favour of the scheme at this stage, I accept the evidence that there is little to show that, within the site, the proposals could not deliver a well designed and attractive scheme of legible, interconnecting streets with a mix of accessible housing and public open space.

48. I conclude that the appeal site would integrate well with the existing village and, with the proposed measures for a new bus shelter and enhanced service, could be made into a sustainable location for residential development. The scheme would therefore accord with the core planning principle at NPPF 17, which expects significant development to be focussed in locations which are or can be made sustainable. It would comply with JCS Policy S10, which sets out sustainable principles for development to follow including access by easy walking, cycling or public transport. By providing additional accommodation within a short distance of existing shops and services over a choice of routes, the scheme would accord with the elements of JCS Policy S1D)1-3, which place emphasis on the vitality of rural communities, facilitating access to jobs and services, and strengthening rural enterprise, and with JCS Policy INF2 which requires on and off-site infrastructure to mitigate any impact.

Highway safety and the free flow of traffic

49. Weedon Bec lies close to the M1, A5 and A45. I saw that the old part of the village suffers from traffic congestion and that it can get busy around the crossroads and along New Street. The latter in particular narrows around the thatched cottage at No.25 where, on the day of my accompanied visit, there was extensive on-street parking, including on the footways. I accept the evidence that this causes congestion, vehicles to mount the pavement, and inconvenience to pedestrians, especially during peak hours. This street is also part of the route of the D3 bus service and, I was told, used by farm vehicles running to and from Farthingstone Road at harvest time.

50. I also heard that the amount of off-street parking has been reduced in recent years increasing the pressure to park on the road or pavement. The upshot of the on-street parking is an existing situation where there a high degree of conflict between cars, buses and pedestrians leading to a number of minor incidents and a recent fall, a good deal of inconvenience, and a huge amount of fear that there could be a very serious accident. From the weight of objections, I fully accept that frustration over congestion and fears for highway safety are major local concerns.

51. Outside London, unless there are specific restrictions, parking on the pavement is not an offence providing it does not cause obstruction to the footway or any points of access such as a dropped kerb. I was not shown any parking restrictions, and saw no traffic signs, either on the carriageway or the pavements, and was not made aware of any requests to the local highway authority (LHA) to introduce Traffic Regulation Orders banning the parking of vehicles on any part of the carriageway or pavement.

52. The proposed access to the appeal site would be from New Street. The appellants have submitted a Transport Assessment and used a national database[4] to estimate the likely amount of traffic that would be generated. Following discussions with the LHA, the appellant's proposals include a new junction, comprising a double mini-roundabout, in the centre of the village. Subject to conditions, the LHA accepted that the cumulative impacts of the proposals on the transport network would be less than severe and withdrew its objection.

53. At present, the forward visibility at the crossroads is rather poor, especially when looking right from most approaches. The proposed mini-roundabouts would direct cars to keep further to the left when approaching and so improve visibility. This should improve traffic flows as less time would be needed to creep forward at the junction. It should also reduce the chance of accidents although, as with New Street, it is unlikely these are very serious at the moment as poor visibility tends to result in slow speeds. On this point, I find that the proposed junction alteration would be likely to improve traffic flows and highway safety at the junction sufficiently to mitigate against deterioration along other parts of the transport network, particularly any increase in traffic along New Street.

54. I understand, and I have had regard to, local residents' fears that the development would make matters worse. However, from what I saw, the problems exist already as result of poor visibility at the crossroads and on-street parking along New Street. While more traffic would probably increase the incidence of conflict, the problems exist already and are unlikely to be

[4] Trip Rate Information Computer System (TRICS)

made individually more dangerous, only slightly more frequent. Meanwhile, the proposed mini-roundabouts would improve matters at the junction and reduce the risk of vehicles backing up along New Street.

55. In the absence of substantive evidence, I give limited weight to fear in itself which should not therefore be a bar to development[5]. I have also noted the possibility that the short branch of South Street would be used as a rat run, but find this unlikely with the proposed junction improvements. I accept that construction traffic could be a major difficulty but, subject to a further clause in the construction management condition which was agreed by the main parties (see below) controlling the routing and timing of any such traffic to avoid peak and school hours, I find that this could be adequately managed.

56. For all these reasons, I agree with the LHA. I find that concerns with regard to highway safety arising from on street parking should not be used to prevent the provision of new housing. On balance the scheme would comply with saved LP Policy GN2(B&C), which requires development to have satisfactory means of access and not adversely impact on the road network, and the cumulative impacts of development on the transport network would not amount to severe (NPPF 32).

