

**Town and Country Planning Act 1990
(As Amended)**

APPEAL BY

CAPEL HOUSE PROPERTY TRUST LTD

Against the failure of

West Northamptonshire Development Corporation

to give notice of its decision within the appropriate period
in respect of an outline application for the Comprehensive
Development of Land to provide a Sustainable Urban Extension
Comprising 1,000 dwellings with associated infrastructure on land at:

Monksmoor Farm, Welton Lane, Daventry

Evidence of Robert L Meek, BSc (Econ), MRTPI

References:

Inspectorate: APP/M9570/A/08/2082894
WNDC: 07/0161/OUTWND
KLW: RLM/KLW/04/0244
Date: 20th December 2008

1. Introduction

- 1.1 My name is Robert L Meek. I am a Director of Kember Loudon Williams Ltd, Planning and Environmental Consultants, a position I have held for some 12 years. I am a Chartered Town Planner with extensive experience of working within the planning system, having worked for some 16 years in various posts within Local Government, and for the past 21 years as a consultant within the private sector.
- 1.2 I am retained by Capel House Property Trust Ltd to advise on the planning aspects of the Monksmoor Farm proposals, and in that context I set out below my evidence in support of the proposals that are contained in Application No 07/0161/OUTWND. submitted to West Northamptonshire Development Corporation (WNDC) on 1st June 2007 and the subject of the current appeal.
- 1.3 In preparing this evidence I have taken as my starting point the WNDC's report to Committee dated 29th September 2008, and the commentary and recommendations contained therein. I have also taken account of WNDC's report to Committee dated 17th December 2008, and its commentary and recommendations in response to the discussions held and submissions made in response to the outstanding issues identified in the report of 29th September 2008. Additionally, I have taken account of the Site Specific Statement of Common Ground for Monksmoor Farm agreed with WNDC in respect of the status of the appeal site, and of the Statement of Common Ground prepared and agreed with WNDC in respect of Planning Policy, both of which have been formally submitted to the Inspectorate.
- 1.4 The purpose of my evidence to the Inquiry is to set out the planning justification for the appeal proposals in order to demonstrate to what extent they satisfy planning policy and related guidance, and in doing so to clarify and comment on those matters that remain at issue between my clients and WNDC as the Planning Authority for the matters now at appeal. Following the consideration of the appeal proposals at WNDC's Committees on 29th September and 17th December 2008, WNDC have formally resolved that, subject to a number of safeguards being provided through appropriate conditions attached to any consent that may be issued, and/or appropriate provisions within any agreement of unilateral undertaking that may be produced, only

reasons (a) and (g) of their original reasons for refusal - relating to Transport and Accessibility and the lack of a Section 106 agreement respectively - remain outstanding.

1.5 As explained in Sections 7.4 and 7.19 of my proof, both of these issues are under active discussion with the relevant organisations, and while at the time of writing I am unable to say that either are as yet resolved, progress to date on both these issues suggests that agreement will be forthcoming. With regards the ‘safeguards’ that were identified as necessary by WNDC in coming to their conclusion not to pursue any of the other reasons for refusal, these are discussed in more detail in Sections 7.15 to 7.18 and 7.20 to 8.2 of my proof.

2. The Planning Application

2.1 The planning application submitted on behalf of Capel House Property Trust Ltd for the development of land at Monksmoor Farm sought consent for the:

“comprehensive development of land to provide a sustainable urban extension comprising 1,000 dwellings with associated infra-structure, including new vehicular accesses onto Welton Lane; alterations to Welton Lane; new on-site access and distributor road network; cycleway and footpath network; primary school; public open space facilities; community buildings including community hall and local medical centre; retail accommodation and local B1 employment accommodation, together with other supporting facilities.”

It was accompanied by a detailed schedule of land uses a copy of which is attached at Appendix A.

2.2 The application was submitted to help meet the District Council’s proportion of the regional housing requirement which under the Regional Spatial Strategy adopted in 2005 requires the provision of an additional 10,800 new dwellings within the period 2001 to 2021. However it was also to be viewed within the context of the emerging revised draft Regional Spatial Strategy, published in 2006, and since the subject of

further proposed changes by the Secretary of State which seeks an additional 2,700 new dwellings to be provided by 2026.

2.3 The planning application was made in outline form only, and in that context sought approval for the two proposed access points into the appeal site for vehicles, pedestrians and cyclists. All other matters were reserved for later approval. The formal application as submitted therefore comprised:

- a site location plan with the site edged red as submitted on 1st June 2007;
- the Masterplan for the site submitted on 1st June 2007; and
- Figures 8.1 and 8.2 contained in the Transport Assessment submitted on 1st June 2007, showing the preliminary design of the points of access to Welton Lane.

2.4 It was however accompanied by a number of additional documents and supporting information, including:

- a Planning Statement reviewing the planning policy background to the proposed development, describing the development proposals themselves, the principal land uses, and proposed access points;
- a Masterplan document which, in addition to the Masterplan, provided indicative plans illustrating the amount of development and proposed uses;
- a Design Strategy - incorporating the Design and Access Statement - providing illustrations and plans of the scale parameters applicable to the proposed development and information on the design approach proposed for the buildings in relation to the character areas;
- details of the areas to be set aside for amenity and play space and an indication of the hard and soft landscaping to be employed through the planting up of open space and/or the setting out of built open spaces.
- an Environmental Statement (“ES”) and Non Technical Summary (“NTS”) assessing the impacts of the proposed development in accordance with the scoping strategy agreed with WNDP as the Planning Authority.

- 2.5 In addition to the above, the application was accompanied by a number of other studies required by WNDP addressing particular aspects of the proposed development. These comprised:
- a Waste Management Strategy;
 - a Flood Risk Assessment;
 - a Statement of Community Involvement;
 - an Open Space and Playing Pitch Study;
 - a Sustainability Statement;
 - a Public Art Strategy;
 - a Health Impact Assessment;
 - a Water Cycle Strategy;
 - a Traffic Impact Assessment; and
 - a Landscape/ Biodiversity Statement.
- 2.6 The application was submitted to WNDP on 1st June 2007, and was subsequently validated by them on 27th July 2007. Since that date discussions on the issues raised by the proposals have been on-going, both informally and in response to requests for additional information in relation to the application under Regulation 19 of the Town and Country Planning (Environmental Impact) (England and Wales) Regulations 1999, the latter having been submitted on 27th May 2008. Latterly discussions had reached a stage where detailed revisions to the scheme proposals, and to the supporting information on which they were based, were under consideration, with a target date for determination of the application having been agreed.
- 2.7 With an appeal already lodged in respect of the Danetree proposals, the Highway Agency issued a Article 14 Direction on 7th August 2008 preventing the determination of the Monksmoor Farm application until such time as additional work to establish the scale of impact of the development on the Strategic Road Network was completed. Having established that this work would not be completed prior to the opening of the Danetree appeal, it was concluded that there was no option other than to appeal the application on grounds of non-determination. The current appeal was consequently submitted on 12th August 2008 with a start date confirmed as 18th August 2008.

2.8 Following the submission of a package of additional material on 12th November 2008, the nature of which are explained in Section 7 of my proof, the formal application was amended by the submission of a revised Masterplan in substitution for that originally submitted. The revised application therefore now comprises:

- the site location plan with the site edged red as submitted on 1st June 2007;
- the Masterplan for the site submitted on 1^{2th} November 2008; and
- Figures 8.1 and 8.2 contained in the Transport Assessment submitted on 1st June 2007, showing the preliminary design of the points of access to Welton Lane.

In amending the application as indicated, a revised Masterplan development strategy document was submitted, together with an addendum to the Design and Access Statement. These clarify the strategy underpinning the approach adopted to the form and layout of the proposals and the consequent revisions to the Masterplan.

3. The Appeal Site

3.1 The site comprises an area of predominantly agricultural land located to the north-east of the existing urban area of Daventry between the Daventry Reservoir to the south and the Grand Union Canal to the north. To the west, on the other side of Welton Lane, is the Ashby Fields residential area.

3.2 In total the land comprising Monksmoor Farm extends to 50.7 hectares. The appeal site, however, includes highway land and consequently extends to 54ha. A full site description has been agreed in the Site Specific Statement of Common Ground. That said, the site falls gently to the north-east and is currently sub-divided into arably farmed fields. Mixed hedges, interspersed with mature and semi mature trees, form the boundaries. The farm buildings comprising the operational heart of Monksmoor Farm are a collection of dilapidated agricultural buildings that lie centrally within the northern part of the site.

3.3 Beyond the immediate site boundaries to the north and east the area is characterised by a mixed undulating landscape with prominent ridgelines including Borough Hill – a

prominent local feature. To the south lies Daventry Reservoir and Country Park, while to the west is the existing urban edge of Daventry.

4. Planning Policy And The Appeal Site As a Development Location

4.1 A detailed commentary and assessment of the policy context within which this appeal is to be considered has been set out in full in the Policy Statement of Common Ground agreed with WNDC. I do not therefore propose to comment further on the scope of policy as it applies to the Monksmoor Farm appeal. I do, however, feel that it is necessary to briefly comment on the current development plan status of the appeal site, and to outline the key stages in the planning process that lead to the application to which this appeal relates, to demonstrate the provenance of the location as a development option.

4.2 While both the County Structure Plan and the District Local Plan for the area are now out of date - the Structure Plan having been superseded by the RSS/Sub-Regional Strategy, and the Local Plan due to be replaced by the emerging LDF documents for the area - a number of policies within each of these documents were safeguarded by the Secretary of State for Communities and Local Government. The full list of these are set out in Core Documents 2.1 and 3.1.

4.3 For the most part these saved policies do not carry any significance for the appeal proposals. However, there are a number which bear upon the current appeal. These include:

- Policies GN1, GN2, GN3 and EN42, which together set out the key contextual and amenity considerations that will be taken into account in assessing the suitability of any development proposal before planning consent will be granted;
- Policy EN2, relating to safeguarding the character of Conservation Areas;
- Policy EN10, relating to development within area's designated as Green Wedges;
- Policies EN25, EN26 and EN35 which establish safeguards for ecologically sensitive sites and require landscaping to be provided as an integral part of any development proposal;

- Policies HS24 and EM16 which safeguard land within the Countryside areas from residential and employment development other than in a very limited range of circumstances;
- Policies HS25 and HS26, which deal with the provision of affordable housing within development sites; and
- Policies RT9, CM7, CM8, RC1, RC2, R12, and RC14, which deal with the provision of local retail accommodation in support of local community needs, and the provision of public transport, cycle and pedestrian facilities, open space and playing field provision in support of new development.

4.4 As will be explained later in my proof, it is my view that the appeal proposals as submitted, and as now amended following subsequent discussions with WNDC and their various advisors, address and satisfy the requirements of Policies GN2, GN3, EN2, EN25, EN26, EN35, HS25, HS26, RT9, CM7, CM8, RC1, RC2, RC12 and RC14, above. While the appeal proposals appear to run contrary to the objectives of the remaining saved policies of the Local Plan (Policies GN1, EN10, HS24 and EM16) in that they go beyond what was envisaged as acceptable at the time of its adoption in June 1997, as explained below the strategic context with which these policies were designed to operate has changed significantly in the interim.

4.5 Daventry has been identified as a location for significant growth in the period to 2021, in support of its identification as a Sub-Regional Centre within RRS8, adopted in May 2005 (Core Document 1.1). This established the foundation for the planned growth of Daventry that is the subject of the current appeals. It did not, however, identify where in the Daventry area that growth was to be located. That was a matter which, quite appropriately in the context of a Regional Spatial Strategy, was to be determined through the more detailed site selection processes of the Local Development Documents (LDD) that were to be subsequently prepared. The overall scale of growth envisaged has since been endorsed in the subsequent review of the RSS8 published in September 2006, and retained in subsequent versions of that document, most recently the Secretary of State's Proposed Changes to The East Midlands Regional Plan (July 2008), with an additional level of growth planned to reflect the further growth considered appropriate in the period 2021 to 2026 (Core Document 1.4).

4.6 RSS8 as adopted in May 2005 forms a key component of the Development Plan for the area. In consequence full weight is to be attached to that document and its proposals in determining any application for development that may be proposed in the Daventry area in the period 2001 to 2021. While the subsequent review of that document has yet to be completed, it has, with the publication of the Secretary of States Proposed Changes in July 2008, reached an advanced stage in the process. In consequence it would be appropriate for the proposal contained within that document to be accorded very substantial weight as a key policy document in the context of the continued strategy for the planned growth of Daventry in the period 2021 to 2026.

