



Appeal Decision

Hearing held on 1 July 2026

Site visits made on 30 June & 1 July 2026

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 September 2026

Appeal Ref: 6004385

Land at Harlestone Road/York Way, Northants NN5 6WQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Rebecca Mitchell of Barwood Development Securities Ltd against the decision of West Northamptonshire Council.
- The application Ref is 2025/0057/MAO.
- The development proposed is outline application for up to 100 new homes (all matters reserved except access) (both open market and affordable) including vehicular access to York Way and new pedestrian linkages; sustainable drainage measures; a visitor car park; new public open space and landscape/biodiversity enhancements.

Decision

1. The appeal is allowed and planning permission is granted for outline application for up to 100 new homes (all matters reserved except access) (both open market and affordable) including vehicular access to York Way and new pedestrian linkages; sustainable drainage measures; a visitor car park; new public open space and landscape/biodiversity enhancements at Land at Harlestone Road/York Way, Northants NN5 6WQ in accordance with the terms of the application, Ref 2025/0057/MAO, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have utilised the description of development as found on the decision notice, rather than that found in the application form. During the application stage, the plans were revised to remove certain elements of the proposed development that were originally covered in the initial description of development and substituted for others. As such, the description was revised and therefore, I find that the description provided on the decision notice is a greater reflection of the plans on which the Council made its decision.
3. The application is submitted in outline with the details of access provided for consideration. All other matters of appearance, landscaping, layout and scale are reserved for future approval. I have treated all plans, other than those relating to access as illustrative.
4. A revised version of the National Planning Policy Framework (the Framework) was published on 17 August 2026. There have been significant amendments to its contents. I have therefore requested comment from the main parties on this matter.
5. The Council is currently preparing a new local plan, and a draft Regulation 18 version was published for public consultation between January and March 2026.

The appellant has highlighted that the appeal site is identified for housing development within this emerging plan and contends that this should weigh in favour of the proposal. However, given that the emerging Local Plan is currently at the Regulation 18 stage, it remains at a relatively early point in the plan-making process. Consequently, significant changes may still occur before the plan is adopted. I therefore ascribe very limited weight to this emerging plan within my decision.

6. Prior to the hearing, Harlestone Parish Council submitted evidence after the 16 June 2026 deadline for interested parties' comments on the appeal. Upon review, it appears that these comments were mistakenly submitted to the Council rather than the Planning Inspectorate prior to the deadline. In response, the appellant submitted a Transport Note outside the timescales set out in the hearing timetable.
7. Adherence to the hearing timetable is important to ensure that appeals are progressed fairly and efficiently. The evidence submitted by Harlestone Parish Council largely repeated matters that had already been raised earlier in the appeal through a similar document, prepared by the parish council, in line with the timetable. Upon review, it appears that this was precautionarily submitted to ensure that it was before the Inspector prior to the hearing. Similarly, the appellant's Transport Note addressed issues that were already covered within evidence submitted by the parties in accordance with the hearing timetable.
8. Paragraph 10.11 of the Procedural Guide: Planning Appeals – England sets out the approach to late submissions, stating that the Inspector will only accept late evidence where its content is not already covered by evidence previously received, amongst other considerations. As the matters raised in the late submissions were already addressed within the evidence submitted before 16 June 2026, I have taken a balanced view and not accepted either of the late submissions. I have therefore not had regard to them within my decision.

Main Issue

9. The main issue is whether the proposed development would be located within a suitable location, with specific regard to its position within the Green Wedge.

Reasons

10. The appeal site is a designated area of the Green Wedge. Policy ENV3 of the Settlements and Countryside Local Plan (Part 2) For Daventry District 2020 (LPP2) is split into two parts. Part A of Policy ENV3 seeks to protect the identity, character and setting of settlements within the areas that fringe Daventry and Northampton, with proposals being required to demonstrate that they would maintain the physical and visual separation between settlements.
11. The settlements situated on the fringes of Daventry and Northampton include Lower Harlestone, Upper Harlestone, Church Brampton, Chapel Brampton, Boughton, Moulton and Overstone. During the hearing, it was acknowledged that each settlement possesses its own distinct character. However, they are all relatively small settlements that retain an isolated rural village identity. Their built form is predominantly characterised by traditional development and older buildings that reflect their historic character. The wider landscape is characterised by extensive areas of open countryside that surround the aforementioned rural settlements on the fringe of Daventry and Northampton. In the wider context, the

land to the north of Harlestone Firs is undulating in nature. This undulation limits views of the appeal site from these settlements and reduces the perception of its presence within the landscape.

12. In contrast, my site visit observations indicated that the appeal site occupies a location that is visually and functionally on the very edge of Northampton, to the north of York Way. To the south of the appeal site and York Way, two substantial urban extensions have been planned and developed, comprising significant numbers of modern dwellings alongside associated infrastructure and community facilities. Representations have been made suggesting that York Way should be regarded as the settlement boundary, owing to the strong physical edge it forms between the appeal site and Harlestone Firs. At first glance, this is an argument that carries merit.
13. However, following my site visit on 30 June 2026 and further consideration of this matter during the hearing, it became apparent that the relationship between the settlement edge and the surrounding development is more nuanced. Along New Sandy Lane, which connects with York Way to the west of the appeal site, substantial residential and commercial development has been constructed on the opposite side of the highway, away from the urban extensions referred to above. This demonstrates that, in this locality, major development has not been constrained solely by the presence of a road corridor and that highways do not necessarily function as definitive settlement boundaries. Accordingly, while York Way provides a clear physical feature in the landscape, its presence alone does not justify the conclusion that it should be treated as the fixed extent of the settlement.
14. As a result, the character of the area surrounding the appeal site is materially different from that of the nearby rural villages. The prevalence of extensive new-build development visible from the site contributes to a more suburban and urban edge-of-settlement character, distinct from the traditional village environments found in the settlements that fringe Daventry and Northampton
15. The appeal site is physically and visually separated from the Green Wedge located to the north of Harlestone Firs, primarily by the woodland itself and the undulating nature of the space between the site and the surrounding settlements. Given the substantial extent and dense woodland of Harlestone Firs, the appeal site does not share a strong physical or visual relationship with the open countryside beyond the woodland that extends towards the rural villages. Accordingly, having regard to the requirements of Part A of Policy ENV3 of the LPP2, the proposed development would not undermine the identity, character, or setting of the settlements that fringe Daventry and Northampton. Rather, the physical and visual separation provided by Harlestone Firs, along with the undulating land and its distance to these rural settlements around the north of the woodland would ensure that these characteristics are preserved.
16. I recognise that a range of contrasting viewpoints and assessments have been advanced by different parties regarding the contribution that the appeal site makes to the Green Wedge, including that the appeal site does provide an open transition towards Harlestone Firs and a buffer from it from the urban area to the south. These differing perspectives are not without merit and have been carefully considered. However, this assessment is ultimately a matter of planning judgment.

17. Many of the submissions made by interested parties contend that any form of development within a designated Green Wedge is unacceptable in principle. However, that is not what Policy ENV3 expressly states. The policy does not impose a blanket prohibition on development within the Green Wedge, nor does it identify such development as being unacceptable in principle. Instead, Policy ENV3 requires an assessment of whether a proposal would undermine the specific functions and objectives of the Green Wedge. Consequently, the mere fact that a development is located within the Green Wedge does not, in itself, justify a finding of conflict with the policy. Rather, it is necessary to consider the individual circumstances of the proposal and its effects against the relevant criteria set out in Policy ENV3 of LPP2.
18. For the reasons set out above, I conclude that although the appeal site is located within the designated Green Wedge, the requirements of Part A of Policy ENV3 are nevertheless satisfied. In particular, the identity, character and setting of the settlements that fringe Daventry and Northampton would be preserved because of the substantial physical and visual separation between the appeal site and those settlements. Accordingly, the proposed development would not undermine the role of the Green Wedge in protecting the distinct character and setting of these communities.
19. Part B of Policy ENV3 states that proposals which contribute to increased public access to, and enjoyment of, Green Wedges will be supported, particularly where they serve urban extensions within the Northampton Related Development Area. At the outset, it is notable that the Council did not identify any conflict with Part B of Policy ENV3 and did not rely upon this element of the policy as a reason for refusing the application.
20. Nevertheless, in the interests of providing a comprehensive assessment of the proposal against the development plan, I have also considered the scheme's compliance with Part B. Having concluded that the proposal would not conflict with Part A of Policy ENV3, the key consideration is therefore whether the development would contribute towards increased public access to, and enjoyment of, the Green Wedge.
21. As noted previously, the appeal site is located next to two urban extensions on the edge of Northampton, with the Green Wedge extending from the appeal site northwards through Harlestone Firs and beyond. During my site visits, it was evident that, although there is no formal Public Right of Way crossing the appeal site, informal paths and desire lines have been established through regular public use. While the proposal is submitted in outline form, it includes provision for public access through the site by way of formalised pedestrian links connecting the residential areas to the south of York Way with Harlestone Firs. These routes are intended to reflect and formalise the existing desire lines currently used by members of the public.
22. The introduction of these pedestrian connections would enhance accessibility to the Green Wedge and facilitate greater public enjoyment of this area of open space. In particular, the proposal would improve access from the nearby urban extensions, thereby supporting one of the principal objectives of Part B of Policy ENV3. Consequently, I find that the proposal would contribute towards increased public access to, and enjoyment of, the Green Wedge, particularly for residents of

the adjoining urban extensions. The development therefore complies with Part B of Policy ENV3 of the LPP2.