Benefits

57. The scheme would provide up to 121 houses. Although the details of the application would not guarantee this number, there is every likelihood that they would all be delivered or very close to that number. As the Council has a 5 year supply of houses, only moderate weight should be given to the benefits of these houses in general. On the other hand, 40% of these, probably some 48 dwellings, would be affordable housing (AH). The Council acknowledged that there is a need for AH equivalent to the amount proposed. Local residents sought guarantees that the AH would be occupied by local residents. I note that the s106 Agreement would include provision to make this more likely. I therefore find that AH should be afforded substantial weight regardless of HLS.

58. I acknowledge other benefits put forward via conditions and the obligation, but these should more accurately be described as mitigation. While they would therefore be important in reducing potential harm, they should not attract significant weight as benefits. The appellant has also raised the potential benefits of Council Tax receipts and the New Homes Bonus but, for the reasons set out by the Council, I collectively give these limited weight.

59. I heard unchallenged evidence that the appellant's approach using a promotion agreement could deliver houses faster than some alternative arrangements. Timing should therefore not prevent the scheme being implemented within 5 years. By comparison, the sites proposed in the draft NP, or yet to come forward in the SCLP, might be subject to substantial delays.

Other matters

60. As above, the draft NP is still out for consultation. It incorporates the local understanding that Weedon is viewed as sustainable, and so will attract development, and so the NP itself proposes varied sites for housing. However,

[5] My attention was drawn to the judgment in *West Midlands Probation Committee*

as the judge found in *Woodcock*[6], the weight to be given to emerging plans applies to neighbourhood plans as much as any other plan. There may well be objections to the suggested sites. Accordingly, following policy and advice in NPPF 216 and the PPG with regard to prematurity, as the draft NP is at an early stage, very limited weight should be given to its policies.

61. I have noted that an existing s106 obligation allows the Council to prevent development on the western part of the site, though it is not enforceable by other parties. This is not a planning matter and so I give it little weight in my Decision. With regard to delivery, this only affects a relatively small part of the site anyway and so any slight delay would only have a limited impact, if any, on phasing.

Conclusion on sustainability

62. NPPF 6 defines sustainable development as the policies in NPPF 18 to NPPF 219 as a whole while NPPF 7 identifies 3 dimensions to sustainability: economic, social and environmental. I find that although new construction, and more accommodation, would provide economic benefits, limited weight should be given to the potential benefits of Council Tax receipts and the New Homes Bonus. There would be no significant economic downside to the proposals. New housing, and AH in particular, would provide substantial social benefits, as would increasing the population near existing shops, services and community facilities.

63. With regard to the environmental dimension, no harm would be caused to the SLA or the contribution that the site makes to the significance of any listed buildings. As acknowledged by the LHA, any additional risk to highway safety would be limited and offset by the proposed junction. The loss of rural views from the bridleway crossing the site, of some ridge and furrow, and of greenfield land count against the scheme but the weight to these harms should be tempered by the proposed landscaping, the provision of public open space, the limited value of the open field system on the site itself, and the likelihood that greenfield land would be lost to housing in any event to meet the JCS target for rural areas.

64. For all these reasons, on balance, I find that the proposed development would amount to sustainable development as defined by the NPPF. This is a material consideration to which I give substantial weight.

Conclusion on the development plan

65. The NPPF does not change the status of the development plan as the starting point for my decision. As above, the change from fields to residential would cause some harm to the character and appearance of the area, contrary to saved LP Policy GN1(B) which aims to protect and enhance the environment, and the loss of some of the less pronounced ridge and furrow in the area, but balanced against the benefits these should be given only moderate weight.

66. As above, the scheme would not harm the settings of listed buildings but would accord with saved LP Policy GN2(E) and JCS Policies R1C) and BN5. Conditions could adequately protect archaeological deposits and so achieve compliance with saved LP Policy GN2(F) which seeks to prevent these being adversely

[6] *Woodcock Holdings Ltd v Secretary of State for Communities and Local Government* [2015] EWHC 1173 (Admin) Queen's Bench Division (Administrative Court) 01 May 2015

affected. The proposals would be acceptable with regard to highway safety, and saved LP Policy GN2(B&C), and accessibility measured against JCS Policies INF2 and S10, which also reflects the objectives of the NPPF.