4.7 Under both the approved and emerging RSS documents, planned growth at Daventry is to be focused on the town itself, and is identified separately from other growth that is expected to occur within Daventry District in support of the complementary planned growth of Northampton. Whilst Daventry District Council have yet to formally accept that the additional growth planned under RSS8 for the 2021 to 2026 period will all be allocated to the planned growth of Daventry for the 2001 to 2021 period, this is the intent of emerging RRS8 policy. This is demonstrated by the wording of Policy MKSM Northamptonshire SRS1 of the emerging RRS8 document, which states:

“... development should be focused at the sub-regional centre of Daventry...”

4.8 The assessment of where in the immediate vicinity of Daventry such planned growth may best be accommodated, and the potential for the Monksmoor Farm appeal site in that context, has been the subject of previous debate under earlier Local Plan proposals, and more recently has been assessed in a number of studies which have been commissioned by the Local Authorities operating in the area.

4.9 During 1994 and through to July 1995, as part of the Local Plan Inquiry into the options for the growth of Daventry at that time, the Monksmoor Farm site was proposed as a possible location for new housing growth. Though not allocated at that time, as the District Council considered there to be a more suitable site for housing, the Monksmoor Farm site was nevertheless acknowledged by the Local Plan Inspector in his report on the Local Plan (Core Document 3.30) to offer a suitable location for the longer term growth of Daventry. He commented:

“I am of the view that Monksmoor Farm is a site that the Council should take into consideration in making good the shortfall in housing land. If not allocated, this part of the objection site should still be recognised as important for the structural development of Daventry and be designated as an ‘Area of Restraint.’”(paragraph 4.515, page 232 of the report of Mr M Griffin)

Note: The reference to ‘this part of the objection site’ relates to the developable area of Monksmoor Farm, excluding the area liable to flood

- 4.10 More recently, the Daventry Strategic Development Options Study commissioned by Daventry District Council and the Northamptonshire Partnership to inform their LDF work, prepared by Atkins Consultants Ltd and published in April 2005 (the Atkins Report) (Core Document 3.15) reviewed the options for creating a sustainable town with a population of 40,000 based on the expansion of Daventry. Working with Daventry District Council this defined an Area of Study within which potential constraints to development were identified, and using these identified those areas that were considered to make the best contribution to the sustainable development of the town. From this work a number of scenarios were identified which had the potential to deliver the scale of growth required. Following consideration of these findings a number of Strategic Development Options were identified, and these were tested to assess their impact against environmental, social and economic criteria, and a conclusion reached by Atkins Consultants Ltd in discussion with the District Council on the preferred way forward.
- 4.11 While setting to one side existing Local Plan policies – in recognition of the changing strategic role that had been identified for Daventry in then emerging RSS documents - the constraints assessed in undertaking this work comprised ecology, heritage, landscape and geotechnical considerations. In each case, impacts were categorised according to the severity of anticipated impacts. While the eastern sector of the Monksmoor Farm site was identified as at risk of flooding, and on this basis identified as unsuited to development in geotechnical terms, in ecological, landscape and heritage terms Monksmoor Farm was found to be substantially unconstrained.

- 4.12 In assessing the options in terms of their contribution to sustainability – which assessed the accessibility of the options and their ability to function as an extension of the existing urban area - Monksmoor Farm again showed potential, the greater part of the site being assessed as reasonably accessible in transportation terms. It also was considered to offer good potential - both conceptually and in terms of constraints - in terms of its ability to function as an extension of the urban area. This is reflected in the fact that the Monksmoor Farm site was identified as a location for potential housing development in all 3 of the Strategic Growth Options identified in the report, as illustrated in the plans attached at Appendix B.
- 4.13 Subsequently, in May 2005, and as part of their ultimately abortive work in preparing a Core Strategy document as part of their LDF programme, Daventry District Council also identified the Monksmoor Farm site as one of the site options considered suited to new development as part of the planned growth agenda for the town (Issues and Options Report for the Daventry District, May 2005 formally published in June of that year) (Core Document 3.36). In all three development options presented in this report, Monksmoor Farm was identified as providing suitable land for between 800 and 1,000 dwellings.
- 4.14 On 24th November 2005 a report outlining Daventry District Council’s proposed Pre-submission Core Strategy was published with a view to taking it to the Strategy Group Committee of Daventry District Council. (Core Document 3.16). Although this report never reached Committee, as a result of the intervention of the Government Offices who requested a Joint Core Strategy approach, the report contained various preferred approaches, including a desire to see new housing growth centred on land at Monksmoor Farm.
- 4.15 Following public consultation by the District Council in 2006, Monksmoor Farm was again identified as a favoured location for growth, being identified in the District Councils Core Strategy Preferred Options document (Core Document 3.37).
- 4.16 This potential was again identified in a Masterplan for the town of Daventry which was commissioned by Daventry District Council to assist the Council in their corporate decision making process. (Core Document 3.6). Produced by Marchini Curran

Associates and circulated on a limited basis for comment in December 2006, this again identified land within the Monksmoor Farm appeal site as suited to accommodating between 700 and 1,000 dwellings. While this has no status as a planning document it nevertheless illustrates the degree of acceptance that exists within the District Council that the Monksmoor Farm appeal site has a role to play in meeting – in part at least – the planned growth of Daventry.

4.17 Though further progress with Daventry District Council's Core Strategy document was halted with the creation of WNDC and the decision in 2006 to develop a Joint Core Strategy document for the West Northamptonshire area – a collaboration between Daventry District Council, Northampton District Council and South Northamptonshire District Council – there has been further work undertaken under the auspices of WNDC to assist them in their assessment of the planning application that was submitted in 1st June 2007, now the subject of the current appeal.

4.18 Further evidence which underpins the acceptability of the Monksmoor Farm site for new housing is found in the Daventry Infrastructure Study (DIS) (Core Document 4.2) prepared by URS at the behest of WNDC and published in draft form in May 2008. The DIS is supported by five technical reports covering Transport, Green Infrastructure, Sewage and Water, Utilities and Social Infrastructure, and was prepared to provide an evidence base for WNDC when determining major planning applications. The document examines Daventry and its immediate environs in the context of planned growth requirements and assesses the potential impacts of growth at differing locations on infrastructure to identify those locations best able to meet growth needs in the future. This spatial assessment identifies locations for future growth where infrastructure provision can be most readily provided. It also provides a better understanding of the thresholds at which key infrastructure enhancements can and will be required, and the anticipated costs associated with that provision.

4.19 Arising from that work, the DIS provides a partial framework against which various spatial options for the planned growth of Daventry can be assessed. Within that framework, the area to the north-east of the town – which encompasses the Monksmoor Farm appeal site - was found to be well suited to accommodating new development in the majority of the assessments undertaken. This is particularly the case in the

assessments undertaken in the context of accessibility where the appeal site is deemed to be in an area which has good to moderate accessibility to the Town Centre. It was also identified as having medium visual sensitivity in landscape terms, and is defined as forming part of an area which is considered to be better suited to accommodating growth. Only in terms of utilities were other quadrants to the south and west of the town to be preferred.

4.20 While the DIS was only published in draft form, and has been the subject of comments and suggested alterations by a number of consultees – including the appellants, Capel House Property Trust Ltd – it nevertheless lends weight to my view that the Monksmoor Farm appeal site represents, in its own right or in combination with others, a location which is well suited to development as part of the planned growth of Daventry.

4.21 It is clear from the above that:

- there is, within the adopted RSS8 of 2005, an approved strategic context within which the growth of Daventry to a population of some 40,000 by 2021 is to be planned;
- there is a substantive case emerging within the subsequent review of the RSS8 and the Secretary of States Proposed Changes to that document of July 2008, for the planned growth of Daventry to be maintained at a similar rate of growth to 2026.
- notwithstanding the provisions of saved Policies GN1, EN10, HS24 and EM16 of the Local Plan, the appeal site has been identified as a location which is well suited to accommodating a part of that planned growth; and
- in that context there is a clear case for setting aside the provision of Policies GN1, EN10, HS24 and EM16 in recognition of the adopted Sub-Regional strategy for the area, and in particular for the role of Daventry in meeting that Strategy.

4.22 This reflects my own views of the sites potential, reflecting:

- its location adjacent to the existing urban edge of Daventry;
- its accessibility by walking, cycling, public transport and by car;
- its limited impacts on the landscape of the area; and

- its limited impacts on the site and its surroundings in terms of its implications for the ecology, archaeology, cultural heritage, and amenity of the site and its surroundings.

4.23 In this context, I am also conscious of the fact that both WNDC and Daventry District Council in their Committee Reports (Core Documents 10.3/10.4 and 10.6 respectively) and Rule 6 Statements (Core Documents 10.3 and 10.4 respectively) have also acknowledged the suitability of the appeal site as a housing location.

4.24 It is therefore my view that the Monksmoor Farm appeal site is suitable for housing development in the context of PPS3, current and emerging RSS8 guidance and in terms of the emerging Joint Core Strategy.

5. The Scale of Planned Growth

5.1 RSS8 adopted in March 2005 sets out the scale of growth that is to be accommodated at Daventry. Within that document, MKSM Northampton Policy 1: The Spatial Framework, indicates that between 2001 and 2021 development at the sub-regional centre of Daventry should be provided for at an average rate of 540 dwellings per annum. The total number of new dwellings to be provided in Daventry over that period is consequently 10,800, and as is made clear within that policy this is in addition to any housing provision for Northampton's growth that is to be provided for within Daventry District Council's administrative area.

5.2 This same scale of growth is repeated within the Milton Keynes & South Midlands Sub-Regional Strategy (March 2005), at Northampton Policy 1: The Spatial Framework. Some additional commentary on this scale of growth is also contained at paragraph 124 of that document (under the heading 'Sub-Regional Centre, the Smaller Towns & Rural Service Centres') which indicates that the objective is to grow Daventry from a population of some 23,000 currently to a population of "about 40,000" by 2021, by means of intensification within the present built up area and expanding onto Greenfield sites through one or more sustainable urban extensions, the exact scale and nature of which are to be determined through the LDD process.

- 5.3 The emerging RRS8, as published for consultation in July 2008 following changes proposed by the Secretary of State to the original document published in September 2006, adopts the same overall theme in terms of growth at Daventry. In particular it reiterates in Policy MKSM Northamptonshire SRS1 the earlier advice that development should be focused at the sub-regional centre of Daventry. The emerging RSS8 also maintains that the annual average rate of growth at Daventry should remain at 540 dwellings per annum over the extended plan period (2001 to 2026) - giving a total provision for that period of 13,500 new dwellings.
- 5.4 The emerging RSS8 also reiterates the advice contained in the adopted RSS8 that the planned growth at Daventry is in addition to any housing provision for Northampton's growth that is to be provided for within Daventry District Council's administrative area. However, the notes also advise that the figures in the policy represent the housing provision "for each Local Authority area". Whether this means that not all of the planned growth under this policy needs be located at Daventry as part of its planned growth, or may be allocated to other locations within the District is unclear. However, it is my view that for the sub-regional status of Daventry to be met, the proposed new housing would need to be targeted at Daventry town.

6. Housing Land Supply and Delivery

- 6.1 Against this context, and using the residual calculation method, an assessment of housing land supply in the period from 2001 to 2007 has been undertaken. This is illustrated in Appendix C. Based upon the annual monitoring report produced by Daventry District Council (Core Document 3.17), and accepting that the figures contained therein represent an accurate assessment of the true position, this indicates that as of April 2007 - the date at which the most recently available data was published – there is an outstanding requirement for the provision of a further 8,780 dwellings by 2021, and 11,480 dwellings by 2026.
- 6.2 These requirement figures are, however, gross numbers. In order to determine how these levels of requirement are to be met in practice, therefore, it is necessary to assess

those future sources of new housing supply that may contribute towards meeting these requirements, and the number of dwelling units that may be anticipated from each, within the time period. When that is done in the context of the Monitoring Report figures (see Appendix C) the net residual requirement falls to 5,172 dwellings by 2021, and 7,872 dwellings by 2026.