23. In conclusion, for the above reasons, I conclude that the proposed development would not conflict with Part A or Part B of Policy ENV3 of the LPP2, the requirements of which have been outlined above.

Other Matters

Representations from Interested Parties

24. I acknowledge that there has been significant local opposition to the appeal proposal, as evidenced by the many letters of objection. The Council has not raised objection on these grounds through their official decision notice. Nevertheless, I have considered the relevant concerns expressed in the light of the evidence presented with regard to the development plan. I have formed a view on the objections raised both in writing and during the hearing. Whilst many of these objections are worded differently, I have grouped them and have formed a view on each broad matter.

Location

25. Interested parties have commented that the development would be located beyond the boundaries of any settlement, whether that be a rural settlement, the Northampton Related Development Area or the sustainable urban extensions of Northampton West and Kings Heath.
26. Policy S1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) 2014 (LPP1) sets out the distribution of development. It notes that development will be concentrated in and adjoining the principal urban area of Northampton, with appropriate development of a lesser scale located in and adjoining the sub-regional centre of Daventry. The application site, by reason of it being adjacent to the Northampton Related Development Area and the fact that it is more geographically linked to the Northampton urban area than the rural area, as concluded in my assessment of the main issue of this appeal, is considered to accord with the 'adjoining' provision outlined by Policy S1 of the LPP1.
27. Nevertheless, Policy S1 also notes that priority will be given to making the best use of previously developed land and vacant buildings. As such, given that the proposed development would be located on land that has not been subject to development and would provide new build housing, there is conflict with the stated priority of Policy S1 of the LPP1 in this regard.
28. Policy R1 of the LPP1 is concerned with the spatial strategy for rural locations. It notes that within rural areas, development will be guided by a rural settlement hierarchy, and for residential development to meet a set criterion. Point G of this criterion notes that such development must be within the existing confines of a village. The appeal site does sit beyond any village confines, but also beyond the nearby sustainable urban extensions and the Northampton Related Development Area. The proposed development would therefore conflict with Part G of Policy R1 of LPP1. This conflict with Policy R1 is acknowledged by both the Council and the appellant in their Statement of Common Ground.
29. Policy RA6 of the LPP2 is focused on development within the open countryside. This policy sets out where development lies outside of the confines of a village,

only certain forms of development will be supported. As new housing, the proposed development would not meet any of the supported forms of development and would therefore conflict with Policy RA6 of the LPP2. Again, this policy conflict is identified by both the Council and the appellant within their Statement of Common Ground.

30. In conclusion, the proposal presents a mixed position in terms of compliance with the development plan and its location. While the development accords with Policy S1 of the LPP1 insofar as it is situated adjacent to the Northampton Related Development Area, it nevertheless conflicts with the policy because the site is not previously developed land. Furthermore, the proposal is clearly contrary to the spatial strategy and the planned approach to the location of new development outside designated growth areas. As such, the proposal conflicts with Policy R1 of the LPP1 and Policy RA6 of the LPP2. The main parties do not dispute the identified conflict with Policies R1 and RA6.

Sustainability

31. During the hearing, and from my consideration of the representations submitted, particularly those from the Parish Council, concerns have been raised regarding the sustainability of the appeal site. It has been argued that the location of the appeal site on the opposite side of York Way from the sustainable urban extensions means that its proximity to those developments does not, in itself, render the site sustainable. In particular, it was contended that York Way acts as a significant barrier to accessibility between the site and nearby facilities and services.
32. The appeal site is close to bus stops that provide services in both directions towards Northampton and Rugby. During my site visit, I observed the location of these bus stops and found that they are readily accessible on foot from the appeal site. The walking route is short and benefits from a footpath that is neither particularly steep nor narrow, making it reasonable for pedestrians to use.
33. The evidence before me indicates that the bus service operates on an hourly basis. The Parish Council notes that the final service departing Northampton leaves before 8:00pm. While I acknowledge that this does not represent an ideal level of evening provision, I nevertheless conclude that the service provides an adequate level of accessibility during peak travel periods. These are the times when most residents would be expected to travel for employment, education, or shopping purposes, particularly to Northampton, given its relative proximity to the appeal site.
34. It was also submitted that, while the evidence indicates that the appeal site lies within relatively short distances of several schools, two local centres and other services, the practical reality is that future residents would be unlikely to access these destinations by sustainable modes of travel. Instead, it was argued that the severance effect created by York Way would discourage walking and cycling, thereby reducing the extent to which residents would make use of sustainable transport options, particularly for older residents, those with disabilities and parents with young children.
35. The Transport Assessment (prepared by PJA, September 2025) identifies the walking distances to local amenities at Figure 3-6. Significantly, the majority of these facilities are located between approximately 0.8 and 2 kilometres from the

appeal site. For most people, these distances would not be excessive for walking or cycling.

36. The Parish Council contends that many of the facilities referred to above are located along, or accessed via, the A428, which it considers to be unsuitable for pedestrians due to limited footway widths, insufficient lighting and wayfinding, and a lack of signalised crossing points. I acknowledge that certain sections of the A428 are not well lit and that, in places, footways are relatively narrow, as illustrated by the photograph submitted by the Parish Council. However, my observations indicate that these constraints are not representative of the route as a whole and are limited to certain sections. In relation to footway width, I noted that some of the narrowest sections appeared to result from vegetation encroachment rather than the original design of the footway. This is a matter that falls within the powers of the highway authority to address through routine maintenance.
37. With regard to crossing facilities, the A428 does provide formal crossing points, including signalised and pelican crossings where these would reasonably be expected, having regard to the location of services. Furthermore, the proposed development would incorporate a crossing point over York Way, thereby facilitating safe pedestrian access from the appeal site to the wider network of footways and routes. Taking these matters together, I do not agree with the assertion that there are no suitable signalised crossing facilities available along this route. While some aspects of the pedestrian environment could be improved, the evidence before me does not demonstrate that the route is so deficient as to prevent or materially discourage access on foot to nearby facilities and services.
38. However, whilst I do not consider this location to be particularly unsustainable, I am mindful that not all residents would experience the accessibility of these facilities in the same way. Older people, those with disabilities, and parents accompanying young children may face greater challenges when travelling on foot. Similarly, trips to work, schools, shops and other services are often likely to involve carrying bags or other items, making the use of a private vehicle a more attractive option, particularly where destinations are located beyond 1 kilometre from the site.
39. Nevertheless, during my site visit, I observed both the location of these amenities and their relationship to the local bus network. When the site's convenient access to bus services is taken into account, the need to rely on private vehicles to reach these destinations would be reduced. Those who are older, disabled or that are accompanying young children would be able to access the relevant bus services to these amenities. For these reasons, there is a genuine choice of travel modes to access services within the locality.
40. It is important to acknowledge at this stage that future residents would not be expected to forego the use of private cars entirely. In assessing the sustainability of development proposals, decision-makers must take a realistic and pragmatic approach. Not all journeys will be undertaken on foot, by bicycle, or via public transport, and it would be unreasonable to expect otherwise. I recognise that the appeal site is not located within a major urban area and does not offer the same range of sustainable transport options that might be available in larger towns or cities. The key consideration before me is whether residents would have reasonable access to shops, services and facilities by a range of transport modes where there are no significant barriers in accessing them.

41. In this regard, the evidence demonstrates that a variety of day-to-day facilities can be reached within a relatively short distance, either on foot, by bicycle, or through the use of public transport. Consequently, even where residents choose to use private vehicles, journeys to access everyday services would generally be limited in length. The availability of nearby facilities and public transport connections therefore reduces the need to travel significant distances and weighs in favour of the site's accessibility and overall sustainability.

