



**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING STATEMENT TO ACCOMPANY**

**AN OUTLINE PLANNING APPLICATION FOR**

**THE PROVISION OF UPTO 450 DWELLINGS, INCLUDING PUBLIC OPEN SPACE AND A CEMETERY TOGETHER, WITH ASSOCIATED INFRASTRUCTURE INCLUDING FOUL AND STORM WATER DRAINAGE INSTALLATIONS AND ELECTRICITY SUPPLY SUBSTATIONS; FULL DETAILS OF ACCESS ARRANGEMENTS FROM HALSE ROAD COMPRISING FOUR NEW ACCESS POINTS – TWO PRIMARY AND ONE SECONDARY SOUTH OF THE WORLIDGE AND ONE SECONDARY NORTH OF THE WORLIDGE TO SERVE THE PROPOSED SPORTS PITCHES (REFER TO ACCOMPANYING FULL APPLICATION); ONE PRIMARY VEHICULAR ACCESS POINT FROM RADSTONE FIELDS; AND ONE SECONDARY ACCESS FOR PEDESTRIAN AND CYCLE CONNECTION; AND SMALL CAR PARK FOR SPORTS PITCHES**

**AND A FULL PLANNING APPLICATION FOR**

**THE CHANGE OF USE FROM AGRICULTURAL LAND TO FORM SPORTS PITCHES ON LAND NORTH OF THE WORLIDGE, HALSE ROAD, BRACKLEY IN ASSOCIATION WITH PROPOSED RESIDENTIAL DEVELOPMENT ADJOINING RADSTONE FIELDS (SEE ACCOMPANYING OUTLINE APPLICATION)**

**ON LAND AT HALSE ROAD, BRACKLEY**

**ON BEHALF OF MINTONDALE DEVELOPMENTS LIMITED**

**NOVEMBER 2020**

**PF/8852**

## LIST OF APPENDICES

<b>APPENDIX 1</b>	Dwg No. RL03 Rev A Outline Application Site Location Plan and Dwg No. RL04 Outline Application Site Location plan – Wider Area
<b>APPENDIX 2</b>	Dwg No. RL02 Full Application Site Location Plan
<b>APPENDIX 3</b>	Dwg No. LB01 Rev I Illustrative Masterplan
<b>APPENDIX 4</b>	Draft Public Notice for insertion in The Brackley Advertiser, week commencing 16 <sup>th</sup> November 2020

## 1.0 INTRODUCTION

1.1 The development proposals comprise two forms of development, namely:

i) **Outline planning permission** is sought for:

*'The provision of upto 450 dwellings, including public open space and a cemetery together, with associated infrastructure including foul and storm water drainage installations and electricity supply substations; full details of access arrangements from Halse Road comprising four new access points – two primary and one secondary south of The Worlidge and one secondary north of The Worlidge to serve the proposed sports pitches (refer to accompanying full application); one primary vehicular access point from Radstone Fields; and one secondary access for pedestrian and cycle connection; and small car park for sports pitches.'*

ii) **Full planning permission** is sought for:

*'The change of use from agricultural land to form sports pitches on land north of The Worlidge, Halse Road, Brackley, in association with proposed residential development adjoining Radstone Fields (see accompanying outline application).'*

on land off Halse Road, Brackley.

1.2 The application site boundary for the outline planning application is shown on Dwg No. RL03 Rev A, and within the wider area context on Dwg No. RL04 (drawings attached as **Appendix 1**). The site area is 22.34 hectares.

- 1.3 The application site boundary for the full planning application is shown on Dwg No. RL02 (attached as **Appendix 2**). The site area is 7.71 hectares.
- 1.4 An illustrative masterplan has been prepared by the consultant planning team and accompanies this application as Drawing No LB01 Rev I (attached as **Appendix 3**).
- 1.5 All matters of detail in the outline application are reserved for subsequent approval, other than the 4 access positions of Halse Road, and the access connections with Radstone Fields, namely:
- 2 access points to serve the housing development off Halse Road
  - A pedestrian/vehicle access to serve the proposed cemetery off Halse Road
  - A new access to serve the playing pitches
  - Vehicular access from Miranda Lane (including reformatting of Junction of Miranda Way with Juno Crescent)
  - Cycle and pedestrian access from Portia Lane
- 1.6 It is understood from David Wilson Homes that all purchasers of new homes on Miranda Way and at the junction with Juno Crescent have been informed of the proposed reformatting of the junction and its potential connection to a Radstone Fields extension. Northamptonshire County Council has similarly been kept informed of this potential future rearrangement of this road junction to change its vehicular priority.
- 1.7 The Applicant is a land promoter not a house builder. Upon a grant of outline planning permission for new homes, the land will be placed promptly into the housing market and will be sold to ensure

prompt delivery of new homes. The underlying thrust of this application is to provide resilience to the housing land supply in the District.

1.8 The outline application is accompanied by the following additional plans for which planning permission is sought:

- Dwg No. CTP-20-564 SK01 Rev B Highway Works Overview
- Dwg No. CTP-20-564 SK02 Rev A Southern Roundabout Layout
- Dwg No. CTP-20-564 SK03 Rev A Northern Roundabout Layout
- Dwg No. CTP-20-564 SK04 Rev A Cemetery Junction
- Dwg No. CTP-20-564 SK05 Rev B Worlidge Junction
- Dwg No. CTP-20-564-SP01 Halse Road HGV Swept Path
- Dwg No. CTP-20-564-SP02 Southern Roundabout Refuse Vehicle Swept Path
- Dwg No. CTP-20-564-SP03 Northern Roundabout Refuse Vehicle Swept Path
- Dwg No. CTP-20-564-SP04 Southern Roundabout Bus Swept Path
- Dwg No. CTP-20-564-SP05 Northern Roundabout Bus Swept Path
- Dwg No. CTP-20-564-SP06 Rev A Worlidge & Cemetery Priority Junctions Swept Path
- Dwg No. 58591-101 Rev C Miranda Lane Juno Crescent Realignment
- Dwg No. 5763-PH3-01-CON Country Park Layout

1.9 The following illustrative plans are submitted:

- Dwg No. LB01 Rev I Illustrative Masterplan
- Dwg No. 10793 01 Tree Protection Plan (4 sheets)
- Dwg No. GH3799263 Western Power

1.10 The following reports have been prepared to accompany both planning applications:

- Design & Access Statement
- Planning Statement
- Transport Assessment
- Framework Residential Travel Plan
- Ecological Impact Assessment (including confidential badger reports)
- Landscape & Visual Impact Assessment
- Agricultural Land Classification
- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeology – Pre-Application Advice Summary
- Flood Risk Assessment & Drainage Strategy
- Foul Sewerage & Utilities Statement
- Heads of Terms for Planning Obligations
- Noise Assessment
- Sustainability Statement

1.11 The purpose of a Planning Statement is to explain the Applicant's approach to the development, so as to assist the LPA, consultees and members of the public in understanding the content and policy context of the application.