- 6.3 This analysis, however, does not reflect the advice set out in PPS3: Housing. As made clear at paragraphs 52 - 57 of PPS3, Planning Authorities are required to ensure that there is sufficient suitable land available to achieve the housing delivery objectives based on the level of net housing provision set out in the relevant RSS policies. They are also required to set out a strategy that will enable a continuous delivery of housing for at least 15 years into the future. In doing so they are required to ensure that for the first 5 years these sites are deliverable (i.e. that they are available, suitable and achievable), and where possible to identify further specific sites which will bring forward housing within a further 10 year period. They are also required to ensure that in doing so they can ensure that a continuous 5-year supply of deliverable housing land is maintained.
- 6.4 In order to meet these various requirements, and in particular to ensure that sufficient housing land is immediately available of a 5-year period, PPS3 (paragraph 58) advises against the inclusion in HLS calculations of any sites where delivery may be uncertain. It also advises against the inclusion of any windfall sites within the HLS provision for the first 10 years, unless it can be demonstrated that local circumstances prevent other sites from being identified. When this advice is taken into account and windfalls are removed from the equation, the HLS position at Daventry alters significantly, as Appendix D illustrates, with the net requirement rising to 6,008 dwellings by 2021, and 8,708 dwellings by 2026.
- 6.5 Against this background, and in discussion with the appellants of the Danetree proposals, an assessment of the Housing Land requirements that are relevant to the current appeals has been produced and the shortfall in the Districts 5-Year Housing Land Supply as at April 2008 calculated. This is attached as Appendix E. As the calculation illustrates, this suggests that there is no more than a 1.03 years supply of housing land currently available.

- 6.6 To illustrate how the 3 sites now at appeal may contribute to meeting RSS8 housing requirements to 2021 and 2026 discussions have also taken place regarding the preparation of Housing Trajectory. Based upon Daventry District Council's Annual Monitoring Report 2006-2007 (AMR) (Core Document 3.17), the approach under discussion accepts unaltered the past completion rates indicated in that report, together with the projected completion rates shown for both the Middlemore Development Area and for the implementation of the Daventry Masterplan town centre sites. In accordance with the advice contained within PPS3, it would also exclude windfall and urban capacity sites from the projection as it is considered that their inclusion distorts the true land supply position.
- 6.7 At the time of writing no Housing Trajectory has been agreed, though from discussions to date it does seem likely that if RSS8 housing requirements at 2021 and 2026 are to be satisfied within the timescales indicated - and assuming that the housing market will 'normalise' over the coming months - numerically all 3 of the sites currently at appeal have a role to play. However, the implications for the number of new housing units to be constructed annually within the District will bear some scrutiny to ensure that the annual rate of delivery is reasonable given the 'step change' in housing delivery numbers that is being sought by government and the ability of the Daventry housing market to absorb the total number of houses that are to be provided over the period to 2021 and 2026.
- 6.8 A draft Statement of Common Ground based on the above is under discussion between the appellants and with WNDC and DDC. At the time of writing, however, this has not been agreed. Discussions will, however, continue with a view to minimising the areas of disagreement and submitting this to the Inquiry in due course. A Position Statement on Housing Land supply issues will also be produced to assist the round table discussions on this topic in the initial stages of the Inquiry. In the interim I attach within Appendix E my assessment of the annual rate of delivery that I consider to be feasible for the Monksmoor Farm site over the period to 2021 assuming that 'normalised' market conditions return by 2010.

6.9 Based on the information developed to date, there is an urgent need for housing land to meet immediate 5-year land supply requirements and to plan for growth over the longer term. Not to redress this shortfall would be likely to undermine the strategy for growth in this area.

7. The Principle of Development

7.1 As will be clear from the above, and from a consideration of the policy context as a set out in the Policy Statement of Common Ground, whilst RSS8 has set out the overall level of housing provision at Daventry in the period to 2021 and beyond - in accordance with Paragraphs 34 and 35 of PPS3 – there is currently no 5-year supply of deliverable housing land available in or around Daventry. This is confirmed at paragraph 10.52 of WNDC’s Committee Report of 29th September 2008 (Core Document 10.3/10.4) and at paragraphs 4.1 and 4.2 of Daventry District Council’s Housing Land Availability Study at April 2008 (Core Document 3.10).

7.2 In such circumstances PPS3 (at paragraphs 71 and 72) advises that Local Planning Authorities should consider favourably planning applications for housing that will assist in redressing this shortfall, and should not refuse such applications on prematurity grounds alone. This strategy is supported in principle by West Northamptonshire Development Corporation and Daventry District Council, as made clear at paragraphs 8.1 and 7.1 of their respective Statements of Case (Core Documents 10.3 and 10.4 respectively).

7.3 Additionally, there is no up to date or emerging Local Development Document which sets out in detail the strategy for determining the location for accommodating the planned levels of growth. While there have been a number of studies undertaken which were designed to inform that selection process within the LDF process, and though these offer useful guidance on the suitability of options available, none have any formal status as planning documents other than as material considerations in determining planning applications.

7.4 A Joint Core Strategy document is, of course, currently being prepared for the West Northamptonshire Area as a whole, following the demise of Daventry District Council’s

own Core Strategy document in 2005. That document has, however, yet to be published for public comment. It's publication date has also already slipped significantly. From a planned publication date in Autumn 2008, under the Joint Local Development Scheme published in October 2008 (Core Document 3.18) it is now not expected that a submission version of that document will be available until the end of 2009 at the earliest. In these circumstances there is no realistic prospect of the Core Strategy document being adopted until January 2011 at the earliest, some 10 years into the plan period set out for the planned growth of Daventry in the adopted RRS8.

7.5 That said, it remains appropriate to assess the appeal proposals within the guidelines set out at paragraph 38 of PPS3, in order to ensure that the proposals represent an appropriate location for new housing development. Within that context the relevant criteria to be used in undertaking that assessment can be summarised as follows:

- Compliance with the spatial vision for the area
- Its potential in addressing the need and demand for housing
- Public transport availability
- Its impacts upon the physical environment, its environmental impact and those relating to land use, contamination, access, flood risk, land ownership and infrastructure investment requirements
- The options available for accommodating growth
- Accessibility to existing and planned facilities, infrastructure and services
- The need to provide mixed and sustainable communities
- The need to make appropriate provision for rural in rural areas and villages that are required to maintain their sustainability and support local networks

7.6 I have outlined at Section 4 of my proof the work that has been undertaken in assessing the characteristics of the Daventry area and how these have informed the spatial vision of how the area may best be developed and the options that may be available to do so. I have also outlined at Sections 5 and 6 of my proof the scale of housing need that the Daventry area is required to accommodate, and how the demand that this is designed to accommodate can be met, notwithstanding my reservations on the ability of the area to absorb the planned housing numbers within the timescale set in RSS8.

7.7 WNDC in their report to Committee dated 29th September 2008 (Core Document 10.3/10.4) have also assessed the appeal site within the parameters set by these criteria, concluding at paragraph 10.72 of their report that :

“The application site is sustainably located in relation to infrastructure and has good accessibility to the town centre and all its facilities and services and the wider town. In terms of the need for housing it generally satisfies the criteria set out in PPS1 and PPS3.”

7.8 In coming to that conclusion, however, WNDC have also undertaken a detailed assessment of the appeal proposals against a total of 18 topic areas which together encompass all of the remaining criteria that are key to the appeal proposals. These comprised the following:

- Transport & Accessibility
- Landscape Impact
- Ecological Impacts
- Archaeology & Cultural Heritage
- Natural Resources
- Water & Flood Risk
- Waste
- Agricultural Land
- Contamination
- Mix of Uses & Quality of Development
- Employment
- Retail
- Education
- Health & Other Community Facilities
- Open Space & Recreation
- The Master Plan
- Other Material Considerations
- Section 106 Agreement

7.9 Of these, WNDC has concluded that the following issues have been satisfactorily addressed in the submissions made with the application and accompanying documents, or in subsequent submissions to them in response to requests made for clarification generally or under Regulation 19 of the Town and Country Planning (England and Wales) (Environmental Impact) Regulations 1999.:

- Archaeology
- Natural Resources
- Waste
- Agricultural Land
- Contamination
- Mix of Uses & Quality of Development
- Retail
- Education
- Open Space & Recreation

Where there are matters still to be resolved under these headings, WNDC accept that these can be addressed through conditions attached to any planning consent, or covered within a legal agreement or undertaking prepared under Section 106 of the Planning Act 1990.

7.10 In each instance these matters are included within the Site Specific Statement of Common Ground agreed with WNDC. I do not therefore propose to consider these matters further, beyond drawing the obvious conclusion that there are no matters under these topics that would mitigate against the granting of planning consent to the appeal proposals.

7.11 With regard the remaining issues, WNDC in their report to Committee dated 29th September 2008 set out a total of 7 putative reasons for refusal of the application had they been the determining authority at that time. Discussions with WNDC and their advisors have since been pursued with a view to clarifying the nature of their concerns and minimising the areas of dispute between us. This has resulted in the submission, on 12th November 2008, of a package of additional material that was designed to address a

number of those matters that had been identified in WNDC's reasons for refusal. This included:

- a revised Development Strategy: Masterplan which adjusted the Masterplan strategy and layout in response to WNDC's reason for refusal (g); (Core Document 9.32)
- an addendum to Design and Access Statement which sought to clarify the strategy underpinning the approach adopted to the form and layout of the proposals in response to WNDC's reason for refusal ((d) and to reflect the revisions to the Masterplan strategy and layout alterations also submitted; (Core Document 9.31)
- a revised Chapter 9.0 to the ES - Landscape Character and Visual Assessment - to respond to WNDC's reason for refusal (f) and to reflect the revisions to the Masterplan strategy and layout alterations also submitted; (Core Document 9.38)
- a Conservation and Heritage Statement which assessed the potential impact of the revised Masterplan strategy and layout on the character of the Grand Union Canal Conservation Area in response to WNDC's reason for refusal (f) in light of the revisions to the Masterplan strategy and layout also submitted; (Core Document 9.33)
- an Ecological Statement assessing the cumulative impact of the appealed proposals on the ecology of the area and clarifying how the revisions to the Masterplan strategy and layout alterations also submitted provides a robust and adequate framework for the protection and enhancement of the ecology of the area and the associated GI, responding to WNDC's reason for refusal (e) and (f); (Core Document 9.34)
- an Employment Statement clarifying the role of on-site employment in satisfying strategic employment objectives, and the case for making a contribution towards employment promotion in the area generally, in response to WNDC's reason for refusal (h); (Core Document 9.35)
- a review of the Environmental Statement in light of the information being submitted; (Core Document 9.36) and
- a revised Chapter 2.0 of ES – The Development Site and Proposals - in light of the information being submitted (Core Document 9.37).

Copies of these documents were also submitted to the Planning Inspectorate under Regulation 19 of the Town and Country Planning (Environmental Impact) (England and Wales) Regulations 1999. An advertisement was also placed in the local press on 11th December 2008 advising the public that these documents had been submitted, advising where copies of these may be viewed, and indicating that any representations should be submitted to the Planning Inspectorate by 8th January 2009.

7.12 A report responding to these various submissions, but also taking on board parallel discussions that were being pursued with other key consultees in respect of sewage capacity, flood risk, air quality; and noise and vibration was considered by WNDC at a meeting on 17th December 2008 (Core Document 9.30). In accordance with the officers recommendations WNDC resolved that, subject to a number of safeguards being provided through appropriate conditions attached to any consent that may be issued, and/or appropriate provisions within any agreement of unilateral undertaking that may be produced, they considered that of their original putative reasons for refusal only reasons (a) and (g) remained outstanding.

7.13 In addition to the above, a report responding to these various submissions, but also taking on board other parallel discussions that were being pursued with other key consultees in respect of sewage capacity, flood risk, air quality; and noise and vibration was separately considered by DDC at a meeting on 15th December 2008. (Core Document 9.28) Though accepting much of the information submitted, and re-iterating their acceptance that the site is suited to development as part of the planned growth of Daventry, DDC resolved to maintain a number of objections to the Masterplan strategy and layout. In light of this, and to assist in understanding the nature of the information that has resulted in WNDC reaching their decision, I briefly address below the nature of our response to the original reasons for refusal stipulated by WNDC. These are addressed in turn using the WNDC reasons for refusal as the starting point in each instance.

7.14 ***Transport & Accessibility***

7.14.1 In the report to the Planning Committee dated 29th September 2008, WNDC gave the following reason for refusal in respect of the Monksmoor Farm appeal site:

Strategic and Local Highways Impact & Public Transport

The application, by nature of lack of information within the submitted Transport Assessment, fails to demonstrate how the additional traffic generated by the development proposed development, would be accommodated within the strategic and local highway networks. In addition, by nature of lack of information within the Transport Assessment, the application fails to demonstrate that the public transport strategy will achieve an acceptable level of modal shift that will be sustainable in the long term. As such, the proposals are contrary to PPG13, RSS8 1, 2, 3, 4 Northamptonshire Structure Plan 'saved' Policy T3 and Daventry Local Plan 'saved' Policies GN2, CM7.