Highway safety and operational efficiency

42. It is suggested that the presence of 100 homes, in addition to those in the surrounding area, would create a development which would result in an unacceptable effect upon highway safety and its operational efficiency.
43. In respect of highway safety, access to the proposed development would be taken from York Way. At this location, the existing highway comprises a single lane in each direction, widening to a two-lane arrangement on approach to the roundabout to the west. The evidence before me demonstrates that visibility splays exceeding 80 metres in both directions can be achieved from the proposed access. Consequently, vehicles exiting the site would have adequate visibility of approaching traffic, enabling drivers to identify and utilise suitable gaps in the traffic flow before joining York Way. The manoeuvre involved in entering and leaving the site would be a common and routine driving movement.
44. Representations have suggested that vehicles regularly exceed the speed limit on York Way. During my site visits, I observed a small number of vehicles travelling above the posted speed limit. However, such instances were limited and amounted to only a handful of observations across both visits. York Way is subject to a 30-mph speed limit and, when assessed on this basis, I am not persuaded that vehicles accessing or exiting the proposed development would give rise to significant highway safety concerns. While I acknowledge concerns that some drivers may exceed the speed limit, this factor alone does not justify a conclusion that the proposal would result in an unacceptable impact on highway safety or conflict with the relevant development plan policies. There are separate statutory powers and enforcement mechanisms available to the appropriate authorities to address issues of speeding.
45. Turning to the alleged effects on the operational efficiency of the highway network, it is inevitable that a residential development of this scale would result in an increase in vehicle movements on the surrounding roads. However, the mere fact that additional traffic would be generated does not, in itself, indicate that unacceptable impacts would arise. The anticipated trip generation associated with the proposal has been estimated using traffic survey data collected over a one-week period in 2024 from the residential development immediately to the south of York Way. On that basis, the Transport Assessment concludes that the proposed development would generate a maximum of 72 additional two-way vehicle movements during any peak hour period.
46. The assessment further examines the performance of the local highway network, including the proposed site access and nearby junctions. The modelling undertaken indicates that the additional traffic generated by the development would have a negligible effect on the operation of these junctions and would not materially affect the capacity or efficiency of the surrounding highway network.

Accordingly, whilst the development would increase traffic levels to some extent, the evidence before me does not demonstrate that the scale of that increase would result in any significant adverse effects on highway operation, capacity, or the safe and efficient movement of vehicles within the local area.

47. It has been suggested that the parking provision associated with the proposed dwellings would be insufficient, resulting in vehicles being displaced onto the public highway. However, the application has been submitted in outline form and, as such, the detailed layout and parking arrangements would be considered at the reserved matters stage. In the absence of detailed design information, there is no substantive evidence before me to indicate that the development would be incapable of providing parking in accordance with the relevant standards. Any concerns regarding the precise number, location, or configuration of parking spaces would be appropriately addressed through the reserved matters process.

Ecology and biodiversity

48. Comments have been submitted by interested parties regarding the effect of the proposed development upon the Harlestone Firs local wildlife site, ecology and biodiversity. Although the application has been submitted in outline form, it is supported by an ecological appraisal, which has been reviewed by the Council. The Council noted that, provided the recommendations, mitigation measures and enhancement opportunities identified within the appraisal, together with the proposed Great Crested Newt mitigation strategy, are implemented in full and the recommended planning conditions are imposed, the development is unlikely to have a significant adverse impact on protected or priority species, priority habitats, or designated sites. Having considered the evidence before me, I agree with this assessment, subject to the imposition of the relevant planning conditions, which I address later in this decision.
49. With regard to Biodiversity Net Gain, the development is required to deliver a minimum 10% net gain in biodiversity. The submitted information indicates that the proposal is expected to achieve approximately a 10% gain in area-based habitats and a 23% gain in hedgerow habitat units, subject to the final landscaping scheme. Schedule 7A of the Town and Country Planning Act 1990 requires that development of this nature must not commence until a Biodiversity Gain Plan has been submitted to and approved by the local planning authority. This statutory requirement is intended to ensure that development delivers a measurable net gain for biodiversity. Based on the information before me, I am satisfied that there is a reasonable prospect of the development meeting the mandatory BNG requirement, subject to compliance with these provisions.
50. For these reasons, subject to the imposition of suitable worded planning conditions, along with the requirements imposed by Schedule 7 of the Town and Country Planning Act 1990, I am not persuaded by the evidence before me that the scheme would indeed have a harmful effect on ecology and biodiversity.

Flooding

51. It is contended that the appeal site is susceptible to flooding and that its development would exacerbate flood risk elsewhere. However, the appeal site lies within Flood Zone 1, which is identified as an area of low or very low risk of flooding. In addition, the Lead Local Flood Authority has reviewed the proposed surface water drainage strategy and has confirmed that it is acceptable for an

outline planning application, subject to the imposition of appropriate planning conditions. The Authority is therefore satisfied that flood risk can be appropriately managed through the detailed design of the drainage system at the reserved matters stage.

52. No substantive technical evidence appears to have been provided to challenge this assessment or to demonstrate that the proposed drainage measures would be ineffective. In the absence of such evidence, I see no reason to depart from the conclusions reached by the Council and the Lead Local Flood Authority. Accordingly, I find that the proposed development would not give rise to an unacceptable risk of flooding, either within the appeal site itself or elsewhere. The appeal is also subject to planning conditions which relate to flooding and drainage. These conditions are explored later in my decision.

Trees

53. It is argued that the proposed development would result in the loss of woodland, owing to its proximity to Harlestone Firs. However, the plans before me indicate that Harlestone Firs would be retained in its entirety as part of the proposal, with a development buffer incorporated around the woodland to safeguard its setting and integrity. Furthermore, the submitted Arboricultural Impact Assessment identifies that no Category A trees or hedgerows would be affected by the development. The assessment confirms that only two Category C hedgerow groups would be impacted, both of which are located along the site's boundary with York Way and are proposed to be partially removed to facilitate the site access.
54. In these circumstances, I find no evidence to support the assertion that the woodland comprising Harlestone Firs would be lost as a consequence of the development. Rather, the information before me demonstrates that the woodland would be retained and protected throughout the construction period and post completion through an appropriate buffer. Whilst there would be some limited loss of lower-value hedgerow vegetation to accommodate access arrangements, this does not substantiate the claim that the proposal would result in the removal of Harlestone Firs itself.

Further objections

55. Objectors consider that allowing the appeal would encourage development proposals on other village sites, as similar justifications could be claimed. However, each site would be considered on its own merits, including a different context of material considerations of that location. The right to a view, or the effect upon property values or prices is not a material planning consideration.
56. The number of objections received in relation to both the application and the subsequent appeal, together with any representations made regarding the allocation of the appeal site for housing within the emerging local plan, are not determinative factors in the decision-making process. Rather, they must be determined on the planning merits of the proposal and in accordance with relevant planning policy and other material considerations.
57. Comments have been made suggesting that housing developments which have been delivered as part of the sustainable urban extensions in the wider area is of a poor quality. However, those concerns relate to separate developments and are not directly relevant to the appeal proposal before me. From my site visits, it was

evident that the appeal site involves different developers, who will employ their own design approaches, materials, and construction methods. Consequently, any perceived shortcomings associated with other housing developments cannot reasonably be attributed to, nor taken as indicative of the quality of, the scheme under consideration in this appeal.

58. It has been suggested that local infrastructure, including schools, GP surgeries and hospitals, is already operating beyond capacity. During the hearing, a discussion took place which detailed the built and planned for infrastructure development to support this particular area, including several schools. In relation to education provision, the proposal is accompanied by a planning obligation that would secure a financial contribution towards education infrastructure, a matter which I address elsewhere in this decision. With regard to healthcare provision, pressures on GP services and hospitals are widely recognised as a national issue and are not unique to West Northamptonshire. The planning system cannot reasonably prevent development solely on the basis that such services are experiencing capacity constraints.
59. The Parish Council have claimed that they were not consulted during the application process, and therefore, there has been a lack of engagement on the proposal. Critically, both the appellant and the Council state otherwise, and the evidence suggests that Harlestone Parish Council were consulted and made representations in response to the application. In a general assessment of the consultation undertaken, it is clear that many interested parties have responded both to the application and the subsequent appeal. Therefore, I am unclear as to why this claim has been made, as it is clear that an adequate consultation has indeed been carried out.
60. Further criticism has been raised by the Harlestone Neighbourhood Development Plan Steering Group regarding the extent of community engagement undertaken in relation to the proposal. In particular, concerns have been expressed that no background information was provided to attendees in advance of a meeting held with Harlestone Parish Council and members of the Steering Group. The Steering Group's response to this appeal contends that the meeting took the form of an informal presentation and was therefore limited in scope. In considering this matter, it is important to recognise that the appeal has been submitted in outline form. By its nature, an outline application is limited to those matters for which approval is sought. In this case, the only matter submitted for determination is access to the appeal site. Consequently, the level of detail available at this stage of the process is necessarily limited.
61. Whilst there is always scope to enhance the delivery and effectiveness of community engagement exercises, the evidence before me does not clearly demonstrate the extent to which the meeting was inadequate or unreasonably limited. Furthermore, the evidence indicates that a flyer was distributed to approximately 250 addresses, and it is apparent that the Council subsequently undertook a consultation exercise once the application was validated. A press advertisement was also published within the Northampton Chronicle and Echo. This is reflected in the substantial number of representations received in response to the application. Taking these factors into account, I am satisfied that an adequate level of consultation and community engagement has been undertaken in relation to the proposal.