67. A number of policies, including: saved LP Policy GN1(E) and (F), which seeks to limit development in the villages, and severely restrain development in the open countryside; saved LP Policy HS22 which for infill villages, including Weedon Bec, restricts residential development to that which would be small scale, within the confines of the village, and would not affect open land which is particularly significant to the form and character of the village; and saved LP Policy HS24 which does not allow residential development in the open countryside save for two exceptions which do not apply here.

68. The Council acknowledged, as it must, that saved LP policies HS22 and HS24 are both policies for the supply of housing. However, given that the Council can demonstrate a 5 year HLS, albeit only just, these policies are not excluded by NPPF 47. Nevertheless, given the age of the policies and their lack of consistency with the thrust of NPPF 47 towards boosting significantly the supply of housing, I give the conflict with these policies, and GN1(E) and (F), reduced weight.

69. The scheme would also conflict with JCS Policy R1(G) which requires residential development in rural areas to be within the existing confines of the village. However, JCS Policy R1 repeats the Policy S3 target for about 2,360 within the rural areas of Daventry and the requirement that this should provide an appropriate mix including AH. The allocation of sites to achieve this has been deferred to the SCLP, to which I give little weight as it is still at an early stage, but given the number of dwellings proposed for the rural areas, it is unlikely that the allocations will all be within the existing villages. Indeed, some of the suggested sites for housing in the draft NP are on greenfield land. I therefore give reduced weight to conflict with JCS Policy R1 as a whole.

70. JCS Policy S1D) limits development in rural areas placing emphasis on the distinctive character and vitality of rural communities, shortening journeys and facilitating access, and strengthening rural enterprise. For the reasons set out above, I find that the scheme would not harm the character of the village while accommodation for more residents within walking distance would support vitality and enterprise. As Policy S1 does not exclude development in rural areas, and as the allocation of rural sites has yet to happen, I find no conflict with this policy.

71. For the above reasons, I find that only moderate weight should be given to the conflict with some policies in the LP and JCS. Conversely, substantial weight should be given to the scheme's contribution to meet housing targets and provide AH in particular. Taken together, I find that the proposals would accord with the development plan as a whole. Moreover, the fact that the proposals would amount to sustainable development, as defined in the NPPF, amounts to a material consideration of substantial weight which outweighs any conflict with the development plan in any event.

Conditions

72. Other than for clarity, and to adhere to the requirements for conditions set out in NPPF 206, I have generally adopted the agreed conditions for the reasons set out below. Some suggestions, including fixing the location and extent of

open space and landscaping, refer to documents or drawings as well as requiring a detailed scheme. The Council argued that these conditions would be contrary to the flexibility provided by the outline nature of the application and that there were some discrepancies between them. While I have studied these details, and found that they demonstrate that an acceptable solution could be achieved, to require them would amount to duplication and reduce flexibility. I have therefore removed the drawing references.

73. Although access was part of the application, it was agreed that the internal road layout has not been detailed and that this should be controlled by reserved matters. The Town and Country Planning (Development Management Procedure) (England) Order 2015, came into force on 15 April 2015. Article 2(1) states that *"access", in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made*.

74. I note that there is some overlap between this definition and that of layout in the PPG[7] as: *the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development*. For precision and to ensure that control is retained over both access and layout within the site, a condition is needed to cover this. Rather than reword the condition to exclude access, and thereby alter the application, I have added a separate condition to this effect.

75. Although limited to 121 dwellings in the description, this is not determinative and so, for certainty, the number should be controlled. As I have given some weight to the appellant's claim that housing could be delivered quickly, the agreed reduction in timetable for reserved matters and phasing are necessary.

76. There is some likelihood of remains of previous human occupation so an archaeological scheme is needed. In the interests of amenity, and in response to concerns regarding builders' lorries, there should be control over the elements of construction likely to affect neighbouring residents, including the routeing and timing of construction traffic. To prevent an increased risk of flooding, as shown to be achievable by the submitted flood risk assessment, and to ensure a sustainable scheme, all aspects of surface water drainage should be controlled.