7.14.2 The policies referred to in the reason for refusal relate principally to the need to ensure that in approving any new development, satisfactory access and parking provision can be secured (Policies GN2, T3 and RSS Policy 1); that the traffic that is generated by the development will not result in adverse impacts upon the road network (Policy GM2); that where necessary improvements to the road network occasioned by the proposed development can be secured (Policy GM2); that the development can be adequately served by an integrated transport network including Public Transport facilities (Policies CM7 and RSS Policies 1 and 2); and that it is designed to be accessible by non-car modes of travel, including travel by foot and cycle way as well as by public transport (RSS8 Policies 3 and 4).

7.14.3 Detailed evidence on this aspect of the proposals will be provided by my colleague Jeremy Hurlstone of Denis Wilson Partnership, Consulting Engineers. However, it is relevant to note that the information that is considered to be lacking in coming to this view related to the anticipated level of traffic likely to be generated by the planned growth of Daventry on the strategic highway network. This despite that fact that:

- Modelling work had been undertaken by Northamptonshire County Council (NCC) and the three appellants assessed the likely impacts on the local road network of that planned growth;
- The Highways Agency (HA) participated in that work;

- Further assessment was undertaken by NCC and the HA in conjunction with WNDC as part of the work undertaken within the Daventry Infrastructure Study (DIS); and
- WNDC were advised by letter dated 10th October 2007, a copy of which is attached at Appendix F, that our clients were concerned with the approach being adopted in progressing highway matters, and were unable to progress further assessment of impacts until additional information was provided on the nature of emerging concerns – an enquiry that was never directly responded to.

7.14.4 Within that context it is unfortunate that the HA, NCC and WNDC were unable to identify the nature of the additional work that was necessary to allow the traffic and highway impact of the appeal proposals to be more fully assessed at an earlier stage in the process. It is unfortunate in the extreme that it required an appeal to be lodged before the necessary focus was achieved.

7.14.5 As the evidence of my colleague Jeremy Hurlestone will explain, however, anticipated impacts on the local road network as a consequence of the appeal proposals have previously been established and the impacts arising as a consequence of the development of the Monksmoor Farm site were not found to be excessive, with both the access points and their design principles considered acceptable by the Highway Authority. A Statement of Common Ground which confirms this position is in the course of preparation. While there will be a need to undertake improvements to elements of the local road network to accommodate the planned growth, it is anticipated that the costs of these will in part be funded by contributions from the development of the appeal site, with the level of contributions to be agreed with the Highway Authority according to the proportion of additional traffic that the development will generate on the Local Road Network.

7.14.6 Anticipated impacts on the Strategic Road Network as a result of traffic generated by the appeal proposals were also originally assessed as modest. However, work is now being undertaken on behalf of the Highways Agency and NCC to better quantify likely impacts on the Strategic Road Network. The results of that work are not yet known. However, it is anticipated that the impact of the Monksmoor Farm proposals on the local highway network will remain modest, and will necessitate only limited improvements to

the Strategic Road Network as a consequence of the planned development of the appeal site. The actual position, however, will not be known prior to the start of the Inquiry, and will make full resolution of the concerns raised in relation to Air Quality and Noise and Vibration also unlikely within that time frame as they are in part dependant on the outcome of the traffic modelling work being undertaken. I address this in more detail at Sections 7.21 and 7.22 of my proof.

7.14.7 In the event, however, that highway improvement works prove to be necessary and feasible, it is anticipated that these shall be programmed to support the planned growth of Daventry, and shall in part be funded by contributions from the development of the appeal sites. The level of contributions will be a matter to be discussed with the Highway's Agency and NCC, and will be included as part of any undertaking or agreement prepared under Section 106 of the 1990 Planning Act. The costs to be borne by the appeal site will be determined by the proportion of additional traffic that the development will generate onto the Strategic Road Network.

7.14.8 In parallel with the above, discussions have also been taking place with the bus operators to establish the nature and level of any improvements to the existing service network that may be feasible, bearing in mind the modal shift that is required in favour of public transport. These discussions have been undertaken in conjunction with representatives of the Church Field appeal proposals, in recognition of the potential benefit that may accrue to both sites from the provision of a bus only link between the two sites, across the green corridor that is to be provided along their common boundary as an extension to the Daventry Reservoir Country Park.

7.14.9 Arising from these discussions it has been established that there is scope to accommodate improvements to the frequency of the existing D1 and D2 services that currently serve the north-eastern sector of Daventry, and to divert these services into the appeal site as the development progresses and generates additional demand from residents. It is also anticipated that further improvements to local bus services will result which will improve services between the appeal site , the town centre and the principle employment locations to the north west of the town, and with the completion of the proposed 'bus only' link to the Church Field site, potentially improve access to rail services at Long Buckby.

7.14.10 As the evidence of my colleague Jeremy Hurlstone will confirm, detailed discussions on draft Travel Plans and the funding arrangements required in order to realise these improvements to the bus service, in accordance with a phased programme to be agreed with the bus operators, are underway. It is anticipated that these provision shall be included within any undertaking or agreement that may be prepared under Section 106 of the Planning Act 1990.

7.14.11 On the basis of the above, and with the provision that has also been made within the Master Plan for the development to provide and encourage pedestrian and cycle access throughout the site and, where possible linkages to the existing footpath and cycleway network affording ready access to both local service and facilities and to the town centre, it is considered that the appeal proposals satisfy the objectives of all relevant elements of PPG13, Policies 1, 2, 4 3 and 4 of RSS8, saved Policy T3 of the Northampton Structure Plan (now superseded) and saved Policies GN2 and CM7 of the Daventry Local Plan.

7.15 ***Ecological Impacts***

7.15.1 In the report to the Planning Committee dated 29th September 2008, WNDC gave the following reason for refusal in respect of the Monksmoor Farm appeal site:

Ecology

The applicant, by nature of failure to take an integrated approach to the provision of green infrastructure within the proposals, has not demonstrated that the development would provide the necessary corridors and habitats to secure the maintenance or enhancement of wildlife and biodiversity, including protected species. As such, the application fails to accord with PPS9, RSS8 Policy 28, MKSM Strategic Policy 3, Northamptonshire Local Structure Plan 'saved' Policy GS5 and Daventry Local Plan 'saved' Policy EN35.

7.15.2 The thrust of the polices referred to in this reason for refusal relates to the protection and enhancement of areas of ecological value in order to improve the biodiversity of the area and to secure improved provision of, and access to, Green Infrastructure and associated

facilities. As indicated in addressing the concerns raised in relation to the Masterplan and on Cultural Heritage (Conservation Area) matters in Sections 7.18 and 7.22 of my proof, the issue of Green Infrastructure (GI) and how this may be addressed in the context of the site layout, were matters that were under discussion with WNDC prior to the current appeal being lodged. Following the appeal it was also a matter that was discussed with WNDC in the context of their original reason for refusal, and was addressed in the submissions made on 12th November 2008, as set out at paragraph 7.11 of my proof. Having considered these submissions WNDC subsequently accepted that their original objection had been resolved. This, however, was subject to a condition being attached which required that, in addition to the provision made to the north and south of the site as part of the alterations to the Masterplan strategy and layout, an area of GI some 50m in width be designated along the eastern boundary of the appeal site

7.15.3 The provision of GI, and its potential function as a wildlife and ecological corridor were discussed at some length with WNDC, as was the role of the undeveloped corridors running adjacent to the appeal sites boundary with the Grand Union Canal to the north and with Daventry Reservoir Country Park to the south.

7.15.4 During the course of those discussions no conclusive evidence was produced which indicated that either the northern or southern corridors functioned other than as a general pathway for wildlife, or that the open space corridors originally proposed were unlikely to prove adequate to fulfil and enhance that role. Nevertheless, urban design, ecology and Conservation Area objectives suggested that there would be merit in setting the development edge further back from the northern boundary of the site, and slightly increasing the width of the southern corridor. These considerations, when taken together with the desire of WNDC and their advisors to enhance the provision of GI, particularly along the site's northern and southern boundaries - as a component of the wider ecological strategies for the site – resulted in the edge of the development being set back from the cutting of the Grand Union Canal by a further 20 metres (40m in total), as discussed later in this proof (see Section 7.18 below). At the same time, the opportunity was taken to increase the width of the southern corridor where it adjoins the Country Park, to enhance its role as a wildlife corridor.

7.15.5 These proposals, together with further clarification on the measures taken to safeguard the ecology of the site – in particular in relation to the retention of additional lengths of established hedgerow within the site, and to ensure that potential bat roosts were adequately protected during construction – were set out in the statement prepared by my clients ecologists (Bureau Veritas) which was submitted to WNDC on 12th November 2008. (Core Document 9.34) Submitted under Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, this also addressed the cumulative impacts of the planned development at Daventry in the context of wildlife, as well as commenting on the relevance and significance of a number of other matters that had been raised by consultees.

7.15.6 The views of WNDC on these submissions were reported to a meeting of WNDC's Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.41 to 9.56). As you will note it was resolved that there were no ecological effects that would warrant maintaining the original reason for refusal. Subject, therefore, to conditions and/or a Section 106 agreement which require:

- the preparation of a Construction Environment Management Plan (CEMP) to provide a structured approach to the safeguarding and management of wildlife and ecology interests;
- the appointment of an ecological clerk of works to over see implementation of the CEMP;
- a contribution being made towards the management and/or wardening costs of the Daventry Country Park; and
- the creation of a 50m GI corridor along the full length of the appeal sites eastern boundary, supported by a detailed GI Management Plan,;
- the preparation of a detailed Mitigation Strategy for badgers informed by the completion of further surveys of the badger setts to provide up to date information on their range and activities; and
- the completion of a pre-construction bat survey of any trees likely to be felled, together with the preparation of a suitable mitigation strategy.

7.15.7 While welcoming the general stance adopted by WNDC, and the recognition inherent in that decision that the policy objectives contained within PPS9, RSS8 Policy 28, MKSM

Strategic Policy 3, the Northamptonshire Structure Plan ‘saved’ Policy GS5 and the Daventry Local Plan ‘saved’ Policy EN35 are complied with, there are a number of matters relating to proposed conditions/Section 106 requirements that warrant comment.

7.15.8 Whilst not opposed to the suggestion that appropriately worded conditions be imposed requiring that a CEMP be prepared, and that there will be a need for the overall ecological strategy to be effectively monitored and managed, this can be readily secured by a condition requiring the developer to appoint an ecologist to prepare an overall programme of works, discuss and agree this with the relevant authorities, and oversee its implementation. I also have no issue with the imposition of appropriately worded conditions requiring that further surveys of both bats and badgers within the appeal site be undertaken, together with the preparation and approval of appropriate Mitigation Strategies in advance of start of construction work on site, I do, however, have reservations on the need for, and practical implications of, the 50m GI corridor on the appeal sites eastern boundary.

7.15.9 As will be evident from an examination of the revised Masterplan for the site – also accepted and approved by WNDC at their meeting on 17th December 2008 – a corridor of this width would conflict with the playing fields to be provided within the eastern green corridor. In circumstances where:

- no substantive evidence has been produced to justify the creation of a GI corridor of the width being indicated;
- the width of corridor being proposed on the northern and southern boundaries of the appeal site - both of which encompass a GI function among other roles – are of lesser width and have been accepted on that basis; and
- extensive additional GI provision is being made elsewhere within the green corridor that is to be created on the appeal sites eastern side (with the prospect, should the Church Fields appeal be approved, of this area being further extended);

the need for such a stipulation is not established. Further discussions will however be pursued with WNDC to try and establish an alternative, and mutually acceptable, approach on this issue which can be recommended to the Inspector and to the Secretary of State in the course of the Inquiry.

- 7.15.10 I also have very strong reservations regarding the suggestion that contributions be provided to assist in meeting the wardening costs of Daventry Country Park, adjacent, in recognition of the additional pressure that development of the appeal site will have on that facility. While additional development will undoubtedly generate additional demand for access to informal recreation space, as the Land Use and Open Space Plan attached at Appendix G illustrates, the appeal proposals themselves provide some 6.1 ha of informal open space for the use of residents, with a further 4.7 ha of informal open space with wildlife benefits. That is in addition to the 4.9 ha wildlife area that is also to be provided.
- 7.15.11 All of this will be provided as an integral part of the proposed development, and will be made available on completion to all residents of Daventry as a de facto extension to the Daventry Country Park which abuts it to the south. Provision will also be made within an agreement or unilateral undertaking under Section 106 of the Planning Act 1990, for the management and maintenance of this area in the longer term.
- 7.15.12 In my view this represents a major contribution to the informal recreation needs of Daventry which more than adequately meets the needs for such facility as a consequence of the planned development at Monksmoor Farm. In these circumstances, to seek to impose a requirement that a contribution toward the wardening costs of the Country Park is unreasonable, and is not justified on the basis of necessity or on being relevant to the development being permitted. It therefore fails the tests set out in Circular 05/2005. In these circumstances further discussions will be pursued with WNDC to establish whether they may be willing to modify their stance on this matter in advance of the Inquiry.