Planning Obligation

62. During the course of the appeal, a planning obligation was submitted in the form of a Unilateral Undertaking (UU). It was amended through minor drafting revisions, including the addition of signatures from both parties and other administrative changes. While these amendments did not alter the substantive content of the obligation, the document nevertheless remained subject to public consultation requirements. During the hearing, it became apparent that the final version of the planning obligation submitted in connection with the appeal had not been published on the Council's local planning register and had therefore not been subject to the required public consultation process.
63. The judgment in *Greenfields*¹ confirms that a local planning authority must place a copy of any planning obligation on the local planning register. This requirement ensures that interested parties have the opportunity to review the terms of a proposed or completed planning obligation and, where appropriate, submit comments. In light of this requirement, the Council was requested to publish the final version of the planning obligation and allow a period of 10 working days for public representations to be submitted, before any decision on the appeal was made.
64. Whilst this consultation was undertaken, the Council also adopted the West Northamptonshire Infrastructure and Developer Contributions Supplementary Planning Document June 2026 (SPD). Upon receipt, in the interests of fairness, comments were requested from the parties regarding the compliance of the final drafted planning obligation and its compliance with this SPD. I have taken the SPD and the comments that followed into consideration of my decision.
65. It follows that upon completion of this consultation period, the final completed UU was submitted by the appellant to the Planning Inspectorate for its inspection, along with the comments received from the consultation. The UU requires the development to make a contribution towards affordable housing, education, library provision, a travel plan, open space contributions both off and on site and a payment towards the legal costs incurred by the Council. These specific contributions are not contested. However, a further contribution relating to permissive paths was somewhat contested and delivered a significant amount of discussion during the hearing.
66. Regulation 122(2) of the Community Infrastructure Levy Regulations sets out three tests that planning obligations must meet. First, they must be necessary to make the development acceptable in planning terms, secondly, they must be directly related to the development and thirdly, they must be fairly and reasonably related in scale and kind to the development.

Affordable Housing

67. The provision of an affordable housing contribution is necessary to ensure that the development delivers an appropriate level of affordable housing in accordance with the requirements of the SPD. Policy H2 of the LPP1 sets out the affordable housing requirements for residential development. Within rural areas of the former Daventry District, developments are required to provide 40% affordable housing.

¹ *Greenfields (IOW) Ltd, R (On the Application Of) v Isle of Wight Council & Anor* [2025] EWCA Civ 488 (16 April 2025)

68. The UU secures the delivery of 40% affordable housing, in accordance with the requirements of Policy H2. This contribution is therefore necessary to ensure that the proposed development meets its affordable housing obligations. It is directly related to the development, as the provision of 100 dwellings would generate a corresponding need for affordable housing. Furthermore, the obligation is fairly and reasonably related in scale and kind to the development, reflecting the policy requirement applicable to a scheme of this size. The contribution neither exceeds nor falls below the requirements set out in Policy H2 of LPP1.
69. The SPD states that, for developments of this scale, affordable housing should be well integrated and distributed throughout the site to support mixed, balanced and sustainable communities. To achieve this, the SPD advises that affordable housing should be provided in clusters of no more than 15 to 18 dwellings and dispersed across multiple locations within the development.
70. The UU specifies that affordable housing will be provided in clusters of no more than 10 dwellings. On initial review, this may appear not to align precisely with the SPD guidance. However, the Council recognises that the SPD's recommended cluster size represents a maximum threshold rather than a minimum requirement. Given the scale of the proposed development, this modest departure from the SPD is not considered to be unacceptable. Consequently, the proposed approach is considered capable of delivering a well-integrated and sustainable mixed community in accordance with the overarching objectives of the SPD.

Open Space

71. Policy CW2 of LPP2 sets out the open space requirements for new residential development. The proposal would provide a total of 2.34 hectares of on-site open space, including a Local Area for Play, amenity open space, and accessible natural greenspace. As recognised by the Council in its officer report and throughout its submissions to this appeal, the amount of open space proposed exceeds the minimum requirement for a development of this scale under Policy CW2. The SPD identifies on-site provision as the preferred approach where feasible, particularly where it can deliver additional recreational and amenity benefits for future residents. The proposed development accords with this approach by providing the surplus open space within the site.
72. In addition, the UU would secure an off-site financial contribution towards the provision and enhancement of playing pitches and associated changing facilities within the local area. This will help to mitigate the impact of the development on local sports infrastructure and ensure that sufficient recreational facilities are available to serve both existing and future residents.
73. The proposed development would generate an additional residential population that would place increased demand on open space and recreational facilities. As such, the open space obligations secured through the UU are necessary to mitigate the impacts arising from the development and to ensure that adequate provision is available for future residents.
74. The obligations are directly related to the development, as they arise from the need for open space and recreational facilities that would be generated by the occupation of the proposed dwellings. The level of provision and associated contributions have been calculated on the basis of the number of dwellings proposed and are therefore linked to the development's expected population.

Accordingly, the obligations reflect the demand generated by the proposed 100 dwellings and are fairly and reasonably related in scale and kind to the development. The level of provision is proportionate to the impacts of the scheme and consistent with the requirements of the relevant development plan policies and supplementary guidance.

75. The Parish Council requested in their response to the further consultation of the UU undertaken after the hearing that a proportion of the contribution be allocated to the Harlestone Village Institute. However, no substantive evidence has been provided to demonstrate that reallocating the contribution to this facility would satisfy the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.
76. Furthermore, in determining this matter, I must assess the final UU before me and consider whether the obligations it secures satisfy the relevant legal and policy tests. In the absence of evidence demonstrating that a contribution towards the Harlestone Village Institute would meet these requirements, I am unable to attach significant weight to the Parish Council's request. My assessment must therefore be based on the obligations as secured within the submitted UU and whether those obligations comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Education

77. Policy INF2 of LPP1 states that new development will only be permitted where the necessary on-site and off-site infrastructure required to support it is either already in place or there is a reliable mechanism to secure its delivery. The UU sets out a mechanism for the phased delivery of education contributions, with the final contribution to be calculated based on agreed pupil yield rates and the final number and mix of dwellings, once these are established through the reserved matters stage.
78. It is acknowledged that the pupil yield rates contained within the UU differ from those set out in the subsequently adopted SPD. However, the Council has confirmed that the rates contained within the UU remain appropriate and acceptable for the purposes of assessing the development's impact on education provision.
79. A residential development of this scale would generate a need for additional education provision and school places. Accordingly, an education contribution is necessary to ensure that the impacts of the development on local educational infrastructure are appropriately mitigated. Without such a contribution, the development would place additional pressure on existing school capacity and could result in an insufficient number of places to accommodate pupils arising from the scheme.
80. The contribution is directly related to the development, as it is intended to address the demand for school places generated by future residents. Furthermore, the final contribution would be calculated by reference to the number and mix of dwellings provided, together with the agreed cost per school place. As the contribution is derived from the specific characteristics of the development and the level of demand it generates, it is fairly and reasonably related in scale and kind to the proposal. Consequently, the education obligation satisfies the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Travel Plan

81. Policy INF2 of LPP1 requires new development to promote sustainable and accessible transport. The SPD is silent on this matter. The UU seeks to provide a payment of a set rate over five years. A new development of 100 dwellings will inevitably generate a notable number of movements. This obligation is necessary to monitor the management and mitigation of transport impacts. It is directly related to the development as it is required to address the specific impacts generated by the proposal. Given the size of the development, this fee is reflective of the costs that will be incurred by the Council of monitoring the development over this five-year period. As such, it is reasonably related in scale and kind.

Library Contribution

82. Policy INF2 of LPP1 identifies library provision as infrastructure that should be supported through developer contributions. The UU therefore secures a financial contribution towards the extension and improvement of library facilities required to support growth, specifically at Duston Library. The contribution is calculated on a per-dwelling basis and will be determined in accordance with the library contribution rates set out in Annex 1 of the UU.
83. I acknowledge that the per-dwelling contribution rates set out in the UU are lower than those contained within the recently adopted SPD. However, the evidence before me indicates that these rates were provided by the Council's Library Officer and agreed through the Heads of Terms prior to the adoption of the SPD. Furthermore, the Council has not suggested that this approach is unacceptable, given that the terms were negotiated and agreed by the parties before the SPD came into effect.
84. Notwithstanding the above, the development would generate a substantial financial contribution towards library provision. This contribution is necessary because the proposal would increase demand for library services, requiring adequate facilities to serve both existing and future residents. As the need for the contribution arises directly from the additional population generated by the development, it is directly related to the proposal. The contribution is calculated on a per-dwelling basis, with the total amount reflecting the rates agreed by the parties. Accordingly, the contribution is fairly and reasonably related in both scale and kind to the development.