1.12 In view of the restrictions on 'face to face' public exhibitions, public engagement with the proposals has included:

- Contact being made with the Town Clerk at Brackley Town Council to show the application proposals. A copy of the Master Plan and Planning Statement has been provided directly to Brackley Town Council.
- Publication of the proposals on Framptons website at [www.framptons-planning.com](http://www.framptons-planning.com). The website allows for comments to be made to Framptons.
- Publication of the proposals on the Mintondale Developments Ltd website at [mintondaledevelopmentsltd.co.uk](http://mintondaledevelopmentsltd.co.uk).
- Draft Public Notice to be inserted in the Brackley Advertiser week commencing 16<sup>th</sup> November 2020 (**APPENDIX 4**).

1.13 It is acknowledged that the sites are not currently allocated in a development plan. Conflict with a development plan is not determinative of the merits of any planning application.

1.14 The lead case that provides guidance on this matter remains Barwood Strategic Land LLP v East Staffordshire Borough Council and SSCLG [2017] EWCA Civ 893. The guidance provided by the Court in Barwood was applied by it in the subsequent case of Mansell v Tonbridge and Malting BC [2017] EWCA 1314, where it upheld a planning permission for development, that was contrary to an up to date development plan and where the tilted balance was agreed not have been engaged.

1.15 **The Court ruled that the local planning authority was entitled to give weight to the considerations set out in the NPPF, including what it called the '*momentum*' in favour of sustainable development and the '*impetus*' behind the provision of new homes, and make an overall assessment that these material considerations outweighed the conflict with the**

**development plan.** The Court stated that *‘When the S.38(6) duty is lawfully performed, a development which does not earn the ‘presumption in favour of sustainable development’ – and does not, therefore, have the benefit of the ‘tilted balance’ in its favour – may still merit the grant of planning permission... this is the territory of planning judgment, where the Court will not go except to apply the relevant principles of public law’* (para. 38 of the Judgment). The Framework (12) states:

*‘Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.’*

1.16 It is submitted that there are a number of material considerations which taken together are more than capable of constituting a good and rational basis for granting planning permission concurrently for both planning applications. These considerations are set out at Section 3 of this Statement.

1.17 In so doing, regard will be given to the approach recently taken by Officers when considering the merits of other planning applications that proposed housing beyond the confines of villages e.g. S/2020/0441/MAO. This reference is not made by way of setting a precedent as to the outcome of this application, but rather the reliance on a consistency to the approach to material considerations. Indeed, a distinct difference is that this proposal is consistent with the development strategy of the West Northants Joint Core Strategy, as Brackley is a Rural Service Centre. Expansion of the villages to meet the wider growth needs of the District is considered not consistent with the Core Strategy (Policy S1) and the Local Plan Part 2 (Policy SS1).



## 2.0 THE DEVELOPMENT PLAN

2.1 The development plan comprises two parts, namely:

- West Northamptonshire Joint Core Strategy adopted December 2014
- South Northamptonshire Local Plan Part 2 adopted July 2020

### **West Northamptonshire Joint Core Strategy**

2.2 The National Planning Policy Framework (The Framework) states (33):

*‘Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years.’*

2.3 The planning authorities, working jointly, and shortly to function as a Unitary Authority, have concluded that a review of the Core Strategy should be undertaken. It had been anticipated that an Options Consultation may take place by September 2019, leading to the adoption of the now termed ‘Spatial Plan’ by January 2022.

2.4 It is understood that an Options Consultation may take place by the end of 2020. As such, the timescale will have slipped by circa 15 months which might suggest that the Spatial Strategy will be adopted by mid-2023. This timescale is more coincident with the intentions of the Government to introduce a new style local plan. At that date there will remain less than 6 years of the plan period.

2.5 The sites are not allocated in either development plan. The sites are protected by policies pertaining to the open countryside. The sites are not subject to any other planning notation.

2.6 The main policies from the Core Strategy are:

- Policy S1 Distribution of Development
- Policy S2 Hierarchy of Centres
- Policy B1 Spatial Strategy for Brackley

2.7 The Distribution of Development Policy S1 primarily directs new development to the Rural Service Centres of Brackley and Towcester – being the highest order of settlements within South Northamptonshire District. The Rural Service Town Centres of Towcester and Brackley are identified as the third tier of centres under Policy S2.

2.8 The Spatial Strategy for Brackley (Policy B1) states that the *‘role of Brackley as a rural service centre will be supported and **enhanced** by new development proposals comprising:*

- a) HOUSING DEVELOPMENT WITHIN THE EXISTING URBAN AREA AND AS PART OF THE BRACKLEY EAST AND BRACKLEY NORTH SUSTAINABLE URBAN EXTENSIONS.*
- b) EMPLOYMENT DEVELOPMENT THROUGH REGENERATION AND RENEWAL WITHIN THE BRACKLEY BUSINESS DISTRICT: EMPLOYMENT AREA (SEE POLICIES MAP, FIGURE 5 - INSETS 14*
- c) AND 15) AND AS PART OF THE BRACKLEY EAST SUSTAINABLE URBAN EXTENSION.*
- d) **ADDITIONAL SERVICES AND FACILITIES** PROVIDED THROUGH THE REGENERATION OF THE BRACKLEY BUSINESS DISTRICT, THE TOWN CENTRE (SEE POLICIES MAP, FIGURE 5) AND THE DEVELOPMENT OF THE SUSTAINABLE URBAN EXTENSIONS.*

- e) ***A COMPREHENSIVE PACKAGE OF MEASURES TO PROMOTE THE VITALITY OF THE TOWN CENTRE, ENHANCE LINKAGES AND IMPROVE TOWN CENTRE PARKING.***
- f) ***IMPROVEMENTS TO PUBLIC TRANSPORT, CYCLING AND WALKING FACILITIES WITHIN THE TOWN (POLICY B4 REFERS).***
- g) ***HEALTH PROVISION INCLUDING A NEW PRIMARY HEALTHCARE CENTRE AND A 60 BED UNIT FOR ELDERLY CARE.***
- h) ***ENHANCED GREEN INFRASTRUCTURE NETWORKS AND PROTECTION OF THE VALUED NATURAL FEATURES OF THE TOWN.*** [emphasis added]

2.9 This proposals adjoin the Brackley North Sustainable Urban Extension (SUE) and will form an extension to the allocated SUEs which are now largely built out. The proposals would constitute an extension to the built form of Brackley.

2.10 Other planning policies that are relevant from the Core Strategy comprise:

- SA – Presumption in Favour of Sustainable Development
- S3 – Scale and Distribution of Housing Development
- S6 – Monitoring and Review
- S10 – Sustainable Development Principles
- C2 – New Developments
- H1 – Housing Density and Mix and Type of Dwellings
- H2 – Affordable Housing
- BN7A – Water Supply, Quality and Wastewater Infrastructure
- INF1 – Approach to Infrastructure Delivery
- INF2 – Contributions to Infrastructure Requirements

## South Northamptonshire Local Plan Part 2

2.11 The following policy is considered to provide the main policy consideration from the Part 2 Local Plan, namely:

- Policy SS1 Settlement Hierarchy

2.12 Policy SS1 states that:

*‘Proposals for new development **will be directed towards the most sustainable locations** in accordance with the District’s settlement hierarchy.’ [emphasis added]*

The first category is the Rural Service Centres (Towcester and Brackley) as these two settlements are the most sustainable settlements in the District.