7.16 ***Water & Flood Risk***

- 7.16.1 In the report to the Planning Committee dated 29th September 2008, WNDC gave the following reasons for refusal in respect of the Monksmoor Farm appeal site:

Water Resources – Sewage Capacity

The proposal, if developed ahead of a sound investigation into, and provision of, the necessary improvements to sewerage and sewage treatment infrastructure, is likely to be unsustainable leading to increased pollution and sewage flooding. As such, the application is contrary to PPS1, PPS23, PPS25, RSS8 Policy 33 and Northamptonshire Structure Plan GS6.

Flood Risk

The applicant, by nature of failure to provide adequate information with the submitted Flood Risk Assessment and Water Cycle Strategy, has failed to demonstrate that the proposals would not result in an unacceptable risk of flooding within and outside of the application site area. As such, the application is contrary to PPS25 and RSS8 Policy 36.

- 7.16.2 The policies that are referred to in this reason for refusal relate to two distinct issues. The first (PPS1, PPS23, PPS25, RSS8 Policy 33 and saved Structure Plan Policy GS6) concern the need to ensure that in developing the appeal site it is necessary to ensure that there is sufficient capacity within the sewage collection and treatment infrastructure that serves the appeal site to accommodate the planned growth without increasing the risk of pollution. The second (PPS25 and RSS8 Policy 36) concern the ability of the site to accommodate the planned development without increasing the rate of discharge of surface water from the site, so increasing the risk of flooding downstream, and without conflicting with the anticipated extent of future flood risk within the appeal site.
- 7.16.3 Flood Risk issues associated with the potential risk of either the Daventry or Drayton Reservoirs failing under extreme weather conditions was dealt with in detail in the submissions that accompanied the original planning application. Whilst the assessment undertaken in respect of the potential ‘dam burst’ scenario have not been challenged, discussions with WNDC and the Environment Agency (EA) have been pursued in order to clarify issues relating to the consequent categorisation of Daventry Reservoir and to demonstrate that the proposals are unaffected by the more stringent requirements of the EA in this area, based upon a 1 in 200 year flood event.
- 7.16.4 Arising from these discussions H R Wallingford have prepared a Position Statement on the implications of the proposals for the categorisation of Daventry Reservoir dam post

development, and on the implications of the 1 in 200 year flood event on the appeal proposals. A copy of that Statement is attached at Appendix H.

- 7.16.5 In association with the above, discussions have been pursued with WNDC, Anglian Water (AW), and the EA to ensure clarify the precise nature of the concerns being raised in respect of the Water Cycle Study, and in particular with regards the surface water strategy that is proposed, and to assess how effectively existing wastewater collection and treatment capacity can accommodate the appeal proposals, and to identify how any capacity limitations can be resolved within an appropriate timescale given the need for housing land to be identified and brought forward for development.
- 7.16.6 With regards foul sewage capacity, AW have confirmed that they anticipate being able to put all additional wastewater from the development into existing infrastructure, subject to capacity being proven. Work to demonstrate that this can be achieved is now being undertaken by AW. The wastewater will then be taken to and treated at Whilton STW, which is to be extended to provide the required capacity. While this work will not be completed until 2012/2013, in the interim AW advise that they intend to seek a temporary consent relaxation for the interim period. If granted this will allow discharges from the STW to occur to a reduced biological standard.
- 7.16.7 In these circumstances there will be no constraint to development due to wastewater requirements. The required foul water capacity within the mains network and at Whilton STW can be secured by an appropriately worded condition attached to any consent to ensure that adequate capacity is always available.
- 7.16.8 Subsequent discussions with the EA have indicated that, notwithstanding AW's views, the relaxation of the consent standards that this approach relies upon may be less than certain. In these circumstances, however, it has been suggested that an interim solution will be the provision within the Whilton STW of temporary additional storage capacity within which sewage can be held pending treatment at times when the capacity of the works will not be compromised.
- 7.16.9 In respect of the site drainage strategy, and in circumstances where the Regional Flood Risk Assessment is not yet available to provide guidance, the proposals are premised on

the developed site being drained at the same rate as if it were to remain greenfield. In that context there is a nil impact in terms of water drainage. The strategy envisions the use of a combination of SUDS and the managed release of surface water to ensure that the required discharge rate can be secured. The detailed design of these measures will be a matter for subsequent consideration.

7.16.10 A Position Statement has been prepared by Denis Wilson Partners – attached at Appendix I - which outlines these arrangements. This also expands upon and clarifies the information that was submitted with the original planning application, contained within the FRA and Water Cycle Study.

7.16.11 The content of these Statement has been discussed with the EA and AW and progress has been made which I understand will resolve the original issues raised in the context of both sewage capacity and flood risk. The views of WNDC on these discussions were reported to a meeting of WNDC's Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.62 to 9.65). As you will note it was resolved that subject to agreement being reached on outstanding matters with the EA, WNDC would not propose maintain their original objection at the Inquiry.

7.16.12 In the interim discussions with the EA and AW have continued and as a result a Statement of Common Ground on these issues is currently being drafted and will be submitted to the Inquiry in due course. I understand that this confirms that all original concerns have now been resolved between the parties. On that basis it is considered that the requirements of PPS1, PPS23, PPS25, RSS8 Policies 33 and 36, and saved Structure Plan Policy GS6 are all capable of being satisfactorily met, subject only to a suitably worded condition being attached to any consent that may be issued which ensures that the required safeguards are provided to ensure that the development is properly protected in the event of a dam burst occurring, and that foul and surface water infrastructure improvements are in place prior to first occupation of the new development.

7.17 ***Employment***

7.17.1 In the report to the Planning Committee dated 29th September 2008, WNDC gave the following reasons for refusal in respect of the Monksmoor Farm appeal site:

Employment

The applicant has failed to adequately reason how the proposed employment provision is reflective of the wider context of Daventry. As such, the application does not accord with RSS8 Policies 1, 3, MKSM Strategic Policy 3, Northamptonshire Structure Plan 'saved' Policy GS5.

- 7.17.2 The policies on which this reason for refusal is based relate to the need to promote and enhance the economic prosperity and competitiveness of the area by improving accessibility to jobs as part of developing sustainable communities. Detailed discussions on the concerns underpinning the above reason for refusal have been undertaken with WNDC and have identified two matters at issue. The first relates to how the proposals contribute to local employment and accord with the regional objective of attracting an increased proportion of new employment within higher value employment sectors. The second concerns the perceived need for new development to provide funding in support of special measures being introduced to assist in the development of new and innovative employment opportunities within the Daventry area as part of the focus on identifying and developing higher value jobs in growing sectors of the local economy.
- 7.17.3 Dealing firstly with the mechanisms that will be employed to ensure that new employment created on site will be focused upon the higher value uses encompassed within Use Class B1, a Statement was prepared which sought to clarify the role of the proposed development in employment terms and to explain in more detail how this fits within current policy guidance and objectives, and which sets out our position on the question of funding of any new employment initiatives (Core Document 9.35).
- 7.17.4 As this Statement demonstrates:
- the thrust of regional employment strategy is to promote economic prosperity and improve access to jobs;
 - this is in part to be achieved by encouraging the development of new employment opportunities, particularly in creative and knowledge based industries, as a counter balance to the historic strength of the distribution sector in the area;

- within this overall strategy, there is to be a focus on encouraging the development of new small scale employment that meet local needs;
- the appeal proposals make modest provision on-site for the development of new small scale businesses within the B1 Use Class both by allocating land for local employment and by providing for home working;
- additional local employment will be provided within the retail and service facilities that are to be located at the local centre;
- the proximity of the appeal site to the town centre, and to some of the major existing employment sites which serve the town, will provide ready access to local employment opportunities as these sites develop,

In consequence I consider that the appeal proposals provide appropriate employment provision that accords with both strategic and local employment objectives.

7.17.5 As with the information submitted in relation to ecological matters (see paragraph 7.11 and 7.15.6 above) this Statement was submitted to WNDC on 12th November 2008 under Regulation 19 of the Town and Country Planning (Environmental Assessment) (England and Wales) Regulations 1999. A copy was also sent to the Planning Inspectorate. The views of WNDC on these submissions were reported to a meeting of WNDC's Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.77 to 9.85). As you will note it was resolved that the approach adopted in the appeal proposals is appropriate and fits within the strategic context of the employment growth at Daventry. However, it is suggested that a financial contribution towards the promotion of employment in the locality should be sought.

7.17.6 WNDC's acceptance that the information submitted demonstrates that the appeal proposals make an appropriate contribution to employment provision is welcomed as confirmation that they also satisfy the employment policy objectives contained within RSS8 Policies 1, 3, MKSM Strategic Policy 3, and Northamptonshire Structure Plan 'saved' Policy GS5. There are, consequently, no matters of policy relating to employment that cannot now be dealt with by suitably worded conditions attached to any planning consent that may be issued.

7.17.7 I am not, however, of the view that in such circumstances it is appropriate to seek to impose a requirement that a contribution toward the costs of promoting employment in the Daventry area justified in these circumstances.

7.17.8 It seems clear from WNDC's Committee Report (Core Document 9.30, paragraph 9.85) that there is no policy objection to the employment proposals contained in the appeal submissions. It is also clear from that Report that there has been no evidence produced by WNDC which would justify making any such contribution. In these circumstances it is my view that any proposed contribution in these terms would fail the tests set out in Circular 05/2005 in terms of their relevance, necessity, relationship to the proposed development and reasonableness. Nevertheless further discussions will be pursued with WNDC to establish whether they may be willing to modify their stance on this matter in advance of the Inquiry.

7.18 ***The Masterplan***

7.18.1 In the report to the Planning Committee dated 29th September 2008, WNDC gave the following reasons for refusal in respect of the Monksmoor Farm appeal site:

Design

The proposals, by nature of the failure to adequately consider the relationship between the movement structure, hierarchy of streets, massing, density, layout, topography and site context, do not demonstrate that the parameters set out within the application would result in a satisfactory form of development or ensure that the appropriate principles are established at outline stage to ensure the detailed schemes would appropriately respond to the character and location of the site. In addition, by nature of its scale and form, the development within the local centre and at the canal edge is considered to be contrary to the character of the area. As such, the proposal is contrary to PPS1, PPS3, RSS8 Policy 4, MKSM Strategic Policy 3, Northamptonshire Structure Plan 'saved' Policy GS5 and Daventry Local Plan 'saved' Policy EN42

7.18.2 The policies referred to in the reason for refusal are concerned primarily with ensuring that the design strategies adopted in new development will secure high quality design

solutions which respect and reflect local character while also providing a sustainable and efficient use of land and resources in a form that respects local environmental and amenity constraints and contributes towards the creation of a safe and distinctive community.

7.18.3 Detailed evidence on these matters shall be presented by my colleague Mr John Brodie, and in view of this I do not deal with this issue in detail in my proof. However, as Mr Brodie's proof of evidence explains, during subsequent discussions with WNDC and their advisors, at which Daventry District Council were also present, a number of revisions and alterations to the Masterplan strategy for the site, and to the accompanying explanatory and illustrative material, were identified and agreed between the parties. These included:

- Adjustments to the width of the 'green space' corridors on the sites northern and southern boundaries to set the development further back from the adjoining Grand Union Canal and Daventry Country Park boundaries, and to enhance their role as wildlife corridors.
- Consequential adjustments to the layout of the development parcels within the development to accommodate the increased green corridor areas and to secure a more linear relationship with the Grand Union Canal to the north of the site, taking the opportunity to ensure that additional established hedgerows within the site clearly shown as retained and to locate major area green space within the development are positioned over previously identified sites of archaeological interest.
- Alterations to the size and scale of the central square area, and to the height of the adjacent buildings, provide a central space more in keeping with the role of the square within the development.
- Revisions to the density profile within the planned development to better reflect the character of the development and its surroundings and to enhance the legibility of the development.
- Reduction of building heights and densities on the sites northern and eastern boundaries to reflect their proximity to adjacent 'open countryside'.
- Identification of key locations within the development where 'gateway' buildings will be positioned to announce the transition from countryside to urban contexts

and to lend emphasis to the more significant development frontages to further enhance legibility within the development.

