



PLANNING COMMITTEE: 2 July 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0909: Proposed residential development of 142 dwellings, garages and associated works, including new access roundabout
Land off Lancaster Way, Towcester Road, Northampton

WARD: Delapre and Briar Hill

APPLICANT: Bovis Homes Ltd and Xcite Projects Ltd

REFERRED BY: Head of Planning
REASON: Major development requiring a S106 Agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to conditions and the matters in paragraphs 1.2 and 1.3 for the following reason:

The proposed development, subject to conditions, would result in the effective reuse of this vacant site and would not have undue adverse impact upon visual and neighbour amenity and highway safety. The proposal is therefore compliant with the requirements of the National Planning Policy Framework and Local Plan Policies E11, E19, E20, E40 and H8.

1.2 That delegated authority be given to the Head of Planning to negotiate the detail of a Section 106 Legal Agreement to secure the following or combination of these with a view to optimising the affordable housing provision provided on site:

- i) 35% on-site affordable housing;
- ii) Primary School Education payment;

- iii) A payment towards the increase in capacity of Queen Eleanor interchange in accordance with the A45/M1 Growth Management Scheme;
- iv) A payment towards improvements in highway capacity;
- v) A payment towards increasing public transport provision;
- vi) That the on-site Public Open Space is maintained and made available for public access in perpetuity;
- vii) That the on-site Public Open Space and allotments are maintained in accordance with the Landscape Management Plan, dated April 2013 and received by the Council on the 9th May 2013;
- viii) Training opportunities for construction workers and associated administration costs;
- ix) A payment towards Community Development (which can include the provision and/or enhancement of off-site open space, such as Delapre Parkland);
- x) Place Making payment (which can include public realm improvements, public art and town/local centre improvements);
- xi) The Council's monitoring fee.

1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Northampton Local Plan Policy E19 and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to erect 142 dwellings, which comprise 40 two bedroom dwellings (all of which are houses except for four apartments and one flat over a garage); 59 three bedroom houses and 43 four bedroom units. The proposal also includes a number of areas of public open space and allotments. A total of 296 off street parking spaces (including garages) are proposed. The main vehicular access would be from Lancaster Way, where a new roundabout would be formed.

3. SITE DESCRIPTION

3.1 The application site is approximately 5ha in area and is allocated within the Northampton Local Plan for residential development (Policy H8). The application site has historically been used for the keeping of animals and allotments, although the use of the site has been in decline and fallen into disuse in recent years. As a result of this, the site is overgrown in places. A tree preservation order is in place to protect the mature tree adjacent to Lancaster Way. As part of the

general topography of the area, the site sloped downwards in a northerly direction with a number of undulations within the site.

- 3.2 The surrounding area is predominantly residential in nature, with the surrounding buildings being of a wide variety of scales, styles and types. Of particular relevance are the traditional houses within Towcester Road which date from the early part of the 20th century and the more modern dwellings within Hedgely Court and Hexham Court to the south; Braunstone Close to the west; and Tunnel Hill Cottages, Radleigh Close and Leah Bank to the north and Briar Hill Walk to the east. Pedestrian access to the site is also present (albeit currently closed) by a path that runs from Towcester Road (which also serves the rear of dwellings in this road) to Tunnel Hill Cottages with access from Braunstone Close. This route then travels in a northerly direction and joins Rothersthorpe Road.
- 3.3 Lancaster Way runs adjacent to the southern boundary of the site and provides vehicular access from Towcester Road to the residential accommodation to the west. Of additional note is that there is a driveway serving 196 Towcester Road which is accessed from Lancaster Way.
- 3.4 An area within the centre of the site (with an approximate area of 770m²) has been excluded from the application as this does not fall within the applicant's ownership or control.

4. PLANNING HISTORY

- 4.1 07/0348/FULWNN – Residential development comprising 206 dwellings – Approved.
- 4.2 The above application was approved, subject to a Section 106 Agreement, in March 2012. As this permission will remain extant until March 2015 it is a material consideration in the determination of this application.