2.13 The Primary Service Villages and Secondary Service Villages are, by definition, and actuality, less sustainable locations to accommodate new development than either Brackley or Towcester.

### Material Considerations

#### The Framework 2019

2.14 The Framework provides up-to-date national planning policy guidance, and is to be given substantial weight in undertaking the Section 38(6) planning balance. The Government has a committed objective of ‘*significantly boosting the supply of homes*’. Hence policies in the development plan determine the **minimum** number of homes needed, not the maximum.

## The Brackley Masterplan, adopted January 2011

2.15 The Masterplan provides a clear vision for Brackley upto 2026 and seeks to:

- *‘Re-define the role and function of Brackley as a modern market town and a strategy for the regeneration of the town centre.*
- *Protect, conserve and enhance the historic heritage and create an attractive natural and physical environment.*
- *Create opportunities where possible to enhance, restore and create new elements of Green Infrastructure.*
- *Identify the infrastructure and functions to support the town’s existing and expanding role and plan and connect the functions together in a sustainable way.*
- *Secure 1,900 high quality sustainable new homes.*
- *Upgrade and provide a range of new and extended high quality community, education, recreation, leisure and swimming facilities.*
- *Maximise the linkages and relationships between Brackley and its rural catchment, Silverstone Circuit, Towcester and the wider District; and*
- *Meet the objectives of the SNC Retail Study, the CACI Retail Report and the SNC Economic Development Strategy.’*

### 3.0 PLANNING CONSIDERATIONS

- 3.1 As explained earlier in this Statement, it is acknowledged that these proposals are not in accordance with the development plan. This feature is not determinative of the overall merits of the application. The statutory matrix of Section 38(6) requires the decision taker to consider whether there are '*material considerations*' to be balanced with the provision of the development plan – and to determine where the planning balance in the overall public interest lies.
- 3.2 This approach has been taken by Planning Officers when recommending the grant of planning permission for new housing development on the edge of villages (e.g. Ref: S/2020/0441/MAO). In that such a balance has been exercised in favour of recommending the granting of planning permission for housing development adjoining villages in the open countryside – where development will be '*limited*' (WNJCS Policy S1), and Policy SS1 of the Part 2 Local Plan states new development should be directed towards the most sustainable locations in accordance with the District's settlement hierarchy – the outline application should be welcomed in its provision for additional housing that is consistent with the strategy of the Development Plan.
- 3.3 Brackley is one of only two Rural Service Centres in the District, and the largest settlement in the District. It is therefore one of the two most sustainable locations to focus new housing and other development needs. The distribution strategy of the JCS (Policy S1) provides that the development needs of Brackley will be provided for. The Council is entitled to treat the sustainability credentials of the location as a matter of significant weight in the planning balance.
- 3.4 The fact that the scale of the outline development proposal is larger than the scale of applications recommended adjoining villages in the District is commensurate with the role of Brackley as a

Rural Service Centre; the fact Brackley has the largest urban population in the District; and the marketing success in the delivery of new homes at Brackley compared to Towcester.

3.5 The delivery of new homes by a number of house builders has brought competition to the local housing market and hence encouraged a greater rate of housing delivery. It is understood that only one housebuilder has new homes to sell, namely Taylor Wimpey (TW). In June 2020 TW had 65 units available on Phase 4, and 4 plots available on Phase 3. This rapid delivery of new homes at Brackley was anticipated by the Applicant in the evidence presented to the WNJCS examination.

3.6 New homes sales in Brackley over the past five years have shown high rates of sales, illustrating the attractiveness of the location and the design quality of new homes (Radstone Fields Design Code). It is understood that the delivery position is as follows:

- Brackley Sawmills – 139 units (All sold)
- Bronnley's Soap Factory – 43 units (All sold)
- Foxhills – 180 units (All sold)
- Radstone Fields – 967 ( 69 left in June 2020)
- The Old Glebe – 51 (All sold)

3.7 Some 1,311 new homes have been sold at Radstone Fields and the adjoining developments. In addition, 10 new homes have been sold at Brackley Fields Cottages, 14 new homes at 35-50 Market Place and 10 new homes at Town Farm. A housing delivery of 269 dwellings per annum has been achieved.

3.8 The current housing land supply at Brackley is now:

- 69 homes remaining at Radstone Fields
- 65 homes remaining at SW of Field View
- 350 Catalyst housing south of Turweston Road

3.9 The scale and design of the outline proposal has:

- i. considered the potential delivery capacity over a five year period; and
- ii. allowed for two points of housing delivery to concurrently commence house building from the two new primary access points off Halse Road.

3.10 Reasonable planning conditions may be imposed on a grant of outline planning permission to require:

- The first submission of reserved matters to comprise new housing served off the two primary accesses off Halse Road.
- The first reserved matters for new housing to be submitted to the LPA within 18 months of the grant of outline planning permission.
- The commencement of development of the first reserved matters within 12 months of approval.



3.11 On this basis, a realistic trajectory for the delivery of new homes might be:

Outline planning permission issued with S106 Planning Obligations		June/July 2021
Land marketed and sold to housebuilder		September/October 2021
First submission of Reserved Matters (allowing for pre-application process)		June 2022
Commencement of development		January/February 2023
	Market Housing	Affordable Housing
Year 1 2023	50	30
Year 2 2024	80	50
Year 3 2025	90	60
Year 4 2026	50	40
<b>Total</b>	<b>270</b>	<b>180</b>

3.12 The full delivery of housing is genuinely achievable within five years from the date of an outline planning permission. The outline application site would wholly contribute to the Council's five year housing land supply position. This is a material consideration that weighs significantly in favour of a grant of planning permission.

3.13 The WNJCS has made provision for the **minimum** number of new homes informed by a local needs assessment. Policy S3 properly does not 'cap' the delivery of new homes. The national interest of '*significantly boosting*' housing land supply supports further delivery.

3.14 The Government's fundamental objective in the NPPF is that of '*significantly boosting the supply of homes*' (para. 59). The Council's Five Year Housing Land Availability Study dated 15 July 2020 states that the Council has a supply of 8.2 years, but only if what it labels as '*oversupply*' is deducted from the remaining housing requirement over the Plan period. The argument in favour of reducing the requirement to take account of oversupply has, however, not found favour with

the Planning Inspectorate. In a very recent appeal decision in the District the Inspector ruled that it was wrong and contrary to the overriding message of the NPPF (boosting housing land supply) to include previous oversupply when calculating the five year housing land supply (Land South of Kislingbury Road, Rothersthorpe, Appeal ref: APP/z2380/W/18/3206346).