7.18.4 Following making these alterations, an Addendum to the Design and Access Statement originally submitted, together with a revised Masterplan document, were produced. These were submitted to WNDC on 12th November 2008 (Core Document 9.31 and 9.32 respectively). Copies of these submissions were also sent to the Planning Inspectorate. As explained at Paragraph 7.11 of my proof an advertisement was also placed in the local press on 11th December 2008 advising the public that these documents had been submitted, advising where copies may be viewed, and indicating that any representations should be submitted to the Planning Inspectorate by 8th January 2009. The appellants also took it upon themselves to write directly to both Daventry Town Council and Welton Parish Council providing them each with copies of the submitted documents. The appellant also wrote directly to those residents who abut the appeal site, to ensure that they were aware of the proposed changes, and could obtain ready access the various documents should they wish to have their own copies

7.18.5 The views of WNDC on these submissions were reported to a meeting of WNDC's Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.97 to 9.117). As you will note it was resolved that the revised submissions are considered satisfactory at the current outline planning stage, with any issues remaining being capable of resolution through the application of suitably worded conditions regulating the detail and quality of the development through the provision of detailed Masterplan and Design codes for each phase of the development and through agreement or a unilateral undertaking prepared under Section 106 of the Planning Act 1990.

7.18.6 In light of the above, it seems clear that WNDC no longer have any concerns relating to the revisions contained in the Revised Masterplan document or the Design and Access Statement as modified by the Addendum document. In that context there is agreement that the overall form, layout, density, massing and height profiles indicated in the Masterplan, the form of the local centre, and the associated character areas, are appropriate in the context of an outline application, and that where modification or safeguards may be considered beneficial these can be secured through appropriately worded conditions attached to any consent that may be issued or within an agreement or

unilateral undertaking prepared under Section 106 of the Planning Act 1990. A Statement of Common Ground on these matters has been drafted and is currently in discussion with WNDC. This shall be submitted to the Inquiry in due course.

7.18.7 In these circumstances I consider that the policy objectives contained within PPS1, PPS3, RSS8 Policy 4, MKSM Strategic Policy 3, Northamptonshire Structure Plan 'saved' Policy GS5 and Daventry Local Plan 'saved' Policy EN42 are all complied with. A Statement of Common Ground covering these matters is currently being drafted and will be submitted to the Inquiry in due course. In these circumstances it is reasonable to conclude that the revised Masterplan, together with the amended Design and Access Statement, provide a sound basis on which the development of the appeal site may proceed. It is also considered that the information submitted addresses all outstanding issues relating to the approach adopted in developing the Masterplan for the appeal and in setting out the design approach and criteria that are to be followed in implementing its development.

7.18.8 Notwithstanding the above, it should be noted that a report responding to these various submissions was separately considered by DDC at a meeting on 15th December 2008. (Core Document 9.28) Though accepting much of the information submitted, and reiterating their acceptance that the site is suited to development as part of the planned growth of Daventry, DDC resolved to maintain a number of objections to the Masterplan strategy and layout. As I understand the position these concern the number of crossing points proposed on Welton Lane; the impact of the development on the adjoining Daventry Country Park and the extent to which this can be properly mitigated; the detail of the proposed new accesses to the Country Park; and the implications of the development in views from the Reservoir walk within Daventry Country Park.

7.18.9 While the latter point will be addressed in the evidence of my colleague John Brodie, clarification was provided to DDC on the other issues raised in advance of their Committee meeting. Though reported to the Committee, DDC required more time to consider that information. Discussions with DDC will continue on these issues in the run up to the Inquiry to see whether the information provided resolves any or all of these matters

7.18.10 Finally, in discussion with WNDC it was agreed that improvements to the roundabout at the junction of Welton Lane with Northern Way could offer significant improvements to the appearance of this junction, as well as improve pedestrian access across it to facilitate movement to the Ashby Fields/Lang Farm local centre. It was, however, agreed that such improvements were not required by the current proposals, and should be viewed as an option to be investigated by the Highway and Planning Authorities in the longer term. Within that context it was agreed that, as a gesture of goodwill, the appellants would be willing to make a financial contribution toward the costs of such investigations, and that is reflected in the terms of the Section 106 agreement that I discuss in the next section of my proof.

7.19 ***Section 106 Agreement***

7.19.1 In the report to the Planning Committee dated 29th September 2008, WNDC gave the following reason for refusal in respect of the Monksmoor Farm appeal site:

Section 106

The applicant have failed to secure appropriate and necessary S106 obligations in respect of the provision of Renewable Energy; Dam Maintenance and Mitigation, Transport and on-site and off-site infrastructure, facilities and services including Affordable Housing; Employment; Retail; Education; and Health required in order to make the development acceptable in land use terms. As such the application is contrary to Policy RSS8 and 'saved' Policy GS6 of the Northamptonshire Local Structure Plan.

7.19.2 It is understood that the policies referred to in the reason for refusal were intended to refer to the need to ensure that where new infrastructure is required in support of a development proposal, the necessary legal agreements are put in place to ensure that these are provided on-site in a timely and appropriate manner, or where off-site the appropriate contributions are secured to assist in their provision.

7.19.3 In the course of our negotiations with WNDC on the planning application, discussions of a proposed 'single payment' planning obligation or tariff was considered, and in May 2008 WNDC published a document entitled 'Developing a Planning Obligations

Strategy' which set out their proposals in that regard for consultation purposes. There were a number of concerns which I, together with others, held regarding the base data that was used in developing the strategy and setting an appropriate level of contribution per dwelling. These reservation were made clear to WNDC in our response to their consultants (ERM) dated 30th June 2008, a copy of which is attached at Appendix J. As this indicates, our principle concerns related to:

- the extent to which the proposed strategy satisfied the 5 tests as set out in Circular 05/2005, in particular how the application of the standard charge to the whole of the planned growth at Daventry satisfied the requirement that any charge levied must be directly related to the proposed development , namely Monksmoor Farm;
- the provision being made for 2 yearly reviews of the charges payable, which it was felt was too rigid a framework in a rapidly changing market;
- the validity of the assumptions used in setting the cost basis for the standard charge and how these take account of on-site provision of infrastructure; and
- the lack of clarity within the document in respect of a number of key inputs to the charging regime which if not resolved made it difficult to be clear on how some of the 'costs' were derived.

7.19.4 Notwithstanding these concerns, and despite their consultants (ERM) apparently acknowledging in discussion with representatives of a number of house builders - who had responded in a more detailed form on many of these issues - that components of the base data used were indeed inappropriate in the context of Daventry, WNDC nevertheless adopted the strategy unaltered.

7.19.5 In these circumstances my clients, Capel House Property Trust Ltd, have been advised not to proceed by that route, but to address relevant matters through the normal Section 106 process. Circular 5/2005 (Planning Obligations) requires that any contributions sought be:

- Relevant to planning;
- Necessary to make the development acceptable;
- Directly related to the proposed development;
- Reasonable related in scale and kind to the development; and

- Reasonable in all other respects.

7.19.6 Within that context, and given the nature of the appeal proposals as discussed and subsequently agreed with WNDG, it is likely that provision will need to be made within any agreement under Section 106 of the Planning Act 1990 for some or all of the following;

On-Site Provision

- Affordable housing @ 35% of total;
- Nursery and Primary School accommodation;
- Community facilities/accommodation;
- Retail facilities/accommodation;
- Waste Management facilities;
- Local areas for play (LEAPS & NEAPS);
- Police accommodation and facilities;
- Facilities for local primary health care;
- Green Infrastructure (Country Park Extension);
- Playing pitches;
- Indoor leisure facilities for shared use with Primary School;
- Delivery of renewable energy strategy;
- Public transport infrastructure;
- Public art installations;
- Long term management and maintenance of community and public space provisions;

- Highway infrastructure improvements required solely as a result of the Development.

Off-Site Provision/Contribution

- Secondary Education facilities/accommodation;
- Special Needs facilities;
- Libraries and information services;
- Crematoria & Burial Grounds;
- Public transport service enhancements;

- Fire & Rescue facilities;
- Highway infrastructure improvements;
- Contribution to employment promotion;
- Access improvements to Grand Union Canal;
- Contribution to future improvement of Welton Lane/Northern Way roundabout

7.19.7 In addition, it is anticipated that there will be a number of other matters that will need to be covered in any Section 106 document, including:

- Phasing of the development in order to ensure housing is provided as required and is supported by the necessary infrastructure improvements;
- Timing of contributions to off-site infrastructure improvements;
- Timing of implementation of off-site infrastructure improvements;
- Indexing of agreed contributions to accommodate price inflation risks.

7.19.8 As will be noted from the report that was considered by WNDC at the meeting on 17th December 2008, (Core Document 9.30, paragraphs 9.151 to 9.158) the lack of a completed Section 106 agreement remains a reason for objection in the context of the current appeal. As will be appreciated from the above, however, the provisions required to be included within such an agreement in order to overcome this objection are under active discussion with the relevant organisations to try and establish in detail what level of provision is to be made, the mechanisms to be used to ensure that all those facilities and/or contributions that are necessary are provided, and that such provision occurs within a time-frame that will facilitate the development of the appeal site. The draft Heads of Terms considered appropriate in the context of the appeal have been set out in draft form a copy of which is attached as Appendix K. We anticipate that the Section 106 agreement will be finalised prior to start of the Inquiry process.

7.19.9 In our assessment the Section 106 agreement will, in its final form, provide a framework within which all of the required on and off site services and facilities will be provided, and within a time frame that will allow the appeal proposals to be implemented in accordance with the planned phasing strategy and without imposing unacceptable impacts upon existing key services and infrastructure. It will, in consequence, satisfy the requirements of both those policies referred to in the reason for refusal, and in those

circumstances their reasons to object to the appeal proposals on the grounds indicated will be resolved.

7.20 ***Other Material Considerations***

7.20.1 In the report to the Planning Committee dated 29th September 2008, WNDC gave the following reason for refusal in respect of the Monksmoor Farm appeal site:

Regulation 19

The applicant, by nature of failure to respond adequately to the request for additional information in respect of the Environmental Statement as set out in the letter dated 19/12/07 issued under Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, fails to demonstrate that the proposals would not result in unacceptable environmental impacts in terms of Landscape and Visual Impact; Ecology; Archaeology and Cultural Heritage; Air Quality, Noise and Vibration, Flooding and Transport. As such, the application is contrary to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

7.20.2 The Regulation 19 issues in respect of Transport matters, Ecology and Flood Risk have already been considered at Sections 7.12, 7.13 and 7.14 of my proof. I do not therefore dwell further on these matters. I turn therefore to now deal with the remaining Regulation 19 issues identified in that report

7.21 ***Landscape and Visual Impact***

7.21.1 The landscape characteristics of the appeal site and the surrounding area has been assessed in some detail by Allen Pyke Associates, Landscape Architects, within Chapter 9 of the Environmental Statement that accompanied the original planning application. A landscape strategy was also proposed which was designed to ensure that the proposed development can be accommodated within the existing and historic landscape with the minimum of disruption; with due regard to its overall character; and without imposing severe visual impacts upon the key local receptors. While some points of clarification

were sought by WNDC under Regulation 19 of the Town and Country Planning (Environmental Impacts) (England and Wales) Regulations 1999, these were substantially answered in our submission dated 27th May 2008 (Core Document 9.22).

- 7.21.2 While it is accepted by WNDC that the Monksmoor Farm appeal site represents the location where planned development will be most readily accommodated in the landscape (Core Document 9.23, paragraph 10.117) - reflecting the conclusions drawn in landscape terms by both the Atkins Report (prepared on behalf of Daventry District Council), and the DIS (prepared on behalf of WNDC) – there remained some points of clarification on the methodology used and the results obtained that required resolution before WNDC and their advisors were content that the Regulation 19 issue on landscape had been fully addressed
- 7.21.3 Following discussions with WNDC and their advisors, Allen Pyke Associates prepared and submitted clarification on the methodology used and the conclusions reached on 12th November 2008, together with a reworked summary of impacts arising (Core Document 9.38). The views of WNDC on these submissions were reported to a meeting of WNDC's Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.27 to 9.40) when it was resolved that all Regulation 19 matters in relation to landscape have been fully address, and that the reason for refusal on the grounds was no longer appropriate.
- 7.21.4 Given the above it can safely be concluded that the revisions to the landscape proposal as they affected the treatment of the Canal Corridor on the appeal sites northern boundary; the treatment of the eastern edge of the development and the natural surveillance of public spaces and neighbouring buildings; the treatment of the southern boundary where development adjoins Daventry Country Park and the natural surveillance of and safety of the outward facing buildings in this area; and the design strategy for the scheme s internal streetscape; have all been accepted as an appropriate approach to the design and layout of these features. A Statement of Common Ground confirming the position has been agreed with WNDC in respect of these matters, and has been formally submitted to the Inspectorate.
- 7.21.5 That said it can be anticipated that there will be many issues of detail relating to the

implementation and management of the landscape that will need to be resolved prior to start of work on site. WNDC's comments on the treatment of the existing Lombardy poplars along the southern boundary of the site is a case in point. These matters can, however, be dealt with in negotiation at the detailed planning stage under suitably worded conditions attached to any planning consent that may be issued. However, it was thought that it may be of assistance to prepare a management plan indicating how the various components of the overall landscape strategy for the appeal site landscape will be managed and maintained according to best practice to enable them to fulfill their various roles. A draft Management and Maintenance Plan prepared by Allen Pyke Associates is therefore attached at Appendix L.