Legal Costs

85. The UU secures a payment to the Council in respect of its legal costs associated with preparing, reviewing, and completing the planning obligation. This payment is necessary to enable the Council to enter into and administer a lawful planning obligation, thereby facilitating the delivery and enforcement of the obligations secured through the UU. As such, it is directly related to the proposed development. The contribution is capped at a specified amount and, having regard to the scale and nature of the proposal, is reasonable and proportionate in both scale and kind to the development.

Permissive Paths

86. The UU requires the permissive paths to be provided prior to the first occupation of the development and thereafter retained and maintained for the lifetime of the

scheme. Importantly, the UU specifies that the paths are to be available for public access on foot only, with access by bicycles, horses, and all forms of motorised vehicles prohibited. This issue was the subject of extensive discussion at the hearing, particularly in relation to a planning condition addressing the use and detail of the permissive paths, which I consider later in this decision.

87. With regard to the obligation secured through the UU, this is not a matter specifically addressed by the SPD. Importantly, the Council considers the obligation to be appropriate and has not sought any amendments to this aspect of the UU following the SPD's adoption. Furthermore, in response to the post-hearing consultation on the UU, the Parish Council reached agreement with both the appellant and subsequently, the Council, that the permissive paths should be available to pedestrians only, with access by cyclists, horse riders, and motorised vehicles excluded.
88. The Parish Council also noted that connectivity for horse riders is already provided through the existing bridleway network within Harlestone Firs. During my site visits, I observed that this bridleway network connects to York Way to the east of the appeal site. In addition, it was explained that permitting cycle access could make the paths more susceptible to use by motorbikes, with potential implications for pedestrian safety. This is a reasonable and logical concern. It was evident during my site visits that an adequate highway environment is in situ for bicycles and motorbikes.
89. Throughout the hearing, it was evident that this approach represented a common and agreed position between the appellant and the Parish Council. Whilst the Council disagreed on this direction of travel during the hearing, they have subsequently confirmed that the approach within the UU is acceptable. In these circumstances, I am satisfied that the obligation is justified and appropriate, having regard to the intended function of the permissive paths, the safety of pedestrians and the availability of alternative routes for other users.
90. The obligation is necessary to secure the delivery of these paths to permit access into Harlestone Firs, as supported by Policy ENV3 of the LPP2. The development would be within the Green Wedge, next to Harlestone Firs, where the paths would be provided to promote access between the two. The obligation is therefore directly related to the development. The obligation seeks to provide three paths into Harlestone Firs. These paths reflect the routes developed from access made into the site by the general public. Therefore, the obligation is generally related in scale and kind to the proposed development.
91. In response to the UU, Harlestone Parish Council has requested the removal of the proposed car park from the scheme on the grounds of potential crime and anti-social behaviour. However, the appeal is made in outline, with matters relating to the detailed design, layout and operation of the development reserved for subsequent approval. It was acknowledged during the hearing that issues relating to crime prevention and site security are matters that can be appropriately addressed at the reserved matters stage. Accordingly, the concerns raised by the Parish Council in relation to crime are considered within the conditions section of this decision.
92. The Parish Council has also stated that, if the proposed car park is retained within the scheme, provision should be made to ensure that the developer is legally

responsible for its ongoing maintenance and monitoring, together with the establishment of a fund that would enable West Northamptonshire Council to intervene should any issues arise.

93. However, I must assess the UU before me on its merits and determine whether the obligations it contains satisfy the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010. The parties involved in negotiating and drafting the UU did not identify this matter as requiring a planning obligation. Moreover, the Parish Council has not provided substantive evidence to demonstrate why such an obligation would be necessary to make the development acceptable in planning terms, nor how it would satisfy the relevant legal tests.
94. By contrast, the Council has proposed a planning condition aimed at addressing issues of crime prevention and site security. As noted above, matters relating to crime and anti-social behaviour can be more appropriately addressed through conditions and the detailed design process at the reserved matters stage. I therefore consider this matter further in the conditions section of this decision.

Summary

95. In consideration of the obligations within the UU explored above, overall, I am satisfied that they would each be reasonable, necessary and fairly and reasonably related in scale and kind to the development. Each would be required to alleviate the effects of the development in various ways. I conclude that these obligations would meet the tests as set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Planning Balance

96. I have not found that the proposed development would conflict with Policy ENV3 of the LPP2, with specific regard to the proposed development within the Green Wedge. This was the main issue in this appeal. However, in agreement with both the appellant and the Council, I have found that with regard to its location, the proposal conflicts with Policies S1 and R1 of the LPP1 and Policy RA6 of the LPP2. The proposal would therefore be contrary to the development plan considered as a whole.
97. During the hearing, considerable discussion focused on the position of the Council's five-year housing land supply. Whilst the parties agreed that the Council was unable to demonstrate a full five-year housing land supply, the extent of the shortfall remained a matter of dispute, as it has done throughout the appeal. The appellant contended that the Council could demonstrate only 3.79 years of housing supply, whereas the Council maintained that it could demonstrate approximately 4.2 years of deliverable housing supply across the West Northamptonshire area.
98. During the hearing, both parties conceded certain sites in their evidence, thus evidencing to me that this is an ever-changing picture. This is even more so the case, in that following the hearing, the Council published its Housing Land Supply Assessment (April 2026), which concluded that the authority could demonstrate 4.3 years of housing supply across West Northamptonshire. The appellant was requested to provide comment on this assessment. In summary, this latest updated figure was contested.

99. Another area of disagreement between the parties concerned whether the five-year housing land supply should be calculated on a sub-area basis, following the findings of a previous appeal decision² (hereafter referred to as the Brackley Decision). In summary, the Brackley Decision considered a similar dispute regarding the appropriate methodology for calculating the housing land supply position. The Council argued that the calculation should be undertaken using the standard method across West Northamptonshire as a whole. In contrast, the appellant contended that a sub-area approach should be applied. The Inspector examined both positions in reaching their conclusions on the matter.
100. In the Brackley Decision, the Inspector concluded that the five-year housing land supply should be assessed on a sub-area basis. A key reason for this conclusion was the concern that calculating housing land supply across West Northamptonshire could undermine the spatial strategy set out in the development plan. The Inspector considered that a district-wide approach had the potential to result in an unsustainable distribution of growth across West Northamptonshire, contrary to the objectives and requirements of the spatial strategies applicable to the individual sub-areas.
101. The Council, however, continues to object to this approach to housing land supply assessment. During the hearing, the parties considered the housing land supply position for the Daventry sub-area. It was agreed that, when assessed on a sub-area basis, the level of housing supply was lower than the supply identified across West Northamptonshire as a whole. The evidence presented indicated that the Daventry sub-area could demonstrate less than three years of deliverable housing supply. Notwithstanding the Inspector's findings in the Brackley Decision, it is clear to me that the Council is unable to demonstrate a five-year housing land supply for the purposes of this appeal. This conclusion is unchanged regardless of whether the housing land supply is assessed across West Northamptonshire as a whole or on a sub-area basis, as advocated by the respective parties.
102. This background to this five-year housing land supply position demonstrates that the issue is both fluid and subject to change. For the purposes of determining this appeal, I have adopted a pragmatic approach, focusing on the areas of common ground between the parties. Both parties agreed that, at the time the appeal was considered at the hearing, the Council was unable to demonstrate a five-year housing land supply. There is no dispute between them as to whether the Council can demonstrate a five-year housing land supply, unlike during the Brackley Decision where this was a main issue between the parties.
103. The difference between what may be the correct position, whether it is 4.3 years as put forward by the Council, or a lower figure asserted by the appellant, makes a limited difference for the purposes of this appeal. Both positions, and the fact that the Council in either situation cannot demonstrate a five-year housing land supply, attract significant weight in my decision.
104. My assessment is therefore concerned with the implications of that agreed position, rather than determining whether the methodology advanced by one party is preferable to that of the other. Nor is it necessary for me to reach a definitive conclusion on the precise number of years' housing supply that the Council can demonstrate on the evidence before me. Quite simply, that is not the purpose of

² Appeal Reference: APP/W2845/W/25/3367158.

this appeal. The key point for the purposes of decision-making is that the Council cannot demonstrate a five-year housing land supply, irrespective of the method of calculation adopted. That conclusion provides the basis upon which the appeal should be assessed.