5. PLANNING POLICY

- 5.1 Paragraph 17 of the National Planning Policy Framework (NPPF) requires that new developments should be of a high quality design and secures a good standard of amenity. Paragraph 50 of this document states that mixed developments, such as by having a varied amount size, tenure and type of housing should be provided. Paragraph 32 of the NPPF requires the provision of safe and suitable means of access to developments. Paragraph 100 advises that developments should be safe and not increase flood risk elsewhere.
- 5.2 **Northampton Borough Local Plan**
E11 – Tree protection
E19 – Implementing development
E20 – New development

E40 – Crime and anti-social behaviour
H8 – Allocated Housing Sites
H17 – Housing for people with disabilities
T4 – Off-site highway improvements
L25 – Alternative use of former allotment land

5.3 **Supplementary Planning Documents:**

Planning Obligations
Affordable Housing
Parking
Planning Out Crime

6. **CONSULTATIONS / REPRESENTATIONS**

6.1 **Arboricultural Officer (NBC)** – Requests that the tree protection measures are the subject of conditions.

6.2 **Environmental Health (NBC)** – Request conditions relating to the investigation of contamination, a noise assessment, refuse storage and a contamination management plan.

6.3 **Housing Strategy (NBC)** – The proposed provision of 50 affordable dwellings (which comprise 4 two bed apartments, 24 two bed houses, 21 three bed houses and 1 four bed house) is compatible with policy.

6.4 **Urban Designer (NBC)** – The concept and detailed layout is generally positive with the inclusion of a feature central square into the development layout. It also includes dwellings which are generally well related to the most positive elements of the scale, density and residential character of this area. However, the development could be further enhanced in terms of permeability and legibility.

6.5 **Environment Agency** – No objections subject to conditions relating to flood mitigation.

6.6 **Highways Agency** – No objections.

6.7 **Highway Authority (NCC)** – The scheme has been revised in order to ensure safety through appropriate kerb radii and visibility splays. In the event that the application is approved, it should be subject to obligations relating to increasing traffic capacity within the surrounding road network and improving public transport provision.

6.8 **Development Management (NCC)** – Requests payments, as part of a Section 106 Agreement towards the provision of primary education, the fire service and fire hydrants.

6.9 **Northamptonshire Police Crime Prevention Design Advisor** – Object to the provision of a link between the site and Towcester Road and Leah Bank due to the potential to encourage crime and anti-social behaviour. The open space includes boundary treatments which is a

positive. Additional details regarding the boundary treatments to the development are required. There are concerns regarding the position of some car parking spaces as they would not be routinely overlooked.

6.10 **Western Power** – No objections

6.11 **Letters of objection have been received from 50 parties** as the occupiers of neighbouring properties and the Buckingham Fields Community Action Group. Comments can be summarised as:

- The proposed dwellings are of a standard design.
- The privacy levels of existing neighbouring properties would be adversely affected.
- Questions are raised as to how the numerous walls that are proposed around the site are to be maintained.
- There would be a significant increase in traffic using Lancaster Way and Towcester Road, which would generate congestion and pollution.
- The proposed roundabout within Lancaster Way would result in a loss of green space within Buckingham Fields.
- The roundabout would be detrimental to highway safety.
- The site only has one access for emergency vehicles.
- The footpath link to Leah Bank and Towcester Road will encourage anti-social behaviour.
- An access between the development and Leah Bank would increase sustainability and remove the need to build a roundabout within Lancaster Way.
- The proposed development would place increased demands upon school places within the locality, which are already in short supply. Other infrastructure is also in short supply.
- The affordable housing is in clusters that are too large.
- There would be loss of trees and wildlife if the site were to be developed.
- There are historic wells on the site.
- The site features some contamination.
- The site is owned by a number of people.
- A number of residential developments have been permitted elsewhere and therefore the need for the development is questioned.
- The proposed allotments would be unattractive and detrimental to visual amenity.

7. **APPRAISAL**

Principle of the development

- 7.1 By reason of the site's allocation within the Northampton Local Plan, the character of the surrounding area and the presence of an extant planning permission for a greater number of dwellings within the same site, it is considered that the principle of developing this site for residential purposes is acceptable and well established, and is

therefore compliant with the aims and objectives of the National Planning Policy Framework (hereafter referred to as the NPPF) and the Northampton Local Plan.

