



**West
Northamptonshire
Council**

Notice of Decision

Town and Country Planning Act 1990

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

To: Frontier Estates
C/O Frampton Town Planning
Ltd
Oriel House
42 North Bar
Banbury
OX16 0TH

Application No: WNS/2022/1741/EIA

**Application
Date:** 5 September 2022

**Date of
Decision:** 2 July 2026

WEST NORTHAMPTONSHIRE COUNCIL, in pursuance of powers under the above mentioned Act and Regulations, hereby REFUSE:

Application for full planning permission for the erection of 9 no. employment units comprising circa 69,744 sq.m./750,714 sq.ft. (GIA) of floorspace within Class B2 or B8 uses of the Town and Country Planning Use Classes Order 1987, with ancillary Class E(g)(i) offices and E(g)(ii) research and development, together with a Country Park, ground re-profiling in the Country Park, provision of Flood Storage Area through ground re-profiling which, by definition, is subject to the provisions of the Reservoirs Act 1975, new vehicular access from the A508 and associated site infrastructure including lorry parking. Application accompanied by an Environmental Statement

at Furtho Pits Old Cosgrove Road Old Stratford

In accordance with the accompanying plans and particulars, for the reasons specified below:

1. Notwithstanding the site's allocation for employment development under Policy AL5 of the South Northamptonshire Part 2 Local Plan (2011-2029), the proposed development would result in the loss of an area of Open Mosaic Habitat on Previously Developed Land (OMHPDL), a Habitat of Principle Importance, and associated priority species, and the loss of the designated Furtho Pit Local Wildlife Site, a site of local significance. The proposed mitigation measures are not considered to outweigh the identified significant harm arising from this loss and, as such, the proposal is considered contrary to Policies S10 & BN2 of the West Northamptonshire Joint Core Strategy, Policies AL5 (g), NE5, NE6, BN2 and SS2 (m) & (p) of the South Northamptonshire Local Plan and paragraph 193a of the NPPF.
2. Notwithstanding the site's allocation for employment development under Policy AL5 of the South Northamptonshire Part 2 Local Plan (2011-2029), the proposal by virtue of the siting, scale and height of Units 5 to 8 will result in unacceptable significant adverse impacts on the visual amenity of the occupiers of properties to the north of the site on

Stratford Road. The proposal is therefore contrary to Policy S10 i) of the West Northamptonshire Joint Core Strategy, Policies SS2 (b) and (f) of the South Northamptonshire Part 2 Local Plan (2014) and paragraph 135(a and f) of the National Planning Policy Framework.

3. Due to the absence of a S106 planning obligation, the proposal fails to secure sufficient provision for mitigation to off-set the impacts of the development or deliver the commitments in the proposal. Obligations are required in relation to: Sustainable Transport provision, Travel Plan – Implementation and Monitoring Fee, Employment Training & Skills provision, Landscape Maintenance, Biodiversity Net Gain and the Council's S106 monitoring costs. The proposal is therefore contrary to policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy, policies INF1, NE5 and AL5 (f) of the South Northamptonshire Part 2 Local Plan and paragraphs 56-59 of the National Planning Policy Framework.

The Council has taken into account the environmental information relating to the development (in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)).

Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraph 39 of the National Planning Policy Framework

In accordance with the above, WEST NORTHAMPTONSHIRE COUNCIL has worked with the applicant in a positive and creative way by engaging in discussions and, where possible, by enabling problems to be resolved within applications in accordance with its adopted protocol on 'Negotiating Submitted Applications'. In determining formal applications, WEST NORTHAMPTONSHIRE COUNCIL always seeks to look for solutions rather than problems so that applications for sustainable development can be approved, thereby resulting in improvements to the economic, social and environmental conditions of the area.

Yours faithfully,



Stephanie Gibrat – Assistant Director of Planning

Checked by:	NS
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NOTES TO APPLICANTS:

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposal or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (8 weeks in the case of advertisements, 12 weeks in the case of householder or minor commercial development) of the date of this notice *(see exceptions below)

Appeals can be made online at: <https://appeal-planning-decision.service.gov.uk/before-you-start>
If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK

If either the local planning authority or the Secretary of State refuse permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Thank you in advance for your assistance in this matter.

Yours faithfully,



Stephanie Gibrat – Assistant Director of Planning

A copy of the Officer's Report can be viewed on online at: <http://wnc.planning-register.co.uk/>