77. Anglian Water sought a condition requiring on- and off-site mains foul sewage infrastructure works prior to occupation. This would prevent any new connection overloading the sewer. However, the appellant has argued that this would be unreasonable, citing case law that: *a sewerage undertaker has no right to … refuse a developer the right to connect with a public sewer …*[8]. I acknowledge that if only 21 days' notice was given (being all that is required under the Water Industries Act 1991) then there would be the potential for a serious problem. However, as Anglian Water replied to statutory consultation in July 2014, and as it is likely to be at least 2 more years before any houses

[7] Ref. ID 14-006-20140306
[8] *Barratt Homes Limited v Dwr Cymru* [2010] Env. L. R. 14, 253, paragraph 59

would be occupied, it would have adequate time to take the necessary measures. The proposed condition would therefore be unreasonable.

78. Given at least some previous occupation of the site, reasonable precautions should be taken to deal with any possible contamination. To ensure that the proposals do not lead to any worsening of existing traffic conditions and provide suitable pedestrian connections, off-site highway works including the double mini roundabout should be required. Given my conclusions on sustainability, a Travel Plan is needed. To maintain satisfactory access, control is needed over the public right of way. An Ecological Management Plan is necessary to protect wildlife and a condition is needed to require protection for existing trees and hedges. In the interests of safety a requirement for fire hydrants is necessary.

Planning obligation

79. I have assessed the s106 Agreement in the light of the Community Infrastructure Levy Regulations 2010 (CIL Regulations), and NPPF 204, which set 3 tests[9] for such obligations. From April 2015, CIL Regulation 123(3) also restricts the use of pooled contributions that may be funded via a s106 agreement if five or more obligations for that project or type of infrastructure have already been entered into since April 2010 which could have been funded by the levy.

80. The s106 Agreement would oblige the owner to construct or procure AH, to lay out and transfer public open space to the Parish Council or a management company together with a maintenance contribution, to provide and transfer additional parking spaces for the surgery (or provide a healthcare contribution) and to offer provide bus passes. It requires the owner to contribute to: allotments, a bus shelter on New Street, indoor sports and youth facilities, outdoor sports, improving the Croft Way play area, a youth play area, a bus service, the Daventry Link Road, primary schooling and the Council's reasonable monitoring costs of the Deed.

81. The Council has provided a justification for the contributions and details of pooled contributions (ID17). From this, I am satisfied that, as Weedon Primary School is at capacity, a contribution is appropriate to absorb increased demand. In the interests of encouraging modal shift away from the private car, active promotion of the bus service is needed requiring funds to enhance the existing D3 service, provide a new bus shelter on New Street, and offer travel vouchers. To cope with increased demand from the development, additional public open space and its maintenance are necessary as well as contributions towards the allotments, play and sports facilities as above or as identified in the draft NP. Given my reasoning above, the requirement for AH is essential.

82. As the surgery is at capacity, extra parking is required. However, in the unlikely event that the owners of the Weedon Surgery decline the offer of additional parking, there is little before me to justify an alternative healthcare contribution. The Council has advised that the proposed contribution to the Daventry Link Road, including works to the A45 in Weedon, would be necessary as the A45 would be pushed further over capacity by the development, and that only 4 contributions at most have been secured for this to date.

[9] necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

83. On the matter of monitoring, the appellant has referred to case law[10] where the judge found, on the facts of that case, that the Inspector was entitled to reason that: *"With regard to…the payment of monitoring fees…the payment of a monitoring/administration fee [is] not necessary to make the development acceptable in planning terms"*. The Council, in recognising case law, has argued that the monitoring would not be part of its normal services but would require extra staff and referred to item B17 of its supplementary planning document on such contributions which identifies typical costs and a formula for their calculation.

84. Although technically discretionary, and arguably part of its normal functions, I accept that in principle a monitoring fee could be justified if it was shown to be necessary to ensure that a particular part of the agreement was fulfilled and that it was specifically calculated for a particular development, as is the case for the costs of drawing up the s106 Agreement. However, the suggested monitoring cost is based on a framework methodology and so is not specific. Otherwise, the accepted details show that none of the pooled contributions would give rise to a total of more than 5 such obligations so that the restriction at the end of the transitional period would not apply.

85. Clause 6.11 of the s106 Agreement stipulates that should I conclude that any of the obligations would be incompatible with the tests in the CIL Regulations, and attach no weight to it, then it will cease to have effect. On this point I conclude that this clause only applies to the off-site healthcare contributions and to monitoring, for which the owner therefore has no obligation to comply.