- 7.2 The primary difference between the current proposal and the extant planning permission is that the number of dwellings has been reduced from 206 to 142. This is principally due to increased provision of public open space / allotments on-site and the replacement of flats with houses. These revisions combine to significantly reduce the density of the development (approximately 29 dwellings per hectare).
- 7.3 The proposed development would secure a relatively high level of open space and allotments that would help retain, in part, the site's original character. Whilst it is accepted that an area of existing green space would be developed in order to accommodate the proposed roundabout, this would be compensated for through the provision of two new areas of open space immediately adjacent to the site entrance. As a result of this, it is considered that accessibility to open space would not be diminished.
- 7.4 In the event that the application is approved, the Section 106 Agreement would secure that the open space is made available for public access throughout the life of the development. The Legal Agreement would also control the phasing of the open space.

Design, appearance and layout

- 7.5 The proposed access from Lancaster Way would be adjacent to two areas of public open space, one of which would include the protected tree. This layout would ensure that the site entrance has sufficient interest and enhance visual amenity. The buildings proposed to be located in this area would frame these areas of open space and, by reason of their large footprint and overall scale would have sufficient presence to form a visually strong entrance into the development. At key points within the development, the building designs utilised would include additional features such as fenestration or different materials, which would assist in creating further interest at these points.
- 7.6 A notable feature of the development is that a central area of public open space, including a play area and a retained mature tree. This space would be overlooked from the frontages of 14 dwellings, thereby offering good natural surveillance and activity within this space in line with the requirements of Local Plan Policy E40. The developer has proposed a post and rail fence to surround this area (the details of which could be secured by condition); this would ensure that this area is not used for unauthorised car parking, whilst providing road users with certainty as to where pedestrians will emerge. The roads surrounding this space would be paved, to emphasise the sense of place within this central Square.

- 7.7 The proposed layout also features a number of other areas of public open space and allotments. These reduce the built form and ensure that a number of dwellings would benefit from an attractive outlook. The majority of these areas would have between 4 and 8 dwellings that front onto them or be overlooked by flats thereby providing good natural surveillance. The exception to this is the space to the north-east of the site, as the apartments would front onto the shared parking area as opposed to the open space. However, within this building, there would be rooms that overlook this space.
- 7.8 The developer has submitted a management plan detailing how the areas of open space would be operated. In particular, the details state that all sheds and outbuildings are to be located in excess of 8m away from any boundary with residential properties. Furthermore, any such structure would not have an area in excess of 1.8m by 1.2m. A condition covering the internal boundary treatments (for the areas of open space, allotments and plot boundaries) is recommended, which would require details to be submitted and approved by the Council. For the foregoing reasons, it is considered that the proposed open space arrangements would be secured and not unduly impact upon the occupiers of neighbouring properties.
- 7.9 The layout of the development is sufficient to ensure that the occupiers of the proposed development have a suitable level of light, privacy and outlook. It is noted that there are a small number of dwellings that do not overlook their private rear gardens. Officers have discussed this matter with the development; however, the plans have not been revised. Notwithstanding this, it is considered that, on balance, as these spaces would be reasonably secured by reason of the presence of suitable boundary treatments (which would be the subject of a condition).
- 7.10 The proposed dwellings are of a variety of styles that are complementary towards the prevailing character, which is of importance due to the scale of the proposed development. The proposed house designs include a number of features to ensure that there is sufficient interest; these include bay windows, front gables and porches. The palette of materials shown includes a combination of bricks and render. In the event that the application is approved, it is recommended that it be subject to a condition requiring the submission of details relating to building materials in order to maintain visual amenity.
- 7.11 Given that that the proposed buildings (including the flats) would all be of two storeys in height (which is consistent with the character of the wider area), it is considered that the proposed development would not cause an undue detrimental impact upon the occupiers of neighbouring properties in terms of outlook as the scale of the development is sufficient to prevent any overbearing features from being created. Furthermore, the separation distances between the proposed and existing dwellings in terms of front-to-side or rear-to-side distances vary

between 14 and 25m and comply with the space around dwellings guidance contained in the Local Plan. These distances are considered to be sufficient to prevent any undue loss of privacy or light to the occupiers of neighbouring properties in line with the requirements of Local Plan Policy E20.