105. Policy S3 of the Framework creates a presumption in favour of sustainable development, noting that outside settlements, Policy S5 of the Framework should be applied. As identified earlier within this decision, the appeal site does sit beyond any village confines, but also beyond the nearby sustainable urban extensions and the Northampton Related Development Area. It would therefore be located outside of a settlement.
106. Paragraph 1 of Policy S5 of the Framework states that only specific types of development should be permitted outside settlement boundaries. The policy sets out several criteria, identifying the circumstances in which such development may be supported. Criterion J states that development may be acceptable where it addresses an evidenced unmet need, including housing proposals in areas where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. In addition, the development must be physically well related to an existing settlement, be of a scale that can be accommodated by that settlement and taking into account of the existing or proposed availability of infrastructure.
107. The provision of 100 units would make a strong contribution to the supply position within West Northamptonshire and the Daventry area. In an era of a clear national, and in this particular case, local and sub-area shortage, the provision of 100 homes in this proposal attracts significant weight in this regard. Furthermore, in line with the UU and Policy H2 of the LPP1, 40% of these units would be allocated for affordable housing. The evidence before me is clear. The Council have a substantial need for affordable housing, which is also identified in the LPP1.
108. As set out earlier in this decision, I have found that the appeal site is adjacent to the Northampton Related Development Area and is closely linked to it geographically. I have also concluded that the availability of nearby facilities and public transport connections would reduce the need for residents to travel significant distances. These factors weigh in favour of the accessibility of the appeal site. I therefore conclude that the proposed development would be physically well related to an existing settlement and is of a scale that can be accommodated, having regard to the availability of existing and proposed infrastructure within the wider area. Accordingly, the proposal satisfies the requirements of Policy S5, Paragraph 1, Criterion J of the Framework.
109. It is also imperative in this case to note the wider benefits of the appeal proposal, beyond the provision of increasing housing supply. Critically, this development would be capable of being built out quickly, owing to its relatively low number of homes. This would provide this much needed housing and these affordable units in a short time frame. The proposed development would also provide connectivity across York Way, through to Harlestone Firs through its provision of a pedestrian crossing and three permissive paths. During my site visits, it was clear that this is an access route utilised by the public, therefore its formalisation, which would promote a safe crossing and access into Harlestone Firs is a clear benefit to those living within the surrounding area. This is a matter which attracts moderate weight in my decision.

110. The scheme would also deliver a local area of play, amenity open space and accessible natural green space. Whilst there is a policy requirement to do this, it must be recognised that the amount of proposed open space is in excess of the requirement for a development of this size. It would also provide an off-site contribution for the provision and improvement of playing pitches and changing rooms for facilities in the local area. Again, whilst this is a policy requirement, it is nevertheless a benefit that would be gained because of the construction of the scheme. There would also be general economic benefits from construction spending and jobs, and the local expenditure from the new residents, alongside associated revenue.
111. I acknowledge that a policy conflict would occur with Policy S1 of the LPP1, because the site is not previously developed land. Furthermore, the proposal is contrary to the spatial strategy and the planned approach to the location of new development. As such, the proposal would also conflict with Policy R1 of the LPP1 and Policy RA6 of the LPP2. However, given the location of the development and its close relationship with the Northampton Related Development Area and the two sustainable urban extensions, the harm that I ascribe to this policy conflict is limited.
112. When this matter is considered against the benefits that would be realised from the appeal proposal when collectively considered, the conflict with these policies and the harm that would arise as a result would not substantially outweigh these benefits. Therefore, the benefits of the scheme discussed within this planning balance are considerations of such materiality that it indicates that permission should be granted other than in strict accordance with the development plan.

Conditions

113. I have considered the conditions discussed at the Hearing. These were based on a list of suggested conditions made by the Council. The parties agreed the general thrust of the majority of these conditions, with the exception of a small number where lengthier discussions on these suggested conditions occurred.
114. Conditions regarding the requirement to submit the details for the approval of the reserved matters [1], the timeframes for doing so along with the timeframes for the commencement of development [2] and the reference to the plans [3] are necessary in the interests of expediency and certainty. Condition 2 has drawn together two time conditions suggested by the Council, in the interests of conciseness.
115. To ensure highway safety and efficiency, a condition which requires the submission of the details and creation of the new access into the appeal site prior to the occupation of any dwellings [4] and the management details of the estate to be submitted to the local planning authority, are necessary [5]. The submission of surface water drainage details [6], along with an updated flood risk assessment and drainage strategy [7] at the submission of the reserved matters applications and the submission of a verification report [8] are necessary to reduce the risk of flooding and provide adequate drainage of the appeal site. In the interests of public health, it is necessary for the full details of a foul water drainage scheme [9] to be submitted and implemented in accordance with the approved details.
116. The appeal site lies within an area of known archaeological interest. Consequently, a condition requiring the implementation of a programme of archaeological work

[10] is necessary to ensure that any archaeological remains or features are appropriately investigated, recorded and preserved by record where necessary.

117. This condition has been amended from the version suggested by the Council to improve clarity and conciseness. In particular, two separate conditions proposed by the Council have been combined into a single condition, as both seek to address the same overarching objective. In addition, the specific requirement for trial trenching, as set out in the Council's suggested Condition 11, has been replaced with a broader requirement to submit details of the methodology for site investigation. This approach avoids prescribing a particular investigative technique and provides greater flexibility to employ the most appropriate archaeological assessment method, having regard to the circumstances of the site.
118. A condition which requires the submission of a noise assessment to protect the proposed dwellings from external noise [11], the submission of a construction management plan [12] and the details of proposed refuse and recycling storage and collection locations [16] are necessary to protect the living conditions of both the future occupiers of the scheme and the existing neighbouring residents, along with ensuring that highway safety is not compromised with specific relation to condition 12. Conditions which seek for a site investigation [13], the details of a remediation scheme [14] and what to do if unexpected contamination is discovered [15] are necessary to ensure that all contamination is appropriately dealt with where found. Critically, these conditions are imperative to ensure that the proposal is safe for its end users.
119. Condition 13 relates to site investigation and has been substantially revised from the version proposed by the Council. Whilst the overall purpose and effect of the condition remain unchanged, reference has been included to the relevant British Standard to provide clear guidance on the investigation of potentially contaminated land. In addition, the condition now expressly requires the assessment of potential listed risks. This has been done to address a lack of specificity in the suggested wording regarding the matters to be considered put forward by the Council. The Council also proposed a separate condition relating to verification following remediation works. To improve clarity and avoid duplication, the verification requirements have instead been incorporated within Conditions 14 and 15. This approach ensures that appropriate verification measures are secured following both anticipated remediation works and the discovery of any unexpected contamination during the development process.
120. The proposed development seeks to provide a series of permissive paths into Harlestone Firs. As such, a scheme for the provision of these routes is necessary to understand how these paths shall be provided [17]. I have included a mechanism that requires the surface material and any signage to be clarified. This is to ensure that the full details of the paths are provided in agreement with the Council, as discussed during the hearing.
121. During the hearing, this condition, together with the related obligation in the UU, was the subject of extensive discussion. As set out earlier in this decision, both the appellant and the Parish Council agreed that the permissive paths should be restricted to pedestrian use only, thereby excluding horse riders, cyclists and motorcyclists.

122. The condition originally suggested by the Council referred to all users and therefore did not provide for any restriction on the use of the paths. Consequently, the proposed wording was not considered appropriate in light of the agreed position. Following the hearing, the Council confirmed that it considered the UU, which restricts the paths to pedestrian use only, to be acceptable. For reasons of consistency between both the obligation within the UU and Condition 17, I have removed the wording which specified about details of how these routes shall be inclusive for all users, given that I have found that it is acceptable to restrict the permissive paths to pedestrian use only.
123. To ensure a positive visual appearance of the appeal site, a condition which requires the submission of a detailed scheme for soft and hard landscaping enhancements [18], along with the details of any boundary treatments [19] and the submission of an arboricultural method statement which details how trees shall be protected [20], are necessary. It is critical to note that a condition was suggested by the Council which also related to the protection of trees. I have combined this suggested condition with the wording of condition 20 in the interests of conciseness.
124. With regard to Condition 18, Harlestone Parish Council has suggested that the period for the management of landscaping should extend beyond the 10 years required by the condition. However, a 10-year management period is substantial and is consistent with that typically secured for developments of a similar nature. In my view, this timescale is sufficient to allow the landscaping measures to become fully established before the requirement for their ongoing management under the condition expires.
125. To protect habitats from significant harm, a condition which stipulates that the development shall be carried out in accordance with mitigation and enhancement measures as set out in the application [21] is necessary. For the same reason, a condition which requires the resubmission of amended ecological measures if construction has not taken place by a certain date or has been paused for 12 months [22], is necessary to ensure that the development would prevent harm to protected species. During the hearing, discussion took place regarding whether the date specified in the suggested condition, namely 4 November 2026, was appropriate given its relatively imminent deadline. The parties, and in particular the appellant, explained that the date had been informed by the timing of the relevant ecological surveys and associated data. In these circumstances, I am satisfied that the requirement is reasonable and justified.
126. The submission of a mitigation survey [23], the relevant licences to the local planning authority [24] and a lighting strategy [25] are also required to ensure that the development does not cause harm to protected species and their habitats. To conserve and enhance species of importance, the full details of a scheme for the location of bat and bird boxes, hedgehog highways and reptile hibernacula [26] is necessary. To ensure that such species are not harmed during construction, the submission of a Construction Environmental Management Plan [27] which specifically relates to biodiversity is necessary to protect these species and their habitats. The appeal site is located next to Harlestone Firs and its local wildlife site. As such, the submission of a Harlestone Firs mitigation strategy [28] is necessary to safeguard this local wildlife site, which is important in securing the long-term appearance of Harlestone Firs beyond the construction of the scheme.