Overall conclusions

86. For the above reasons, I find that as the Council can demonstrate a 5 year HLS the weighted presumption in favour of sustainable development (NPPF 14) does not apply and the appeal should be determined on the normal planning balance. Nevertheless, the site would be well connected to a village with many local services and none of the harm I have identified would outweigh the benefits of providing more housing and much needed affordable housing in particular. Subject to control, through conditions and the s106 Agreement, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Nicholson

INSPECTOR

[10] *Oxfordshire County Council v SSCLG* [2015] EWHC 186 (Admin)

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Christiaan Zwart	instructed by Daventry District Council
He called	
Tom James	Daventry District Council
Samantha Hammonds	Daventry District Council
Michael Venton	Daventry District Council
Rachel Booth	Daventry District Council

FOR THE APPELLANT:

Richard Kimblin	instructed by Laura Tilston
He called	
Mark Johnson	Johnson Brook
Laura Tilston	Gladman Developments Limited
Nigel Wakefield	Node Urban Design Limited
Jason Clemons	CgMs Consulting
Nigel Weeks	Stirling Maynard Transportation Consultants

INTERESTED PERSONS:

Steven Edwards	Weedon Bec Parish Council
Dale Langley	Weedon Action Group
Laura Langley	Neighbourhood Plan Steering Group
Kit Edwards	Local resident
Joe Freestone	Local resident
Trevor Hawkey	Local resident
Millie Towning	Local resident
Ann from The Bakehouse	Local resident
Sharon Ball	Local resident
Diana Smith-Kinnard	Local resident
Dianne MacRae	Local resident
Jayne Hesketh	Local resident
Hannah Howden	Local resident

INQUIRY DOCUMENTS

1a,b&c	Statement of common ground; appellant's opening; Council's opening
2	Letter from Barton Wilmore on behalf of Landform Estates Ltd
3	West Northamptonshire Joint Core Strategy Local Plan (Part 1) Adopted Proposed Trajectory 2011-2029
4	Table of agreement and disagreement with regard to HLS
5	Plan of viewpoint locations
6&6a	Index and text of statements from local residents and Weedon Bec Parish Council
7	Note on Weedon Neighbourhood Plan Spatial Portrait
8	Email dated 15 May 2015 from Northamptonshire Highways
9	Legal advice re existing s106 from Ruth Stockley of Counsel
10	Daventry Development Link Funding Report dated 9 April 2015
11	Agreement under s106
12	DDC justification re s106 requests
13a&b	Proposed conditions
14	Agreed viewpoints
15	DDC illustration of access gradient requirements
16	Core documents list for ID17
17	Notice of Independent Examination under the Community Infrastructure Levy Regulations 2010
18	Appellant's 13 additional documents submitted with its closing statement

CORE DOCUMENTS (CD)

CD 1.1 Application Covering Letter, Application Form and Certificates
CD 1.2 Location Plan (including Application Red Line) - Drawing No. GDL 2013-058 100-001
CD 1.3 Development Framework Plan - Drawing No. GLA-11-DF Rev 014
CD 1.4 Design & Access Statement
CD 1.5 Landscape and Visual Assessment
CD 1.6 Transport Assessment
CD 1.7 Travel Plan
CD 1.8 Ecological Assessment
CD 1.9 Arboricultural Assessment
CD 1.10 Flood Risk Assessment
CD 1.11 Surface Water Drainage Note
CD 1.12 Air Quality Screening Report
CD 1.13 Noise Screening Report
CD 1.14 Archaeology Report
CD 1.15 Geophysical Survey
CD 1.16 Statement of Community Involvement
CD 1.17 S106 Heads of Terms
CD 1.18 Foul Drainage Strategy
CD 1.19 Heritage Assessment
CD 1.20 Economic Benefits Assessment
CD 1.21 West Northamptonshire Objectively Assessed Needs Survey
CD 1.22 Planning Statement
CD 1.22.1 Planning Statement Appendix 1 – Sustainability Assessment
CD 1.22.2 Planning Statement Appendix 2 – Draft Planning Conditions
CD 1.22.2 Planning Statement Appendix 3 – Waste Management Statement
CD 1.23 Access Drawing – Drawing No 4746/13/03
CD 1.24 Energy Statement