- 7.12 On account of the variations in land levels on the site, it is necessary and reasonable for a condition to be applied to any permission requiring that the finished building levels are submitted to and approved by the Council prior to development commencing in order to ensure that the dwellings do not form overbearing features on the neighbouring, existing properties.
- 7.13 The developer has recently submitted a plan detailing the treatments of the external boundaries of the site. This is the subject of further consultations at the time of preparing this report. Any additional consultation responses will be reported to the Committee via the addendum, which will be circulated prior to the Committee meeting commencing.

Highways and Access

- 7.14 The proposal includes the provision of 296 off-street parking spaces, which is considered to be sufficient to meet the needs of the proposed development. The car parking spaces are a combination of in curtilage parking and small communal areas that are overlooked by a number of dwellings. As a result of this, it is considered that the proposed provision is also safe and likely to deter anti-social behaviour.
- 7.15 The proposed roundabout and alterations within Lancaster Way are sufficient to ensure that highway safety would not be compromised and that congestion would not be created. In the event that the application is approved, it is recommended that it is subject to a condition requiring that these highway works are carried out at an early stage in the development process. The applicant has also revised the scheme in order to provide sufficient visibility splays within the internal roads to ensure that the pedestrian and vehicular safety is unaffected.
- 7.16 In order to provide sufficient infrastructure to meet the needs of the development, it is recommended that any approval be subject to a Section 106 Agreement relating to the increasing highway capacity (such as within the Queen Eleanor Interchange in accordance with the A45/M1 Growth Management Scheme) and to improve public transport provision.
- 7.17 The proposed development features pedestrian access from Lancaster Way, which would promote non-car means of travel. It is noted that a number of representations have been submitted regarding the potential for a pedestrian access to be created to the north of the site into Leah Bank. It is considered that this would increase permeability and encourage more environmentally sustainable means of travel, which

would outweigh any potential anti-social behaviour; however, it is noted that the section of land to the north of the application site within Leah Bank is within separate ownership and as such a link between the two cannot be provided at this stage. Notwithstanding this, the developer has provided a path up to the northern boundary in order to provide the potential for such a link in the future. Therefore, it is considered that in this specific regard, the requirements of the National Planning Policy Framework have been complied with.

- 7.18 The proposal has been revised in order to provide pedestrian linkages across the development (such as the paths between Plots 48 and 70, which is to the west of the site and in front of Plots 109-112 in the site's centre). These would ensure that the development is permeable and that there are adequate linkages between the proposed dwellings and areas of public open space. These are particular noteworthy in the areas surrounding the central area of public open space that benefit from good natural surveillance and the linkages in front of Plots 97, 99, 100 and 101 to the north east of the development. For this reason, it is considered that Local Plan Policy E40 has not been breached.
- 7.19 A number of representations have been submitted in respect of the linkage with an existing path that runs from the eastern boundary of the application site towards Towcester Road. This path terminates between numbers 182 and 184 Towcester Road and lies outside the application site. Officers have held discussions with the developer regarding the possibility of closing this link. However, it would appear that a private right of access exists from this path into the application site and therefore the developer is proposing that a lockable gate be installed at this point, in order to prevent any unauthorised access. The submitted site Management Plan details that keys would be held by the company responsible for the operation and maintenance of the open space and allotments and the party with the right of access. As a result, it is considered that the proposal would comply with the requirements of Local Plan Policy E40 in this regard.

Open space, management and maintenance

- 7.20 The proposal includes the provision of areas of public open space and allotments of good quality and quantity for development of this scale and kind. In order to maintain visual amenity and to ensure that a useable space is created, a condition is recommended that would secure details of a landscaping scheme. It is also recommended that an obligation be included within the Section 106 Agreement requiring that the areas of open space are made available for public access in perpetuity.
- 7.21 Whilst the provision of allotments within this scheme helps to create an unusual and distinctive development that promotes sustainability due to their ease of access for residents of the development and the environs of the application, there are concerns that these allotments could adversely impact upon amenity if they were not be maintained. In

order to address this concern, the developer has submitted a Management Plan, which details that a regime of regular inspections and maintenance would be put in place and followed. Furthermore, this plan indicates that boundary treatments would be subject to regular maintenance, whilst there would be controls over outbuildings. These measures would ensure that the spaces are kept to a satisfactory standard.