3.15 If the housing supply is calculated without an adjustment for oversupply, the five year housing land supply becomes marginal at 5.1 years. This becomes a very important consideration indeed when considering proposals for housing at the largest and most sustainable settlement in the District, because, if the supply is challenged at appeal, it may well be that it falls below five years, thereby opening the gates to speculative housing appeals on greenfield sites on the edge of smaller, less sustainable settlements, such as, the villages in the District.

3.16 It is submitted that the national interest in boosting the supply of new homes, in consequence of the failure of the planning system over many years to allow for sufficient new homes to be built, is the reasoning why an '*oversupply*' of new house building in previous years (against the provisions of the development plan should not be carried forward). Whereas an undersupply in delivery is to be carried forward.

3.17 Accordingly, it is considered that these proposals, albeit contrary to the development plan, should be welcomed by the LPA because not only will they help further the Government's objective of significantly boosting the supply of housing, but they will also provide the Council with a robust five year housing land supply (an additional supply of upto 450 new homes would move the supply above six years).

## Conclusion

3.18 It is considered that the Council's position that a five year supply of new homes can be delivered is seriously arguable. There is a real risk that the LPA will face the delivery of new homes on edge of villages which are less sustainable than the edge of Brackley. Conflict with Policy SS1 would occur.

3.19 There is considered to be a robust planning argument for releasing additional housing land adjoining a Rural Service Centre:

- To provide resilience in housing land supply against the minimum provision of a five years supply.
- To ensure that additional housing provision is located consistent with the development strategy of the WNJCS, locating new development at the most sustainable locations in the District (Policy SS1).

3.20 The provision of new market housing consistent with the development plan strategy to accommodate housing growth should be given **substantial weight**.

## Affordable Housing

3.21 The Council's Corporate Strategy 2020 states that *'we want to ensure all our residents have a safe and stable home that provides a platform to lead an active life within a supportive sustainable community'*. For those who live with an unsatisfied housing need, every day is a social misery – an inability to obtain housing to meet domestic needs, an inability to settle within a community and provide a settled background for children's education.

3.22 An inevitability of a substantial rise in unemployment (the economic recession consequent upon the COVID-19 health pandemic) will be an increasing requirement for affordable housing.

3.23 The provision of 40% affordable housing as sought by the LPA will provide a significant source of affordable housing, provided in a sustainable location for access to other facilities and services.

### **Conclusion**

3.24 The provision of 40% affordable housing, all of which are genuinely capable of being delivered within five years, should be given **very substantial weight** in the planning balance.

3.25 This is particularly so in the context that SNC acknowledges that *‘since 2011 the Council has delivered fewer affordable homes throughout the District than the SHMA and the WNIJS 2014 require’* (Policy H2). The planning system is intended to be socially inclusive. The provision of 180 affordable dwellings would make a substantial contribution to remedying the shortfall in the delivery of affordable housing.

### **Brackley as a Rural Service Centre**

#### **i. Playing Fields Available**

3.26 Brackley (and Towcester) function as rural service centres for their large rural areas. Their role is not confined to meeting housing needs, but is also intended to meet other development needs (refer to Brackley Masterplan – see paragraph 2.15 of this Statement).

3.27 The Part 2 Local Plan (Policy GS1) states (criterion 6):

6. *In the Rural Service Centres of Brackley and Towcester, **the co-location of sports clubs and facilities will be supported in principle** where they will:* (emphasis added)
- a. *support the future viability and vitality of existing sports clubs; and*
  - b. *will provide equal or improved facilities in terms of accessibility, changing facilities and pitch provision; and*
  - c. *will provide opportunities for smaller sports clubs to have a permanent facility; and*
  - d. *will enhance opportunities and accessibility for use by residents of the district.'*

3.28 The Brackley Masterplan states:

*'Brackley is also under provided for sports, indoor and outdoor leisure and recreation facilities including swimming, and playing pitches usually associated with a town of its size and the catchment it serves.'* (1105)

*'There is a clear demand for investment and provision in private and public leisure and recreational facilities within the town to meet health needs of the current and future residents.'* (1107)

*'Many local clubs are located on town centre/near town centre sites, some of which are owned by the Council. Some of the clubs would consider the option to relocate to the edge in order to obtain better competitive facilities which would in turn provide further town centre opportunity sites.'* (1109)

3.29 The full application seeks consent for the change of use of agricultural land to the north of the Worlidge from agriculture to playing field use, for some 7.71 hectares. This area of land would accommodate the playing pitch requirement for up to 450 dwellings (2.25 hectares) as required by planning policy, and provide an area (5.45 hectares) for playing fields to meet town-wide requirements as set out in the Masterplan. This provision is shown on the illustrative Masterplan. The Applicant will make provision for the town-wide playing fields to be made available on commercial terms to secure the delivery of enhanced playing field facilities to the town.

### Conclusion

3.30 An action to deliver the Masterplan is to provide *‘new areas of open space and pitches (2) as part of the Brackley North SUE to address the under provision of open space, formal play areas, and sports facilities’*. These proposals give effect to this Brackley Masterplan objective, on land adjoining the Radstone Fields SUE.

3.31 It is, of course, a matter for the LPA to determine what weight is attached to the provision of additional playing fields to meet town-wide requirements, as identified within the Brackley Masterplan that has been formally adopted as a SPD (January 2011). The provision is clearly supported by Policy GS1 in the adopted Part 2 Local Plan.

3.32 It is considered that the potential to provide additional sports pitches to meet town-wide needs should be given **moderate weight** as a material consideration. The co-location of sports pitches, i.e. the sports pitches required by the development, and the opportunity for the provision of town-wide facilities will make an efficient and effective use of land north of the Worlidge.

## ii. Cemetery Provision

3.33 The Brackley Masterplan further states (1203):

*'The existing Cemetery on Halse Road does not have sufficient long-term capacity to serve the town with Brackley Town Council considering using adjacent allotment space to resolve the problem. A new cemetery and allotments site should be identified within the urban expansion to the north of the town, or in an alternative suitable location that has capacity for the current shortfall and provides for future need. Planning contributions from new residential development identified within this masterplan will be expected towards the provision of additional cemetery/allotment facilities.'*

3.34 The SPD identifies as an action to deliver the Masterplan *'Allocate land for a new community cemetery and community allotments'*.

3.35 These proposals make provision for land that may be utilised for allotments or as a cemetery extending to 0.5 hectares fronting Halse Road.

### Conclusion

3.36 These applications contribute to the provision of town-wide facilities in addition to the provision of sports pitches, namely the facility for allotments or as a cemetery. This provision may also be given **moderate weight** in the planning balance.

## Biodiversity Net Gain

3.37 National planning policy does not require developments to achieve a specific level of net biodiversity gain. This scheme includes provision of a 11.81% net biodiversity gain which is a substantial enhancement. It is considered that this level of provision may be given **substantial weight**.

## Economic benefits

3.38 The Housing Strategy for England 2011 – Laying the Foundations acknowledged that for every home built, up to two jobs are provided for a year. The Strategy stated *'Without building new homes, our economic recovery will take longer than it needs to'*.