7.21.6 In these circumstances the reason given for refusal of the application in terms of Landscape and Visual Impact has been fully addressed and resolved, and there is no reason to conclude that the development of the Monksmoor Farm appeal site will impact upon the landscape of the Daventry area in a manner that would, in the context of the planned growth of Daventry in the period to 2021 and beyond, be unacceptable.

7.22 *Archaeology and Cultural Heritage*

7.22.1 As indicated at paragraph 7.9 of my proof, the archaeological aspects of this topic as submitted have been accepted by WNDC as meeting their requirements. Nevertheless, a Statement of Common Ground has been subsequently drafted for agreement with WNDC, NCC and CLASP (Community Landscape & Archaeology Survey Project) to reaffirm that position and to confirm that any further site investigations will be undertaken in accordance with the requirements of the relevant bodies, and will enable CLASP to participate under the guidance of the appointed archaeologist over-seeing that stage of the work. This will be submitted to the Inquiry in due course.

7.22.2 In this context it is anticipated that the work already undertaken shall be supplemented by additional trial trenching in advance of development starting on each phase of the development and by the implementation of a watching brief during the excavation stage. Both these matters will be addressed through appropriately worded conditions attached to any planning consent that may be issued. No further detailed evidence on this aspect is therefore required.

- 7.22.3 Additionally in revising the Masterplan the opportunity has been taken to position an area of open space above one of the previously investigated sites. Though not necessitated by the finds from the work undertaken, or required by the County Archaeologist to whom the results of the investigations were reported, my clients were happy to be able to respond positively to this suggestion by WNDC and their advisors.
- 7.22.4 The only other aspect on which WNDC expressed concerns related to the implications of the proposed development on the designated Conservation Area of the Grand Union Canal as it runs past the northern boundary of the appeal site, which they felt had not been fully addressed in the various submissions accompanying the planning application, or in the additional information requested under Regulation 19 of the Town and Country Planning (Environmental Impact) (England and Wales) Regulations of 1999. In view of these continuing concerns CGMS were retained to advise on this aspect of the proposals, and their report was submitted to WNDC on 12th November 2008 (Core Document 9.33). A copy of this documents was also submitted to the Planning Inspectorate under Regulation 19 of the Town and Country Planning (Environmental Impact) (England and Wales) Regulations 1999, and an advertisement was also placed in the local press on 11th December 2008 advising the public that this document had been submitted, advising where a copy may be viewed, and indicating that any representations should be submitted to the Planning Inspectorate by 8th January 2009.
- 7.22.5 The views of WNDC on these submissions were reported to a meeting of WNDC's Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.57 to 9.65) when it was resolved that the revision to the Masterplan adjacent to the Grand Union Canal Conservation Area had overcome previous concerns regarding possible impacts on the character of the Conservation Area; and reaffirmed their previous view that that the archaeological interest of the appeal site can be safeguarded through appropriately worded conditions attached to any planning consent that may be issued.
- 7.22.6 As the CGMS report indicated, the Conservation Area in question relates to a linear section of the Grand Union Canal that runs for the most part in a deep cutting as it passes the site. That cutting is itself heavily wooded on its southern side, and it is these features which define the character of the Conservation Area as it abuts the appeal site. As will

be clear from the Masterplan and related documents and drawings originally submitted with the application, there was no direct impact upon the Conservation Area from the proposed development, the development being set back some 20 metres from the top of the canal embankment on its southern side. While it was indicated that there was the potential to improve access to the Canal and its towpath by the creation of footpath links from within the development, these do not need to be located where they would necessitate substantial works within the Conservation Area.

7.22.7 While CGMS considered that the degree of set back proposed in the original submissions (20m) was perfectly adequate to ensure that any impact on the character of the Conservation Area was within acceptable parameters, other considerations – in particular urban design objectives together with a desire to enhance the provision of GI along the sites northern boundary as a component of an enhanced GI corridor – have resulted in the planned proposals being set back a further 20 metres - resulting in a total set back of 40m - as discussed elsewhere in this proof (see Section 7.18).

7.22.8 In consequence of this change there is no reason to believe that the character of the Conservation Area will be in any way compromised by the appeal proposals as now amended, a view that is now shared by WNDC and their advisors. In these circumstances the reason given for refusal of the application in terms of potential impact upon the Grand Union Canal Conservation Area has been fully addressed and resolved,

7.23 *Air Quality*

7.23.1 The initial studies that were undertaken by Bureau Veritas, and reported in the ES that accompanied the original planning application, did not identify any material adverse impact upon air quality as a consequence of the appeal proposals. While some points of clarification were sought by WNDC under Regulation 19 of the Town and Country Planning (Environmental Impacts) (England and Wales) Regulations 1999, these were answered in our submission dated 27th May 2008, (Core Document 9.22).

7.23.2 From subsequent discussions with WNDC and their advisors, I understand that their remaining concerns in the context of air quality relate to the cumulative impacts that may be expected in the event that all 3 of the current appeal sites be approved for

development; and the consequences for air quality arising from the traffic generated by the 3 appeal sites – both individually and in concert – as it impacts upon the strategic road network.

7.23.3 In consequence, Bureau Veritas have undertaken a review of the submissions on air quality made in respect the Church Fields and Danetree proposals, and assessed what the cumulative impacts may be for air quality in the locality. A Position Statement setting out the result of this work are attached at Appendix M and suggests that there is no reason to believe that the cumulative impacts of all 3 developments will result in a deterioration in air quality that would be in any way unacceptable. These findings have been discussed and agreed with both the other appellants, and by WNDC’s advisors on air quality, as confirmed by the commentary on Air Quality that is contained in WNDC report to Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.132 to 9.139).

7.23.4 The ability of Bureau Veritas to assess the air quality implications for the Strategic Road Network arising from the additional modelling work being undertaken by NCC and the HA is limited, as to do so they require access to the results of the traffic modeling work being undertaken by the HA and NCC. That information has not yet been made available. However, as noted in Section 7.14 of my proof when addressing traffic issues, anticipated impacts on the Strategic Road Network as a result of traffic generated by the appeal proposals as part of they planned growth of Daventry as originally assessed has been shown to be modest. In light of this it is not anticipated that consequent impact on air quality will prove significant.

7.25.5 A final conclusion on this, however, cannot be reached until such time as the impacts on the Strategic Road Network is known. This will necessitate the submission of a further statement on these aspects of the Air Quality issue once the Inquiry has opened.

7.26.6 On the information currently available, however, the cumulative impact arising from the development of all three appeal sites is not considered to represent an unacceptable impact in the longer term. Pending completion of the assessment of air quality implications associated with the additional traffic using the Strategic Road Network, there is no reason to anticipate that the development of the Monksmoor Farm appeal site

will have any significant adverse impact upon the air quality of the Daventry area or of the wider Strategic Road Network which can not be overcome by the adoption of suitable mitigation measures. These can be attached as appropriately worded conditions attached to any planning consent that may be issued.

7.23.7 It is anticipated that these arrangements will be recognised in an Air Quality Statement of Common Ground that is currently under preparation and will be submitted to the Inquiry in due course.

7.24 *Noise and Vibration*

7.24.1 As with Air Quality, the initial studies that were undertaken by Bureau Veritas, and reported in the ES that accompanied the original planning application did not identify any material adverse impact in terms of noise and vibration as a consequence of the appeal proposals. While some points of clarification were sought by WNDC under Regulation 19 of the Town and Country Planning (Environmental Impacts) (England and Wales) Regulations 1999, these again were answered in our submission dated 27th May 2008, (Core Document 9.22).

7.24.2 From subsequent discussions with WNDC and their advisors, I understand that their remaining concerns in the context of noise and vibration again relate to the cumulative impacts that may be expected in the event that all 3 of the current appeal sites be approved for development; and the consequences for the noise environment of the Strategic Road Network arising from the traffic generated by the 3 appeal sites – both individually and in concert – using that network.

7.24.3 In consequence, Bureau Veritas have undertaken a review of the submissions on noise and vibration made in respect the Church Fields and Danetree proposals, and assessed what the cumulative impacts may be for the Daventry area. A Position Statement setting out the result of this work is attached at Appendix N and suggests that there is no reason to believe that the cumulative impacts of all 3 developments will result in noise and vibration impacts that would be in any way unacceptable. These findings have been discussed and agreed with WNDC's advisors on noise and vibration as confirmed by the

commentary on Noise and Vibration that is contained in WNDC report to Committee on 17th December 2008 (Core Document 9.30, paragraphs 9.140 to 9.150).

- 7.24.4 As with Air Quality, the ability of Bureau Veritas to assess the noise and vibration implications for the Strategic Road Network arising from the additional modelling work being undertaken by NCC and the HA is limited, as to do so they require access to the results of the traffic modeling work being undertaken by the HA and NCC. That information has not yet been made available. However, as for Air Quality, anticipated impacts on the Strategic Road Network as a result of traffic generated by the appeal proposals as part of they planned growth of Daventry as originally assessed has been shown to be modest. In light of this it is not anticipated that consequent impact on noise and vibration will prove significant.
- 7.24.5 A final conclusion on this, however, cannot be reached until such time as the impact on the Strategic Road Network is known. This will necessitate the submission of a further statement on these aspects of the Noise and Vibration issue once the Inquiry has opened.
- 7.24.6 On the information currently available, however, the cumulative impact arising from the development of all three appeal sites is not considered to represent an unacceptable impact in the longer term. Pending completion of the assessment of noise and vibration implications associated with the additional traffic using the Strategic Road Network, there is no reason to anticipate that the development of the Monksmoor Farm appeal site will have any significant adverse impact upon the noise and vibration environment of the Daventry area or of the wider Strategic Road Network that can not be overcome by the adoption of suitable mitigation measures. These can be attached as appropriately worded conditions attached to any planning consent that may be issued.
- 7.24.7 It is anticipated that these arrangements will be recognised in a Noise and Vibration Statement of Common Ground that is currently under preparation and will be submitted to the Inquiry in due course.

8. Other Relevant Matters

8.1 *Open Space & Recreation*

- 8.1.1 As indicated in the various documents submitted as part of the original planning application, the appeal proposals have been prepared to include sufficient areas of open space to meet the needs of the proposed development and its population. In doing so the proposals used guidelines proposed and/or adopted by Daventry District Council and other bodies concerned with the provision of such facilities.
- 8.1.2 In consequence of this approach the range of open space and recreation land that is to be provided as part of the appeal proposals, and the scale of that provision, fully complies with – and in part exceeds – what is considered to be appropriate for a development of the scale envisaged.
- 8.1.3 While it is acknowledged that these proposals were prepared without the benefit of the Open Space Study that is being prepared by Daventry District Council – which is still not published in its final form – it remains the case that the scope of provision being made is entirely appropriate within the context of the appeal proposals. This is confirmed in the commentary on Recreation and Open Space in WNDC’s Committee Report of 17th December 2008 (Core Document 9.30, paragraphs 9.118 to 9.130), which concludes that the details submitted with the application demonstrate that in both quantitative and qualitative terms, recreation and open space provision is sufficient to meet identified needs arising from the development.
- 8.1.4 That said it is acknowledged that there will be a need to ensure that all of the recreation and open space is provided in a form that will allow its immediate use, and that provision is made for its long term maintenance. With that in mind it is intended that all open space or recreation facility to be provided as part of the appeal proposals will be set out and presented ready for use, with any play or other equipment also provided in accordance with a scheme agreed with the appropriate bodies. Additionally, once prepared and fitted out the ownership of the land shall be transferred to the appropriate agency or organisation for subsequent management as public recreation and/or open space purposes.

8.1.5 A maintenance sum shall also be provided to those agencies/organisations to enable them to maintain and manage these facilities for the use and benefit of the public. This shall be made available at the levels indicated in the agreement prepared under Section 106 of the 1990 Planning Act, the principles of which are discussed at Section 7.19 of my proof.

8.1.6 In addition to the above, and in accordance with the need identified in Daventry District Council's Open Space Study and the comments of Sport England in relation to the appeal proposals, a further financial contribution shall be made towards the provision of additional indoor sports facilities on a shared use basis with the Primary School. As with the recreation and open space provision, this shall be provided at a level indicated in the agreement prepared under Section 106 of the 1990 Planning Act, the principles of which are discussed at Section 7.19 of my proof.