CD 2.1 Online 20/10/14 DDC Planning Committee Minutes for 08/10/14
CD 2.2 Letter 09/10/14 DDC Notification of Refusal of Planning Permission
CD 2.3 Online 30/09/14 DDC Planning Committee Papers
CD 2.4 Letter 30/09/14 DDC Notification of Planning Committee
CD 2.5 Email 24/09/14 DDC Confirmation of New Committee Date
CD 2.6 Email 24/09/14 GDL Extension of Time
CD 2.7 Email 24/09/14 DDC Extension of Time
CD 2.8 Email 24/09/14 GDL Confirmation of Extension of Time
CD 2.9 Email 23/09/14 DDC Extension of Time
CD 2.10 Email 10/09/14 DDC TP Updates
CD 2.11 Email 10/09/14 DDC Highways Update
CD 2.12 Email 03/09/14 GDL Updated Framework Plan
CD 2.13 Email 22/08/14 GDL Issuing Updated Reports
CD 2.14 Email 19/08/14 DDC Request for Extension of Time
CD 2.15 Email 12/08/14 DDC Wildlife Trust Response Update
CD 2.16 Email 12/08/14 DDC Confirmation of Updated Reports
CD 2.17 Email 07/08/14 GDL Progress Update
CD 2.18 Email 06/08/14 DDC TP Update
CD 2.19 Email 06/08/14 DDC Wildlife Trust Response
CD 2.20 Email 01/08/14 GDL Highways Response
CD 2.21 Email 01/08/14 DDC Consultants Reports
CD 2.22 Email 31/07/14 NCC Confirmation of Response to Highways Consultation
CD 2.23 Email 31/07/14 SMT Response to Highways Consultation
CD 2.24 Email 28/07/14 GDL Meeting Attendance
CD 2.25 Email 28/07/14 GDL Request for Consultee Responses
CD 2.26 Email 28/07/14 DDC Meeting Agreement
CD 2.27 Email 28/07/14 DDC Consultation Copies
CD 2.28 Email 24/07/14 GDL Progress Meeting

CD 2.29 Email 21/07/14 GDL EA Responses
CD 2.30 Email 18/07/14 GDL EA Queries
CD 2.31 Email 02/07/14 GDL Additional Reports
CD 2.32 Email 02/07/14 DDC TA Response
CD 2.33 Email 01/07/14 DDC Archaeological Response
CD 2.34 Email 01/07/14 DDC EA Response
CD 2.35 Email 30/06/14 DDC TA Review
CD 2.36 Email 30/06/14 DDC TP Review
CD 2.37 Email 30/06/14 DDC LVIA Queries
CD 2.38 Email 24/06/14 GDL Highways Comments
CD 2.39 Email 24/06/14 DDC Consultation Reponses
CD 2.40 Email 23/06/14 DDC − NCC Highways Response
CD 2.41 Letter 11/06/14 DDC Validation Confirmation Letter
CD 2.42 Letter 23/05/14 GDL Planning Application Covering Letter
CD 2.43 Email 17/04/14 DDC S106 Restriction on Development
CD 2.44 Email 11/04/14 GDL S106 Restriction on Development
CD 2.45 Letter 07/02/14 DDC Request for Screening Opinion
CD 2.46 Letter 30/01/14 GDL Request for Screening Opinion

CD 3.1 Illustrative Masterplan rev 10
CD 3.2 06. Transport Assessment - Updated 20.08.14
CD 3.3 07. Travel Plan - Updated 10.08.14
CD 3.4 08. Ecology Report - Update 22.08.14
CD 3.5 10. Flood Risk Assessment - Updated 21.08.14
CD 3.6 11. Surface Water Drainage note - Updated 29.07.14
CD 3.7 14. Archaeology Report - Updated 21.08.14
CD 3.8 15. Geophysical Report - Update 21.08.14
CD 3.9 ULS Foul Drainage Update
CD 3.10 05. Landscape & Visual Impact Assessment − Update July 2014

CD 4.1 Daventry Five Year Land Supply Assessment Report
CD 4.2 Archaeological Evaluation Interim Statement
CD 5.1 Draft Statement of Common Ground
CD 5.2 Appendix 1 Draft List of conditions
CD 5.3 Appendix 2 Draft Core Documents List
CD 6.1 Statement of Case
CD 6.2 Appendix 1 Responses to Third Parties
CD 6.3 Appendix 2 West Northamptonshire Objectively Assessed Needs Survey
CD 6.4 Appendix 3 Draft S106 Heads of Terms