3.39 This Strategy was written in response to the 2008/2009 economic recession. Now the country faces the deepest economic recession that this country has experienced in 100 years. The Chief Planning Officer has urged (March 2020) for planning authorities to *'be pragmatic, be practical and let's plan for recovery'*.

3.40 When new homes are occupied, the demand for goods and services stimulates economic activity, including the engagement of tradespeople.

## Conclusion

3.41 The proposed residential development will create 900 jobs for a year, and other amounts of employment when homes are occupied. It is considered that **moderate weight** may be given to this public benefit.



### Choice of House Types

3.42 The Design and Access Statement describes the range of house types that may be provided including provision for up to 5% bungalows. Over recent years many urban extensions have omitted the provision of bungalows, thereby denying a particular house type which is especially useful to older persons seeking to downsize from more substantial dwellings. Provision of the range of house types may be secured by a planning condition on a grant of outline permission. This provision also amounts to a material consideration in favour of a grant of planning permission and may be given **limited weight**.

### Development Impacts

3.43 These applications are accompanied by a set of environmental and technical reports following the submission of the pre-application enquiry, and the proactive response by the Planning Officer and consultees.

3.44 The following sections arise from the impacts of the development:

- Transport
- Archaeology
- Agricultural Land
- Landscape and Visual Amenity
- Air Quality
- Foul Sewerage and Utilities

- Flood Risk and Drainage
- Noise

### **Transport Assessment**

3.45 The applications are accompanied by a Transport Assessment and Framework Residential Travel Plan. A Stage 1 Road Safety Audit for the proposed new junctions onto the existing highway network can be found at Appendix S of the Transport Assessment.

3.46 Cotswold Transport Planning conclude that:

- i. The sites are well located for convenient access to a range of services and amenities in addition to public transport linkages to additional facilities further afield;
- ii. The sites are fully compliant with local and national planning policy guidance;
- iii. The site access arrangements are safe and appropriate and have been designed in accordance with the prevailing national and regional design guidance;
- iv. Parking provision on-site will be suitable to negate any adverse impact upon the local highway network; and
- v. The proposed developments will not have a 'severe' impact on the operation of the local highway network and the surrounding off-site junctions (Framework 109).

3.47 There are considered to be no significant highways and transportation matters that would preclude the Local Highway or Planning Authorities from supporting approval of these planning applications.

## **Archaeology**

- 3.48 The proposed developments will involve disturbance to sub-surface archaeological remains of a character in keeping with those recorded locally in the Northamptonshire Historic Environment Record (NHER). It has been agreed with the Assistant Archaeological Advisor to Northamptonshire County Council that any sub-surface remains which may survive within the application boundary will be suitable for evaluation and mitigation in accordance with current legislation and planning policy. On this agreement, appropriate on-site evaluation of sub-surface archaeological remains will be undertaken within the 'determination window' of this application. These works are undertaken in accordance with a trenching plan and subsequent Written Scheme of Investigation (WSI) as agreed with the Assistant Archaeological Advisor. The presence of known or unknown archaeological remains within the application boundary are considered not likely to raise a significant issue against the granting of planning permission for the proposed developments.

## **Agricultural Land**

- 3.49 The agricultural appraisal identifies the survey study area (Plan KCC2701/02) as comprising some 13.8 hectares of Grade 3a agricultural land and 41.3 hectares of Grade 3b agricultural land, with 10.4 hectares of Grade 3a land being within the red line application sites.
- 3.50 The Framework 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by b) recognising the economic and other benefits of the best and most versatile agricultural land (BMV), and of trees and woodland. The Planning Practice Guidance refers to the statutory consultation procedure which is engaged by large-scale non-agricultural development on best and most versatile land. This is set at 50 hectares.

3.51 These proposals involve a small scale of loss of BMV agricultural land, with the main location being adjacent to the existing urban edge. The loss is considered not to be significant and amounts to limited adverse effect from the development.

### **Landscape and Visual Amenity**

3.52 The proposed developments have been subject to a Landscape and Visual Impact Assessment undertaken pursuant to best practice guidance published by the Landscape Institute (GLVIA 3).

3.53 The assessment of landscape character undertaken by Aspect, and as published in the Northamptonshire Landscape Character Assessment concludes that the immediate setting of the sites is unremarkable (in landscape character) and does not contain any physical attributes that elevate it above ordinary countryside.

3.54 It is inevitable that the development of a greenfield site will necessarily have a significant impact upon the character and visual amenity of the site itself.

3.55 As advised by Aspect, the extension of the settlement pattern of Brackley to the north-west, as a continuation of the pattern of development formed by Radstone Fields, protects the more sensitive valley landscapes to the south-east and south-west of the town. The loss of several arable fields is not considered to be typically representative of the wider landscape. As such, this loss to built development is not significant.

3.56 The outline application site is well contained within the wider landscape by a gently undulating topography, positive robust tree lines that traverse the wider landscape setting and managed field

boundaries and roadside hedgerows. As such, any perceived harm will be highly localised to the immediate context of the site and will not harm the perception of a rural setting to Brackley.

3.57 The sports pitches are well contained within an established vegetation structure that characterises The Worlidge and approaching footpath routes and field boundaries. The proposed new hedgerow and additional hedgerow tree planting will reinforce the compartmentalised field pattern and enhance the condition of these key landscape features within the wider countryside. By their very nature, the sports pitches will not be prominent within the receiving countryside setting and it is considered that the proposed access enhancements can be sensitively integrated alongside the established and reinforced hedgerow that characterises The Worlidge approach from the south west.

3.58 It is concluded that, while some change to landscape character will inevitably occur, and this has a negative impact to be weighed in the planning balance, the underlying topography and robust intervening landscape features ensure that the proposed developments will be well integrated within the context of the localised and wider landscape setting.

3.59 In terms of the effect upon visual amenity, no significant visual effects have been identified other than from one viewpoint (18), at the southern corner of the proposed pitches. As is evident from the adjacent viewpoints taken on the approach to the northern parcel of land (proposed for sports pitches), this effect, which is a negative effect, will be limited to a very short section of The Worlidge and PROW VA14. This effect must similarly be placed in the planning balance.

3.60 Short term visual harm is also identified during the period the proposed new hedgerow on Halse Road becomes established. The removal of this length of hedgerow is necessary to facilitate

highway improvements for all users. This short term visual harm is to be placed in the planning balance.

3.61 It is considered that the application sites and receiving environment have the capacity to accommodate the proposals. The proposals will not result in significant harm to the landscape character or visual environment and, as such, it is considered that the proposed developments can be successfully integrated in this location and are supportable from a landscape and visual perspective.

3.62 The proposals are considered to be consistent with relevant national and development plan policies relating to the protection of landscape and visual amenity through the avoidance of significant harm.

### **Air Quality**

3.63 An Air Quality Assessment has been prepared to accompany the application. The report states that *'the operational air quality impacts are judged to be insignificant'* (paragraph 8.1.5) and that the air quality effects of the developments have also been *'found to be insignificant'* (paragraph 8.1.6). Moreover, the report concludes that *'there should be no constraints to the development of the site with regard to air quality'* and that the *'proposed development is consistent with the relevant parts of the NPPF'* and local planning policy (paragraph 8.1.6).