8.2 *Health & Other Community Facilities*

8.2.1 Following initial discussions with the local Primary Care Trust (PCT) provision is made within the Masterplan Strategy to accommodate some 410 m² of floorspace within the Community Buildings to meet the needs of the PCT for local health facilities.

8.2.2 Following indications from the PCT that their needs may have changed, both my clients and WNDC have sought clarification from the PCT of their requirements. As will be noted from WNDC's report dated 17th December 2008 (Core Document 9.30, paragraph 7.11), the PCT are now seeking a substantial financial contribution from development associated with the planned growth of Daventry to help meet their needs.

8.2.3 While in their commentary on health matters in their report of 17th December 2008 (Core Document 9.30, paragraphs 9.93 to 9.94) WNDC make no comment on the PCT's suggested contribution, focusing instead on the on-site provisions that are to be made and how these shall be secured through a Section 106 agreement. It is consequently not yet clear to what extent the planned on-site provision will meet the PCT's stated needs for funding. Discussion with WNDC and the PCT are continuing with a view to clarifying the position. Currently, therefore, it is still proposed to provide the level of

provision indicated in the appeal proposals, as these represent the PCT's original requirements, and as we understand the position are expected to represent a level of provision that is in excess of anticipated emerging local needs. This should ensure that the needs of the PCT at the upper end of their anticipated needs will be available to them on development of the site. If this position changes in the interim I shall seek to update matters in the course of the Inquiry.

8.3 *Proposed Conservation Area at Daventry Reservoir*

8.3.1 While the application that was submitted to WNDC, and which is now at appeal, has taken full account of those Conservation Areas and other elements of cultural heritage that exist within, or in close proximity to, the appeal site, we are aware that Daventry District Council are currently investigating the possibility of designating the Daventry Reservoir Country Park as a Conservation Area. As part of this exercise we also understand that they are investigating whether associated features and/or land between the reservoir and the Grand Union Canal to the north, may also warrant Conservation Area status.

8.3.2 Currently, in the immediate vicinity of the appeal site only the Grand Union Canal enjoys Conservation Area status, and the implications of this has been assessed and resolved to the satisfaction of WNDC as explained at Section 7.22 of my proof. Any decision to similarly designate Daventry Reservoir or the land to the north is likely to have implications for the appeal site. In consequence CgMs have been retained to advise on this matter, and to monitor the progress of Daventry District Council's work, responding as necessary to any public consultation process that is undertaken, in order to ensure that any designation is properly founded and justified on the historical evidence and in accordance with government guidance as set out within PPG15.

8.3.3 CgMs assessments to date indicate that the potential of the Daventry Reservoir, and of the land to the north, of satisfying the criteria that would warrant Conservation Area status being awarded to either area, is tenuous, as the Position Statement attached at Appendix O indicates. If this assessment proves accurate – as we believe it will – then there is nothing further to be said on the matter.

8.3.4 If, however, designation is pursued, it does not appear from the evidence presented to date on behalf of Daventry District Council that this would preclude the development of the appeal site in accordance with the Masterplan strategy and associated documents. There will, however, be the potential for additional constraints to be applied in considering the detailed proposals for the area, as the criteria used in assessing new development in a Conservation Area will be more stringent. Discussions with both WNDP and Daventry District Council shall, however, continue to ensure that should designation occur at some future date this will not prevent the Masterplan strategy for the appeal site from being fully implemented in its finally agreed form.

8.4 *Deliverability*

8.4.1 Finally, and despite the current hiatus in the development sector, it is perhaps worth commenting on the ability of the appeal site to deliver a part of the housing numbers that are clearly needed if the policy objectives of RSS8 in terms of the growth of Daventry are to be attainable.

8.4.2 Within that context the whole of the Monksmoor Farm appeal site is in a single ownership, and is unconstrained by uses or occupants other than under an Agricultural Tenancy which I understand can be terminated with no more than 6 months notice in writing. The fact that the appeal site is being promoted for development by the landowners also ensures that there are no legal obligations relating to the development of the appeal site that may constrain their ability to bring the implementation of the development of the appeal site forward in accordance with their anticipated timeline, as discussed later in this section. On consent being granted in outline, therefore, our clients as landowners are able to take the site to market, and subject to agreement on what is an acceptable price in the prevailing market conditions, ensure that the necessary site preparation and pre-development work can be implemented with the minimum of delay.

8.4.3 In saying this it is acknowledged that were the site to be marketed in current market conditions there is no doubt that it would prove very difficult to find a buyer given that poor state of the market and the values that would have to be achieved to make a sale worthwhile. However, with a decision on the current appeal unlikely to be issued until the latter part of 2009 it can be anticipated that the housing market will have had the

opportunity to ‘normalise’ to some degree. In those circumstances while marketing will remain challenging, it can be anticipated that interest in securing new development land will be on the increase., and that land that is wholly unencumbered by existing uses rights or secondary land interests will be of particular interest.

8.4.4 With this in mind we have prepared a timeline which illustrates how quickly the development of the Monksmoor Farm site can come on stream as and when market confidence returns. This is attached at Appendix P. As this illustrates, on the assumption that outline planning consent will be granted in October 2009, and allowing some 10 or 11 months to successfully market the site in what by that time (late Summer 2010) should be a normalised market, it is anticipated that all the necessary design work, site preparation and clearance, and reserved matter applications can be completed by the Spring of 2011, for the start of Phase 1 construction works by early summer of the same year. This will allow the first completed houses to come on stream in November/December 2011, in time to contribute to the Housing Land Supply as projected in the Trajectory attached at Appendix E.

8.4.5 As an adjunct to this, we have also drafted for discussion purposes a schedule of Planning Conditions that we feel would be appropriate in the context of the appeal proposals. This is attached at Appendix Q, and has been developed to accord with the advice contained in Circular11/95 and to reflect the Model Conditions as recently circulated by the Planning Inspectorate in connection with this appeal. Whilst these are considered to represent a comprehensive list of potential conditions, it is accepted that there will be merit in discussing these during the course of the Inquiry to establish whether these are sufficient in their scope to allow the planned development to be implemented appropriately.

9. Summary & Conclusion

9.1 The proposals now at appeal were submitted in response to the identification of Daventry as a Sub-Regional centre in RSS8 where planned growth was to be focused in order to assist the town in fulfilling that function. The planned growth of Daventry to 2021 and beyond is clearly set out in both adopted and emerging RSS8. The weight to be attached to these policy objectives is substantial, and in that context has a primacy

that takes precedence over earlier ‘saved’ policies where these may conflict with realising the growth strategy.

- 9.2 It is also clear from the consideration of Housing Land Supply data that the realisation of the planned growth strategy will require the allocation and development of significant new land to accommodate the 8,700 additional dwellings required by 2026, over and above existing commitments as assessed in Daventry District Council’s Annual Monitoring Report 2006-2007. It is equally clear from that report, and from the more recent Daventry District Housing Land Availability document (as at April 2008) that there is a shortfall in the 5-Year Housing Land Supply within Daventry District of some 3,250 units which realistically can only be redressed by the allocation and early implementation of new development on greenfield sites on the periphery of Daventry,
- 9.3 Under the provisions of PPS3, where such a shortfall in Housing Land Supply is shown to exist, and where there is no immediate prospect that the LDF process will bring forward the necessary land allocations to correct that imbalance, it is appropriate for applications for new residential development to be considered favourably, as long as in doing so that will not prejudice the LDF process, and that the location of these sites, and the content of the proposed development, can be shown to be acceptable in spatial and design terms, and can be accommodated without significant adverse impacts on the amenity of the area.
- 9.4 The assessment of the options available within the Daventry area to address this position has been the subject of a number of studies, including the work undertaken by Atkins Consultants Ltd, and informed by subsequent assessments undertaken by DDC as part of their preparatory work on their abortive Core Strategy document, and by WNDC in preparing the DIS to assist them in assessing the locational suitability of large planned development in the area. In each instance, land to the north-east of the town – including the appeal site – has been identified as a location that is well suited to assisting in meeting that need.
- 9.4 This reflects the sustainability of the appeal site in terms of:

- its proximity to, and relationship with, the existing urban area and the accessibility of the site by a range of modes of travel – including walking, cycling and public transport - to a full range of services and facilities, both locally and within the town centre using existing designated routes;
- its accessibility to a number of the principal employment sites serving the town, and its suitability for development in the context of existing infrastructure and planned improvements;
- the fact that the appeal site is not subject to major site constraints as a consequence of its inherent significance in terms of ecology, archaeology or cultural heritage;
- the appeal sites ability to accommodate major new development without significant impact on the quality or character of the wider landscape; and
- its ability to safely accommodating any flood risk associated with its development by avoiding new development in the areas at risk.

9.5 At a more detailed level, in taking the form of a planned urban extension, the proposals envisage the creation of a distinctive development which responds positively to the character of its site and to the sensitivities of the surrounding area. It also will provide a comprehensive mix of well-designed market and affordable housing in a sustainable form, together with a full range of associated services and facilities in a centrally located square that is readily accessed from the surrounding development. It is also able to bring forward improvements which will support the development of additional new employment within the area that is appropriate to the area and which will assist in delivering the character of employment that is sought with regional employment policies. Similarly, it is able to make provision - through on site works and contributions agreed within a Section 106 agreement - for improvements to the physical and community infrastructure of the area which is necessary to support the development of the appeal site and deliver improvements in a number of areas, including public transport, community facilities and public open space. It is also able to ensure that there is adequate capacity within key infrastructure – such as highways, drainage and sewage treatment – to avoid any risk of these facilities becoming overloaded to the detriment of the locality or its amenity.

9.6 As I have also demonstrated in my proof the appeal proposals, having been tested against 18 material considerations relating to the detailed submissions made in support

of the application, have been found to be sound in almost all respects by WNDC as the Local Planning Authority. The only exceptions to this relate to the transport issues surrounding possible impacts on the Strategic Road Network, and any consequential implications this may have for Air Quality and Noise and Vibration Impacts. This, however, is not due to any failure on the part of the appellants. Rather it arises as a consequence of the actions of the Highways Agency during the application phase, and the fact that the work that is necessary to resolve these issues is still in course of completion. Even then, however, it is considered unlikely that this will result in an outcome that will make it inappropriate to grant planning consent, as the expectation is that subject to completion of the detailed modelling and highway design work, there will be a design solution agreed that will offer an appropriate way forward on all 3 issues. With appropriate provision made towards part funding these works - under a Unilateral Undertaking under Section 106 of the 1990 Planning Act, - and with a programme agreed which will ensure that any necessary improvements are implemented in a timely manner in support of the planned development, these matters too are readily capable of resolution.

9.7 In all these circumstances there is no sound reason why the appeal proposals at Monksmoor Farm should not be approved by the Secretary of State. The appeal proposals:

- comply with adopted and emerging RSS policy, and with the relevant components of saved Structure and Local Plan policies for the area;
- Comply with government advice and policies on sustainable development and on the quantity, mix and character of housing to be provided, as set out in PPS1 and PPS3;
- are sustainably located abutting the urban area and with good access to the town centre by a variety of travel modes, and can be accommodated without significant impact on the local or strategic highway network in a manner that cannot be appropriately mitigated, and in consequence accords with guidance given in PPG13;
- can be accommodated without unacceptable impacts upon the foul and surface water drainage regime of the area and without giving rise to any significant risk of flooding on the site or within the wider area;
- will provide a full range of community services, facilities and open space within the appeal site sufficient to meet the day to day needs of its residents; and

- will provide an appropriate mix of housing type and tenure, including affordable housing, within a development that will provide a high quality of design, layout and energy efficiency.

9.8 In doing so it will fulfil all of the principle objectives of government policy, with the key components of the scheme underwritten within a Section 106 agreement, and with subsequent detailing of the scheme regulated through appropriately worded conditions attached to any consent that may be issued. In these circumstance I urge that your recommendation at the conclusion of the Inquiry be to grant the outline planning consent that the appeal proposals warrant.

9.9 In saying this I should mention that while a number of the Regulation 19 matters raised by WNDC in their reasons for refusal have been the subject of public consultation as required under Regulation 19 of the Town and Country Planning (Environmental Impact etc) (England and Wales) Regulations 1999,, others - specifically those relating to Transport matters as they affect the Strategic Road Network; public transport measures; and Air Quality and Noise and Vibration Issues associated with cumulative impacts and the implications associated with the additional traffic entering the Strategic Road Network - will need to go through a similar public consultation process. This will, of necessity, be undertaken once the modelling and design work being undertaken by the Highway Agency and NCC is completed. The procedures to be adopted in bringing the appeal proposal to a conclusion will need to allow for such a procedure to be completed.