127. I have included a condition which requires the reserved matters to be informed by the design principles contained within the Design and Access Statement, submitted with the application [29]. This condition is necessary in ensuring that the development is of an appropriate design standard which is reflective of the surrounding area. This condition has been adapted from a suggested condition presented by the Council.
128. This suggested condition was a particular focus of discussion for the appellant. During the hearing, it was established that the submitted Design and Access Statement provides an adequate and comprehensive articulation of the development's design principles. In these circumstances, I am satisfied that a separate design brief, as suggested by the Council, is not immediately necessary. Accordingly, rather than requiring the submission of an additional design brief, the condition has been amended to ensure that the reserved matters proposals are informed by, and accord with, the principles set out in the approved Design and Access Statement. This provides an appropriate and proportionate mechanism for securing a coherent and high-quality design outcome.
129. In ensuring that the development will provide a mix of dwelling types and sizes, a condition which requires the details of the housing mix and type to be submitted [30] are necessary. In the interests of sustainability, I have imposed a condition which requires water efficiency measures to be incorporated into any future reserved matters applications [31] along with a requirement to submit a sustainability statement which informs how the dwellings will utilise renewable energy methods [32].
130. To ensure that the development mitigates against and provides management for crime and anti-social behaviour, a condition which requires the submission of a crime prevention statement is necessary [33]. Harlestone Parish Council contended that the car park element of the scheme would give rise to anti-social behaviour. The car park is shown on the indicative plans as a means of accommodating visitors to Harlestone Firs. Whilst there is potential for a car park to attract vehicles that may cause disturbance through anti-social behaviour, details of the measures proposed to prevent this must be submitted to and approved by the Council as part of the reserved matters application. Whilst I acknowledge the concerns raised by the Parish Council, it is for the appellant to demonstrate how such issues will be addressed. This requirement ensures that the Council can assess whether the proposed measures are appropriate.
131. The Council suggested a condition relating to Biodiversity Net Gain (BNG). However, Planning Practice Guidance states that, as the biodiversity gain condition has a statutory basis and applies automatically to every planning permission granted, it is strongly encouraged that a separate planning condition is not imposed. Accordingly, I have not included the Council's suggested condition. Nevertheless, it is important to remind the appellant that, pursuant to Schedule 7 of the Town and Country Planning Act 1990, and as none of the statutory exemptions apply in this case, development must not commence until a biodiversity gain plan has been submitted to and approved by the local planning authority.
132. I have, however, imposed a condition requiring the submission of a Habitat Management and Monitoring Plan [34]. This is necessary to ensure that the

objective of delivering biodiversity net gain is achieved through the appropriate management and monitoring of habitats within the appeal site.

133. In its comments, the Parish Council requested the imposition of a condition requiring all pedestrian and cycle links, including the York Way crossing, to be completed prior to the first occupation of the development. This request arises from concerns regarding the sustainability of the appeal site in the context of the wider area, including alleged deficiencies in pavement widths and the provision of crossing facilities. I have addressed these matters elsewhere in this decision. However, it is unclear whether the Parish Council's request relates solely to the crossing points and cycle links proposed as part of this appeal scheme, or whether it extends to infrastructure associated with other developments in the wider area.
134. Conditions 4 and 17 require the submission of details relating to the site access and the proposed permissive paths. These conditions provide an appropriate mechanism for the Council to secure and approve such details before development proceeds. By contrast, a condition requiring the completion of all pedestrian and cycle links in the wider vicinity of the appeal site would not satisfy the six tests for planning conditions. Such a requirement would not be directly related to the development permitted within the red line boundary of the appeal site. Furthermore, it would lack precision and, crucially, would be unreasonable, as it would place responsibility on the appellant for the delivery of infrastructure that relates to other developments within the wider area.
135. York Way is a single carriageway road, with one lane in each direction. The evidence before me suggests that land has been safeguarded to allow for its widening should this become necessary. The Parish Council notes that the officer's report does not address how, or indeed whether, the footway associated with the appeal proposal would be retained in the event of such widening. Accordingly, it has been suggested that a condition be imposed to secure the retention of the footway should the highway be widened in the future.
136. However, there is no compelling evidence before me to indicate that the widening of York Way is planned or likely to come forward within a foreseeable timeframe. I must determine the appeal on the basis of the evidence before me. Should the widening of York Way become necessary in the future, any such scheme would need to be designed having regard to the existing highway infrastructure and circumstances at that time. Consequently, a condition requiring the retention of the footway in the event of a future highway widening is neither necessary nor justified.

Conclusion

137. The proposed development would conflict with the development plan, but material considerations indicate that a decision should be made other than in accordance with it. Therefore, the appeal should be allowed.

J Smith

INSPECTOR

Schedule of Conditions

- 1) Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced. The development shall be carried out in accordance with approved reserved matter details.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall commence not later than two years from the date of approval of the last of the reserved matters to be approved.
- 3) The application hereby permitted shall be carried out in accordance with drawing numbers:
 - 3517-01 Rev D 'Site Location Plan',
 - 3517-10 Rev O 'Land Use Parameters Plan',
 - 3517-11 Rev E 'Density Parameters Plan',
 - 3517-12 Rev E 'Height Parameters Plan',
 - 06503-CI-A-0101 Revision P09 'Site Access Proposal'
 - Dallington Gateway North Travel Plan document reference R_03_E_Travel Plan deposited with the Local Planning Authority on the 19th of September 2025.
- 4) Prior to the occupation of any dwellings, details of the new access onto York Way as shown on drawing number 06503-CI-A-0101 Revision P09 'Site Access Proposal' and labelled as 'Proposed access route into the proposed development' on this drawing shall be submitted to and approved in writing by the local planning authority. the access shall be completed in accordance with the approved details and shall be fully constructed on site and made available for use by traffic before any occupation of any dwellings. These measures shall remain in place for the lifetime of the development.
- 5) Prior to the occupation of any dwelling served by a new estate street, details of the proposed arrangements for the future management and maintenance of the streets within the development shall be submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established. The details and arrangements of such a private management and maintenance company shall be shared with the local planning authority.
- 6) No above ground works shall take place until full details of the surface water drainage scheme for the site, based on the approved Technical Note, Response to Lead Local Flood Authority 06503 P0 by PJA and dated 24/03/2025 and the Flood Risk Assessment and Drainage Strategy document ref: 06503-FRA-01-P2 by PJA and dated 02/12/24 have been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented and maintained in accordance with the approved details. The full details of the surface water drainage scheme shall include:

1. Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations, that include an allowance for climate change.
2. Cross sections of all control chambers (including site specific levels mAOD) and manufacturers hydraulic curves for all hydrobrakes and any other flow control devices.
3. Demonstration that for events with a return-period in excess of 3.3% (1in30), exceedance flow routes are appropriately routed such that there is no residual risk to property and critical infrastructure.
4. All surface storage features should provide a minimum 300mm residual uncertainty allowance (freeboard) above the design maximum water level to top of bank and to finished floor levels around the site.
5. A detailed plan for the maintenance and upkeep of every element of the surface water drainage system proposed on the site. The plan shall include:
 - a) Details of any drainage elements that will require replacement within the lifetime of the proposed development.
 - b) A site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas should be identified on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.
 - c) Confirmation that a gravity connection to the public sewer (either direct or indirect) is provided (if applicable).
- 7) All subsequent reserved matters applications shall be accompanied by an updated Flood Risk Assessment and Drainage Strategy, which includes a statement of compliance with the approved Flood Risk Assessment and Drainage Strategy and Technical Note (Technical Note, Response to Lead Local Flood Authority 06503 P0 by PJA and dated 24/03/2025 and the Flood Risk Assessment and Drainage Strategy document ref: 06503-FRA-01- P2 by PJA and dated 02/12/24).

The updated strategy shall include full drainage details [including BRE365 compliant infiltration testing and full detailed calculations]. The Strategy shall also include a programme for the delivery of the proposed surface water drainage system. The development shall be implemented in accordance with the originally approved or subsequently updated scheme as approved in writing by the local planning authority pursuant to that application. These measures shall remain in place for the lifetime of the development.