## Foul Sewerage and Utilities

3.64 A Foul Sewerage and Utilities Statement has been prepared to demonstrate that there are no infrastructure delivery constraints for the residential development. In short form, the development can be provided with:

- a means of foul water drainage;
- electricity supply;
- potable water supply; and
- telecommunications including broadband.

## Flood Risk and Drainage

3.65 A Flood Risk and Drainage Strategy has been prepared to accompany the applications. The report concludes that *‘the risk of flooding to the proposed development from all sources is considered to be low’* (paragraph 8.1) and that *‘there will be no increase in residual flood risk to other areas as a result of the development proposals’* (paragraph 8.7).

## Noise

3.66 A Noise Assessment been prepared to accompany the applications. The report concludes (section 7) that:

*‘All areas of the site are able to achieve BS8233-compliant external amenity levels during the day, without the need for acoustic mitigation.’*

*'No parts of the site will require acoustic mitigation ... It is therefore considered that noise should not be considered an impediment to the approval of this ... application'*



## 4.0 SUMMARY AND CONCLUSIONS

- 4.1 The '*material considerations*' identified, and the weight to be given to them, must be weighed against the extent of conflict with the development plan. It is acknowledged that the developments involve the loss of greenfield land. Inevitably development cannot take place without having a significant impact on the site itself.
- 4.2 As stated at the outset, conflict with a development plan is not determinative of the merits of any planning application. The statutory duty under Section 38(6) requires the decision-taker to undertake a planning balance weighing other '*material considerations*' against the provisions of the development plan.
- 4.3 The Council's position on housing land supply is far from robust and relies upon the proposition that '*over provision*' of housing supply should be carried forward. In the context of the Government's commitment to '*boost*' housing delivery, and the fact the development plan provides for minimum amounts of housing, the approach applied by the Council would achieve the minimum amounts of housing only. The Council's approach has not been accepted by a Planning Inspector in an appeal where the development was dismissed for other reasons.
- 4.4 The Council is now facing a number of development proposals for the delivery of new homes on the edge of villages including on appeal to the Secretary of State. The scale of development advanced in these village proposals is not advanced on the basis of meeting a local identified need.

4.5 Policy SS1 in the recently adopted Part 2 Local Plan July 2020 states:

*‘Proposals for new development will be directed towards the most sustainable locations, in accordance with the District’s settlement hierarchy.’*

4.6 Brackley (and Towcester) are the two top tier settlements within the District (WNJCS Policy SP2).

The delivery of new homes at Brackley has been impressive when compared to the delivery of new homes at Towcester. It is submitted that Brackley is the most sustainable location in the District to accommodate new housing. The residential development proposal has the genuine propensity to be fully delivered within five years from the grant of planning permission.

4.7 The outline proposal would provide substantial resilience to housing land supply by locating new housing at the most sustainable location in the District.

4.8 The Rural Service Centres are not solely intended to be the focus of accommodating housing growth. Rather the role of the market towns is to meet wider development needs. The Brackley Master Plan has identified deficiencies in the availability of playing pitches to enable town-wide clubs to relocate and enlarge facilities to meet the demand from an expanded community. Furthermore, the relocation of existing sports facilities, from constrained sites close to the town centre, will enable these sites to be ‘recycled’ for more appropriate land uses, for example new housing.

4.9 These proposals support the vision of the Master Plan in identifying land that can be made available for town-wide sports facilities and the opportunity to recycle land close to the town centre in order to enhance the vitality of the town centre; the provision of land for a potential

cemetery. In the interim period, this area of land could be used as allotments (refer to the aims of the Brackley Masterplan – see paragraph 2.15 of this Statement).

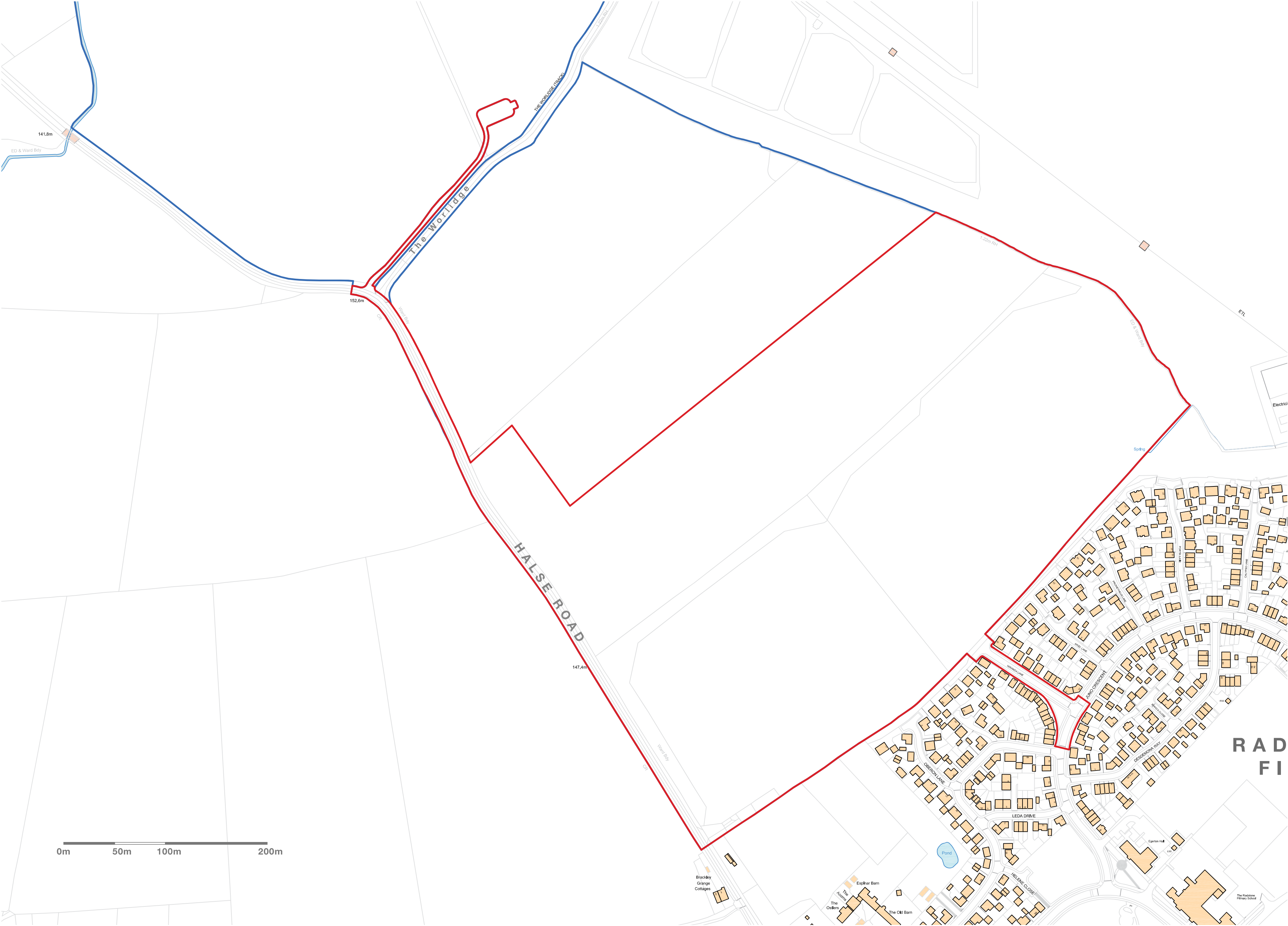
- 4.10 The developments involve the loss of agricultural land that is generally of limited biodiversity value. It is acknowledged that the developments would involve a small-scale loss of high agricultural land. These proposals provide a biodiversity strategy that would achieve a net biodiversity of over 11%. The developments will provide a substantial benefit for biodiversity.
- 4.11 The provision of new homes has a significantly beneficial effect upon the local economy through the provision of new jobs in construction – and the provision of direct and indirect employment when new homes are occupied through the purchase of goods and services. In the period of the deepest economic recession experienced by this country in the last 100 years, this benefit to the economic objective should be given at least moderate weight in the planning balance.
- 4.12 The economic crisis induced by the COVID-19 health pandemic will inevitably give rise to increased requirement for affordable housing. This increased requirement is compounded by the acknowledgement that the delivery of affordable housing has not matched the requirements identified in the SHMA.
- 4.13 The provision of additional market housing should be given substantial weight in the planning balance. The provision of affordable housing should be given very substantial weight in the planning balance. 180 additional affordable homes will provide a significant boost to supply.
- 4.14 The operation of the statutory duty under Section 38(6) requires a planning balance. On the one side of the scales is the acknowledged conflict with the provisions of the development plan – in the sense the outline application site is not allocated for housing development.