CD 7.01 APP/H1840/A/12/2171339 land at Honeybourne, Wychavon (allowed 24 August 2012)
CD 7.02 APP/Y2810/A/14/2206520 12th September 2014 - Farndon Road, Woodford Halse
CD 7.03 APP/Y2810/A/14/2222311 24th December 2014 - Guilsborough Road, West Haddon
CD 7.04 APP/R0660/A/13/2195201 18th October 2013 Sandbach Road North, Alsager
CD 7.05 APP/J1860/A/13/2197037 Land at Lawn Farm, Drake Street, Welland
CD 7.06 APP/C1625/A/13/2207324 21st July 2014 - Bath Road, Leonard Stanley
CD 7.07 APP/H1840/A/13/2203924 Land between Leasowes Road and Laurels Road, Offenham,
Worcestershire -7 February 2014
CD 7.08 APP/R0660/A/11/2158727 16th August 2012 Loachbrook Farm, Sandbach Road, Congleton
CD 7.09 APP/R0660/A/12/2173294 28th November 2012 Rope Lane, Shavington,
CD 7.10 APP/A0665/A/11/2167430 29th August 2013 Land Off Nantwich Road, Tarporley, Cheshire 29th August 2013
CD 7.11 APP/J0405/A/12/2181033 Fleet Marston Farm, Fleet Marston, Aylesbury
CD 7.12 APP/Z2830/A/12/2183859 Catch Yard Farm, Towcester Road, Silverstone

CD 7.13 APP/R0660/A/13/2209335 Gresty Lane, Rope Lane, Crewe
CD 7.14 APP/Y2810/A/14/2214145 August 2014 - Land off Guilsborough Road, West Haddon
CD 7.15 APP/T2350/A/11/2161186 26th March 2012 Henthorn Rd Clitheroe
CD 8.01 [2013] EWHC 3058 William David Ltd vs SSCLG Case No: 10359/2012
CD 8.02 [2014] EWHC 2636 Dartford Borough Council v SSCLG and Landhold Capital Limited
CD 8.03 [2014] EWHC 573 SNC and SSCLG vs Barwood Land & Estates Ltd.
CD 8.04 [2013] EWHC 4377 South Northants vs SSCLG Robert Plummer
CD 8.05 CO/8377/2013 Sandbach Road, Alsager
CD 8.06 CO/17165/2013 Challenge Grounds Alsager, Section 288

CD 9.01 NCC Local Highway Authority
CD 9.02 Highways Agency
CD 9.03 Environment Agency
CD 9.04 Anglian Water
CD 9.05 Wildlife Trust
CD 9.06 English Heritage
CD 9.07 NCC Archaeology
CD 9.08 DDC Conservation Officer
CD 9.09 DDC Local Strategy Officer
CD 9.10 DDC Landscape *(Response Awaited)*
CD 9.11 DDC Engineer
CD 9.12 DDC Environmental Health *(Response Awaited)*
CD 9.13 Ramblers Association
CD 9.14 NCC Infrastructure
CD 9.15 NHS England *(Response Awaited)*
CD 9.16 Weedon Surgery
CD 9.17 Construction Futures
CD 9.18 Weedon Bec Parish Council

CD 10.01 Infrastructure and Developer Contributions Supplementary Planning Document (October 2013)
CD 10.02 Daventry Settlements & Countryside Local Plan Issues Paper (October 2012)
CD 10.03 West Northants Joint Core Strategy Relevant Policies (December 2014)
CD 10.04 Daventry District Local Plan (June 1997) Saved Policies, Revised Post WNJCS Adoption Doc (Feb 2015)
CD 10.05 Daventry District Local Plan Proposals Map (1997)
CD 10.06 West Northamptonshire Strategic Housing Land Availability Assessment (SHLAA) (January 2012)
CD 10.07 House of Commons Debate, 23 Oct 2013 Hansard
CD 10.08 Weedon Bec Parish Plan
CD 10.09 Natural England's National Character Area Profile 95 Northamptonshire Uplands
CD 10.10 Northamptonshire Environmental Character and Green Infrastructure Suite Undulating Hills and Valleys
CD 10.11 Northamptonshire Historic Landscape Character Assessment 2006
CD 10.12 English Heritage - Historic Environment Good Practice Advice in Planning
CD 10.13 Inspectors Report On The Examination Into The West Northamptonshire Joint Core Strategy Local Plan
CD 10.14 Pre-Application Response from DDC
CD 10.15 Email Confirmation of Agreement from County Council Highways
CD 10.16 Drawing 4746/13/10A – New Street Site Access with Tracking
CD 10.17 Drawing 4746/13/03D – New Street Site Access
CD 10.18 Drawing 4746/13/05A – New Street Crossroads
CD 10.19 NCC confirmation email to Stirling Maynard – dated 1/4/2015
CD 10.20 LHA requests for Conditions and S106 – dated 1/4/2015
CD 10.21 Appellant's bundle of Weedon Decisions and Judgments

Schedule of conditions

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority (LPA) before any development begins and the development shall be carried out as approved.