- 8) No occupation of the development shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted to and approved in writing by the local planning authority. The Verification Report is to demonstrate compliance with the approved Flood Risk Assessment and Drainage Strategy. These shall include:
 - a) As-built drawings;
 - b) Photos of construction of any elements of the drainage system which are not accessible for inspection upon completion;
 - c) Any departure from the agreed design is keeping with the approved principles
 - d) Results of any Performance Testing undertaken;
 - e) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc;

- f) Evidence that the system is free from defects, damage, and foreign objects.
- 9) No above ground works shall take place until full details of a scheme for the provision of foul water drainage for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
- 10) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
- The programme and methodology of site investigation and recording.
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - The programme for post investigation assessment.
 - Provision to be made for analysis of the site investigation and recording.
 - Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design to be submitted within six months of the completion of fieldwork.
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation within two years of the completion of fieldwork.
 - Provision to be made for archive deposition, which shall be approved by the local planning authority, of the analysis and records of the site investigation.
- 11) Prior to commencement of any development, a detailed noise assessment in line with the recommendations of the submitted Noise Assessment (Noise Consultants, 13704A-20-R01-04 dated 3rd of December 2024) shall be undertaken and a scheme for protecting the proposed dwellings from external noise sources affecting the site shall be submitted to and approved in writing by the local planning authority. Any assessment method and acoustic criteria used for the assessment shall be prior agreed in writing with the local planning authority and any proposed mitigation scheme shall meet the aims of the National Planning Policy Framework and Planning Practice Guidance on noise. Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwellings to which the scheme relates are occupied.
- 12) Prior to the commencement of any development, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority, after which any demolition, site clearance and construction shall be carried in accordance with the approved Construction Management Plan.
- 13) No development shall commence until an assessment of the risks posed by any contamination (including gases and water quality) has been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if

replaced), and shall assess any contamination on the site, whether or not it originates on the site.

The assessment shall include:

- a) a survey of the extent, scale and nature of contamination;
- b) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.

- 14) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority.

The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

The approved remediation scheme shall be carried out, and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority, before the development, or the relevant phase of development, is occupied.

- 15) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development, or relevant phase of development, shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 16) Details of the proposed refuse and recycling storage and collection shall be submitted with any reserved matters application. This shall include details of the proposed refuse storage and collection facilities for multiple occupancy accommodation such as flats/apartments (where applicable). These facilities shall be retained at all times thereafter.

- 17) Prior to the submission of any reserved matters application, a Permissive Paths Scheme for the provision of permissive routes within the application site, and connections at the site boundary to Harlestone Firs, to be generally in accordance with those shown on drawing number 3517-13 Rev S 'Illustrative Masterplan' shall be submitted to and agreed in writing by the local planning authority. The Scheme shall include details of routes, points of connection to Harlestone Firs, a programme for implementation, the material and surfacing detail specification, any signage details along with a timescale for these routes being made available for public use.
- 18) A landscaping scheme for the soft and hard landscaping of the development shall be submitted with any reserved matters application and approved in writing by the local planning authority. The landscaping scheme shall be generally in accordance with the principles shown on drawing number edp6302_d034b 'Landscape Strategy' within the Landscape and Visual Appraisal by edp and dated December 2024 (document reference edp6302_r005c) and the submitted Design and Access Statement.

It shall include the details of the species mix, type, density, size and location of the proposed soft landscaping. If within a period of ten years from the date of the planting of any tree, shrub or hedgerow, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the local planning authority, seriously damaged or defective) another tree, shrub or hedgerow of the same species and a similar size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 19) Details of the boundary treatments associated with the proposed development shall be submitted with any reserved matters application and shall include details of the positions, design, materials and type of all boundaries. The development shall be carried out in accordance with the approved details.
- 20) Prior to the commencement of development, an Arboricultural Method Statement shall be submitted and approved in writing by the local planning authority. This shall include details of how the trees and woodland on and adjacent to the site shall be protected, the locations of on-site protection measures and shall be informed by the submitted Arboricultural Impact Assessment (Incorporating Tree Protection Measures) by edp and dated November 2024 (document reference edp6302_r014a). The protection measures shall be carried out in accordance with the approved details and shall remain in place until all equipment, machinery and surplus materials have been removed from the relevant part of the site.

Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without the written consent of the local planning authority.

- 21) The development hereby approved shall be carried out in accordance with the mitigation and enhancement measures set out in Sections 4 and 5 of the Ecological Appraisal by edp dated November 2024 (document reference edp6302_r012b).
- 22) If the development hereby approved does not commence by the 4th of November 2026 (or, having commenced, is suspended for more than 12 months), the approved ecological measures secured through Condition 21 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:
- a. establish if there have been any changes in the presence and/or abundance of habitats and protected species and
 - b. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

- 23) Prior to the commencement of any development, including any demolition and any works of site clearance, a mitigation strategy for great crested newts, which shall include timing of works, details of any exclusion fencing, trapping and translocation, the location and design of alternative ponds/habitats together with the timing of their provision, shall be submitted to and approved in writing by the local planning authority. The mitigation strategy shall be based on the results of updated eDNA surveys and a population estimate survey of any ponds found to be positive for great crested newt eDNA. Thereafter, the mitigation works shall be carried out in accordance with the approved details.
- 24) Where an offence under Regulation 42 of the Conservation of Habitat and Species Regulations 2017 (as amended) is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on great crested newts until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the local planning authority.
- 25) Prior to commencement of any development (including demolition, ground works, vegetation clearance), an Ecologically Sensitive Lighting Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that lighting of is likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. This scheme should ensure lighting levels on the woodland edge does not exceed 1LUX.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

- 26) The full details of a scheme for the location of bat and bird boxes, hedgehog highways and amphibian/reptile hibernacula shall be submitted with any reserved matters application and shall be approved in writing by the local planning authority. Thereafter and prior to the occupation of any building these features shall be installed on the site in accordance with the approved details and retained for the lifetime of the development.
- 27) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
 - a) Risk assessment of potentially damaging construction activities;
 - b) Identification of 'Biodiversity Protection Zones';
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - d) The location and timing of sensitive works to avoid harm to biodiversity features;
 - e) The times during construction when specialist ecologists need to be present on site to oversee works;
 - f) Responsible persons and lines of communication;
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 28) Prior to the commencement of any development, including any demolition and any works of site clearance, a mitigation strategy for the Harlestone Firs Local Wildlife Site shall be submitted to and approved in writing by the local planning authority.

This mitigation strategy shall detail the specific measures to protect and manage those parts of Harlestone Firs Local Wildlife Site woodlands located within the application site, and shall include (but not be confined to) details of supplementary planting, selective thinning of non-target trees to open up the

understorey, sowing of woodland ground flora mixes to increase floral diversity, use of dead-hedging and signage to protect areas of woodland subject to higher levels of disturbance. The mitigation strategy shall also include details of measures to reduce the effects of increased recreation on the Local Wildlife Site. Thereafter, the development shall be carried out in accordance with the approved details.

- 29) The principles of the reserved matters shall be informed by the design principles contained within the Design & Access Statement (prepared by bhb architects). This Design and Access Statement shall provide the overarching design principles for the development of the site in order to inform any reserved matters application.
- 30) Details of the market housing mix and type shall be submitted as part of any reserved matters application.
- 31) The development hereby permitted shall not be occupied until the Building Regulations optional requirement of a water consumption rate of no more than 110 litres per person per day has been complied with.
- 32) A Sustainability Statement shall be submitted with any reserved matters application. This shall include details of how the dwellings will utilise renewable energy methods, passive energy, energy efficiency measures and sustainable design and construction methods. The agreed measures shall be carried out and retained for the lifetime of the development.
- 33) A detailed Crime Prevention statement shall be submitted with any reserved matters application and approved in writing by the local planning authority. This shall include details which describe how the design of the development will incorporate crime prevention measures in the site layout and building design and shall demonstrate how the potential of crime and anti-social behaviour as a result of the development will be reduced. The statement shall also include information of how the proposed visitor car shall be managed and designed in order to prevent instances of crime and anti-social behaviour, including details of surveillance, security measures, lighting and design features to protect the amenity of the closest residential properties.
- 34) The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include provision for the management and monitoring of the site for at least 30 years after the development is completed (or in accordance with a revised period set out in and future relevant regulations enacted by the Secretary of State).

Appearances

FOR THE APPELLANT

Rebecca Mitchell	Appellant
Gary Halman	Planning Agent (Gary Halman Land and Planning)
Charles Mylchreest	Director (Environmental Dimension Partnership Ltd)
Ben Pycroft	Senior Director (Emery Planning)
Chris Stack	Technical Director (PJA)
Will Thomas	Partner (Browne Jacobson Solicitors)

FOR THE COUNCIL

Oliver Billings	Senior Planning Officer
Simon Ellis	Head of Development Management
Richard Wood	Head of Planning Policy and Specialist Services

INTERESTED PERSONS

Leani Haim	Parish Council Representative (ONH Planning for Good)
Leah Coney	Parish Council Representative (ONH Planning for Good)
Sarah Stock	Harlestone Parish Council Chairman, Representative of the Harlestone Neighbourhood Plan Steering Group
Jenny Cross	Representative of the Harlestone Neighbourhood Plan Steering Group