- 4.15 Not by way of criticism of the development plan process, the West Northants Core Strategy was not prepared for circumstances of the deepest economic recession.
- 4.16 The Council's ability to robustly demonstrate a minimum of five years deliverable housing land supply is considered in reality to be 'fragile'. Housing proposals are being submitted for locations which are not the most sustainable in the District. The planning risk is that new housing proposals are located on Greenfield sites on the edge of villages, contrary to the development plan strategy, and in locations that are less sustainable.
- 4.17 The residential development proposal would make a significant contribution to boosting housing land supply, providing robustness to the five year deliverable housing land supply position, at the most sustainable settlement in the District. The benefits from allowing the developments to proceed are considered to justly outweigh the conflict with the development plan in the loss of 'countryside' to accommodate development needs and the limited adverse impacts which have been identified.
- 4.18 The Applicant and the Landowners will meet Planning Obligations that may be lawfully demanded as explained in the accompanying Heads of Terms for Planning Obligations.
- 4.19 As such, both full and outline planning permissions should be granted.

## **APPENDIX 1**

Dwg No. RL03 Rev A Outline Application Site Location Plan

Dwg No. RL04 Outline Application Site Location Plan - Wider Area



Application Boundary  
22.34 ha / 55.20 Acres

Retained Land

Land North of Radstone Fields, Brackley

Mintondale Developments

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drawing no.	RL03	drawing	Site Location Plan - OUTLINE Application
revision	A	scale	1:2,500 @ A2
drawn by	AR	checked by	RT
date	17/11/2020	job no.	462784