2. Notwithstanding that the access is not reserved, all internal roads and access arrangements shall be reserved as constituting an aspect of the layout.

3. The development hereby permitted shall comprise no more than 121 dwellings.

4. Application for approval of the reserved matters shall be made to the LPA not later than two years from the date of this permission.

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

6. Prior to commencement of development a scheme outlining the phasing of development, including a site layout plan identifying land uses such as formal and informal open space and infrastructure, shall be submitted to and approved in writing by the LPA. The development shall be carried out in accordance with the approved phasing scheme.

7. No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the LPA. The work shall be carried out strictly in accordance with the approved scheme.

8. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
   a) the hours of work;
   b) the parking and turning of vehicles of site operatives and visitors;
   c) loading and unloading of plant and materials;
   d) storage of plant and materials used in constructing the development
   e) designation, layout and design of construction access and egress points;
   f) provision for emergency vehicles;
   g) the erection and maintenance of a security hoarding;
   h) wheel washing facilities and measures to prevent mud and other such material migrating onto the public highway;
   i) measures to control the emission of noise, dust and dirt during construction;
   j) a scheme for recycling/disposing of waste resulting from demolition and construction works;
   k) routing and timing agreement for construction vehicles and directional signage on and off site;
   l) details of any temporary works made necessary on the local highway network by virtue of the build out of the development.

9. No development shall take place in any phase of the development until details of the implementation, maintenance and management of each element of the surface water drainage scheme have been submitted to and approved by the LPA. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
   a) a timetable for its implementation; and
   b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

10. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the LPA. The drainage strategy should demonstrate the surface water run-off generated up to and including the 0.5% (1 in 200) critical storm plus climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details.

11. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has been previously been submitted to and approved in writing of the LPA. The results of the site investigation shall be made available to the LPA before any of the development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development herby permitted shall be submitted to and approved in writing by the LPA. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of the development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the LPA. The remediation of the site shall thereafter incorporate the approved additional measures.

12. No development shall commence until a detailed scheme (including a full set of engineering drawings) for off-site highway improvement works has been submitted to and approved in writing by the LPA. The scheme for off-site highway improvement works shall comprise:
   (i) a double mini roundabout scheme for the New Street/West Street/Bridge Street/Church Street, Weedon crossroads; and
   (ii) works to link the proposed access on New Street to the existing village footpath network. Thereafter the off-site highway improvement works shall be completed in accordance with the approved details and written confirmation shall have been gained from the LPA that the works are acceptable prior to the first occupation of any dwelling on the site.

13. No dwelling shall be occupied until full details of the access have been submitted and approved in writing by the LPA and the access has been constructed in accordance with the approved details.

14. No dwelling in the development hereby approved shall be occupied until a Detailed Travel Plan has been submitted to and approved in writing by the LPA. The Detailed Travel Plan shall include objectives, targets, mechanisms and measures to achieve the targets, implementation timescales, provision for monitoring, and arrangements for a Travel Plan co-ordinator, who shall be in place until 5 years after the completion of the final phase of development. The approved plan shall be audited and updated and submitted for the approval of the LPA at intervals no longer than 18 months. The measures contained within the approved plan and any approved modifications shall be carried out in full.

15. Prior to the commencement of works affecting any existing public right of way full details of any enhancement, improvement, diversion or closure shall be submitted to and approved in writing by the LPA. Works shall proceed only in accordance with the approved details.

16. Before any development commences a detailed Ecological Management Plan shall be submitted to and approved in writing by the LPA, and development shall proceed in accordance with the approved EMP.

17. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type and a plan of the proposed position of fencing for the protection of trees or hedges that are to be retained on the site, have been submitted to and approved in writing by the LPA. The fencing shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without the written consent of the LPA.

18. Prior to the commencement of development a scheme and timetable for the provision of three fire hydrants for the development shall be submitted to and agreed in writing by the LPA and provision of the fire hydrants shall be made in accordance with the approved scheme and timetable.