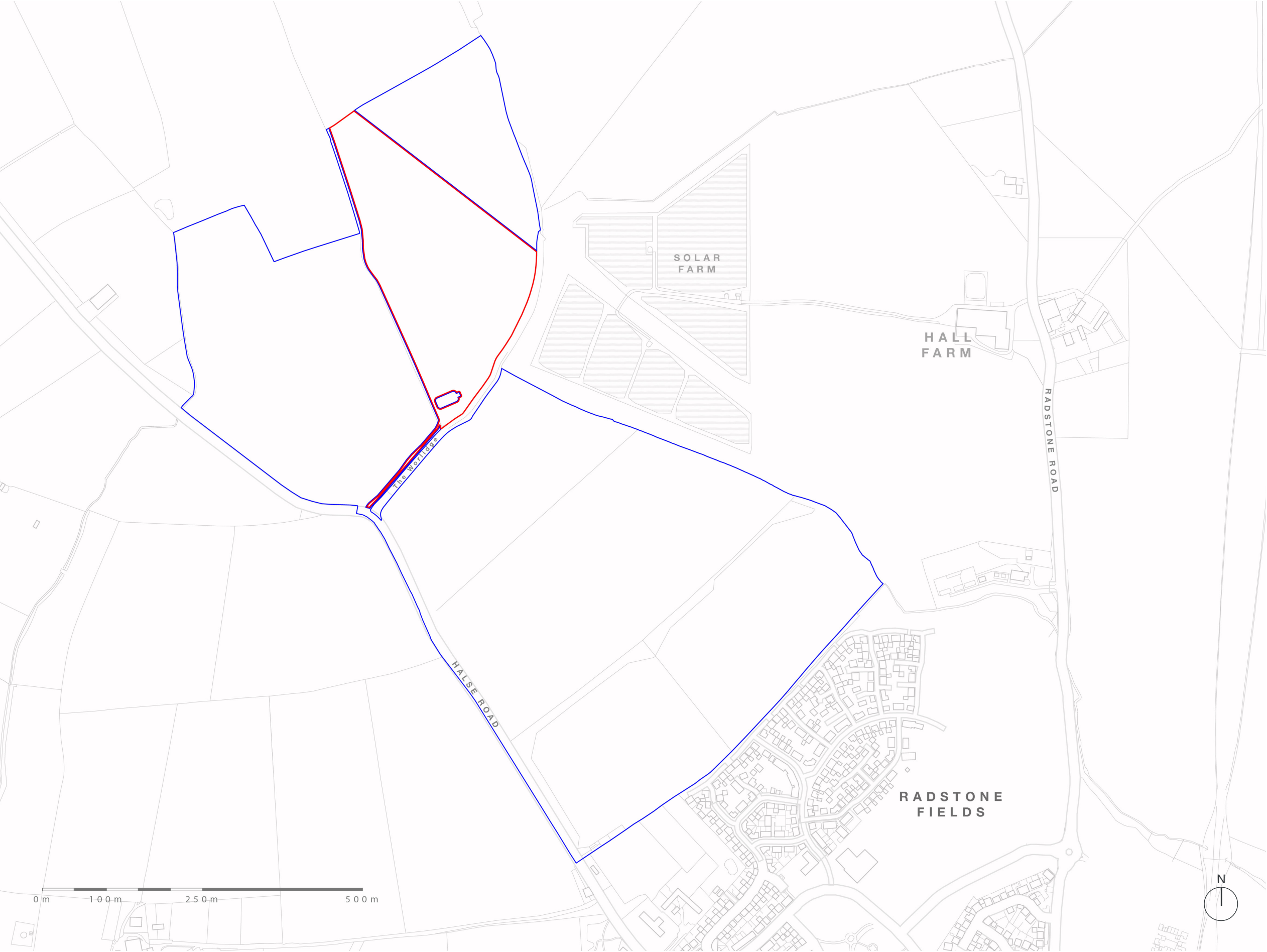




## **APPENDIX 2**

Dwg No. RL02 Full Application Site Location Plan





- Application Boundary:  
7.71 ha / 19.05 Acres
- Retained Land

Land North of Radstone Fields, Brackley

Mintondale Developments

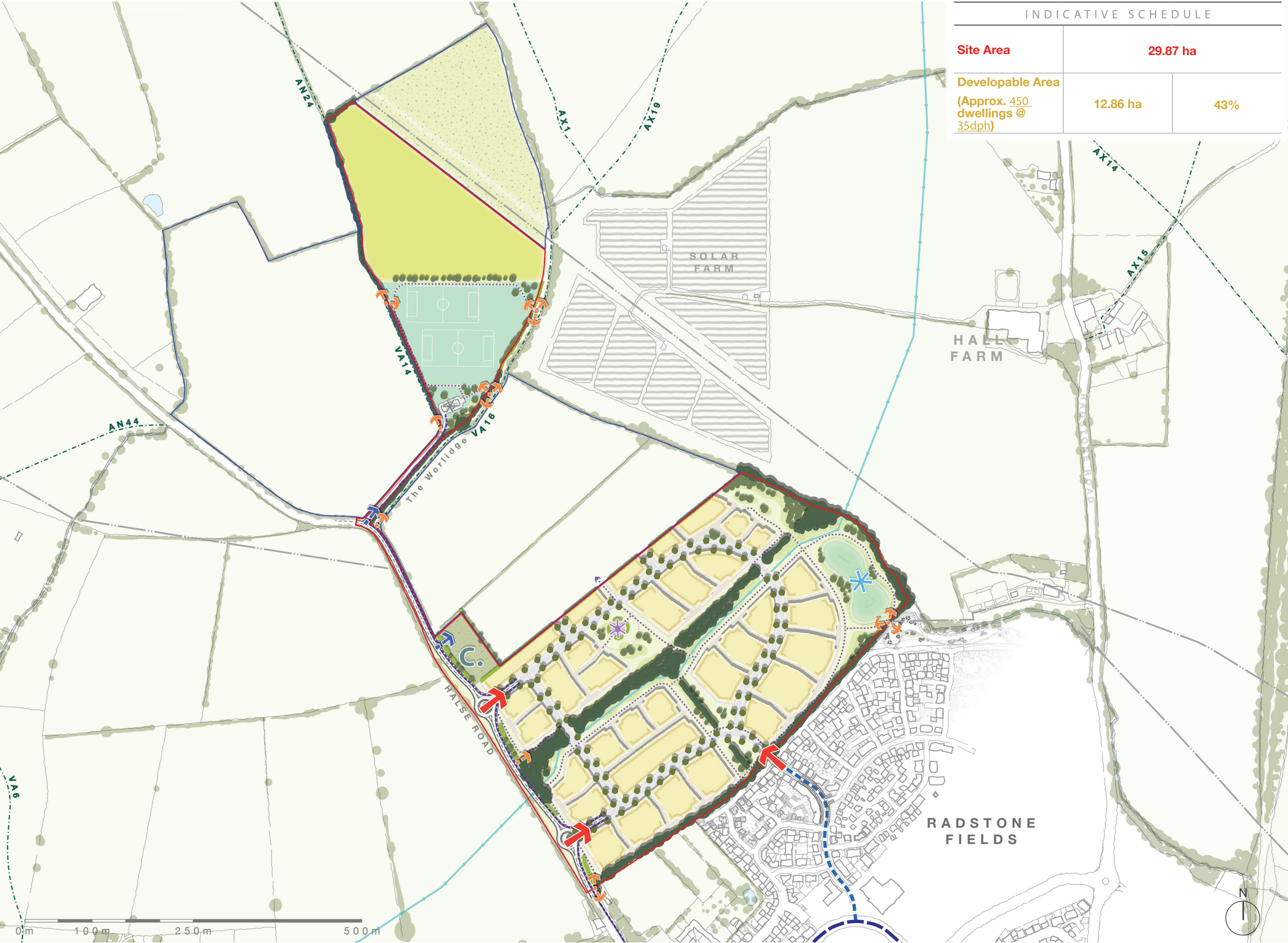
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drawing no.	RL02	drawing	Site Location Plan - FULL Application
revision	-	scale	Refer to scale bar
drawn by	CJM	checked by	AR
date	13/11/2020	job no.	462784

## **APPENDIX 3**

Dwg No. LB01 Rev I Illustrative Masterplan





INDICATIVE SCHEDULE		
Site Area	29.87 ha	
Developable Area (Approx. 450 dwellings @ 35dph)	12.86 ha	43%

- Site Boundary
- Retained Land
- Proposed Residential Development
- Proposed Residential Frontages
- Proposed Primary Vehicular Access Points
- Proposed Secondary Vehicular Access Points
- Existing Medium Pressure Gas Main
- Existing Bus Route through Radstone Fields
- Proposed Bus Route Extension through Radstone Fields
- Existing Public Rights of Way
- Proposed Pedestrian Connections
- Proposed Footpath Along Halse Road
- Indicative Footpath / Cycle Network
- Proposed Primary Road / Bus Loop
- Existing Vegetation
- Proposed Open Space
- Call Option Recreation Land
- Land Reserved for Biodiversity Net Gain
- Formal Sports / Recreational Land
- Proposed Location of Cemetery / Allotments
- Proposed Car Park for associated Formal Sports / Recreational Land
- Proposed Children's Play Area
- Proposed Location of Attenuation Basins

# Land North of Radstone Fields, Brackley

Mintondale Developments

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drawing no.	LB01	drawing	Illustrative Masterplan
revision	I	scale	Refer to scale bar
drawn by	CJM	checked by	AR
date	06/11/2020	job no.	462784

#### **APPENDIX 4**

Draft Public Notice for insertion in The Brackley Advertiser, week commencing 16<sup>th</sup> November  
2020

## **Residential Development – Land off Halse Road, Brackley**

An outline planning application has been submitted to South Northants District Council for the development of up to 450 new homes, with associated facilities and land for a cemetery, on land adjoining Radstone Fields, off Halse Road, Brackley. A concurrent full planning application has been submitted to the council for the provision of new sports pitches to serve the proposed development and enhance town-wide sports provision.

The applications can presently be viewed on the following websites: -

[www.framptons-planning.com](http://www.framptons-planning.com)

[www.mintondaledevelopmentsltd.co.uk](http://www.mintondaledevelopmentsltd.co.uk)

Following the submission of the planning applications to South Northants District Council, all reports and plans will be available to view and comment upon in the South Northants Planning Applications Register.

Any person wishing to obtain further information on the proposals, is welcome to contact Frampton Town Planning Ltd on 01295 672310 or email [enquiries@framptons-planning.com](mailto:enquiries@framptons-planning.com)

Peter J Frampton

Director

Frampton Town Planning Ltd

19.11.2020