- 7.22 Whilst it is recognised that there is a good provision of on-site open space, it is likely that this would not be sufficient to meet all the needs of future occupiers of the development. Therefore, it is recommended that the Section 106 Agreement includes a payment towards the provision of and enhancement of areas of off-site public open space. This approach is consistent with the requirements of the Council's Supplementary Planning Document on Developer Obligations and the extant Planning Permission dating from 2012.
- 7.23 A number of representations have been submitted that have commented upon the presence of wells on the site. A condition is recommended (that is consistent with the extant approval) that would require the further investigation of this matter.

Environmental considerations

- 7.24 In order to secure a satisfactory standard of development and with reference to the advice from the Council's Environmental Health Service, conditions requiring contamination investigation and remediation where necessary would be appropriate. Further conditions requiring the remediation of any unsuspected contamination are also necessary.
- 7.25 In addition to this matter, conditions are necessary requiring the submission of an assessment of noise levels and any appropriate mitigation measures to protect the development against noise. In order to ensure that the amenities of the occupiers of neighbouring properties are not adversely impacted upon during the construction process, it is recommended that a Construction Management Plan is secured by condition that would cover, amongst other measures, controls over noise and dust.
- 7.26 As a result of the requirements of the NPPF, conditions requiring the submission of a drainage scheme and the means of securing foul drainage are considered necessary in order to ensure that the proposed development is not susceptible to flooding through inappropriate drainage or cause flooding elsewhere. This is consistent with the advice of the Environment Agency.
- 7.27 A number of representations have been received commenting on the principle of building on a currently undeveloped site. The applicant has submitted an ecological survey, which identifies that no bat roosts have been found on site and that whilst the site may be used for foraging,

there are other sites within the near vicinity that are likely to be of higher value for foraging bats (e.g. Towcester Road cemetery, Delapre Golf Course and Hunsbury Hill Country Park). There are no amphibian breeding habitats within the site or within 500m of the site and as such the site is of limited value to the amphibian population. On account of the surrounding residential developments, the lack of water bodies, mature woodlands or other higher value specialist habitats it is unlikely that any unusual or rare bird species would breed or regularly occur within the site.

- 7.28 No evidence has been found that badgers are present on the site although the submitted ecological assessment does suggest that a further survey into the presence of badgers should be carried out prior to the commencement of development. A condition is recommended to this effect.
- 7.29 The site's lack of connections with mature semi-natural woodland and the historical lack of provision of this habitat within the application site mean that dormice are unlikely to be present. The nature of the existing site (i.e. dense scrub, trees and short turf) mean it is unlikely that a population of reptiles or invertebrates could be supported.
- 7.30 Whilst it is accepted that a number of trees are proposed to be removed from the site, these are trees over which there are no statutory means of protection and are not worthy of a Tree Preservation Order. As such their retention could not be reasonably insisted upon.
- 7.31 A further consideration in respect of ecological matters is that the site benefits from a planning permission, which would necessitate the clearing of a very large section of the site. As this permission is extant, it clearly carries a significant amount of weight in the determination of the current application.
- 7.32 For the foregoing reasons and with reference to the fact that an existing, extant planning permission is in place for the site, it is considered that the principle of developing this site is acceptable and unlikely to adversely harm the quality of the natural environment. In any event, this assessment would not override any statutory protection afforded to certain species in the event that they are found on site.

Legal Agreement

- 7.33 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and

iii) Fairly and reasonably related in scale and kind to the development.

- 7.34 In addition to the obligations described within Paragraphs 7.16, 7.20 and 7.22 of this report, affordable housing is normally required to be provided at a rate of 35%. This equates to 50 dwellings and would comprise a combination of two, three and four bedroom properties.
- 7.35 As the development would provide 142 family dwellings, payments for the provision of off-site open space enhancement within the vicinity of the site are considered justified to respond to the needs of occupants of the development. This approach is consistent with the obligations of the extant planning permission. The final decision on the precise location of where this money is spent would be made with reference to the legal tests specified within Paragraph 7.33 of this report.
- 7.36 A request has been received from the County Council for a payment to be made for education provision. It is noted that the proposed development would provide a number of large houses, which can be reasonably assumed would be occupied by families with school age children. It is also acknowledged that there is currently very limited capacity within the primary schools closest to the application site.
- 7.37 However, it should also be recognised that the extant permission (which was approved in 2012) did not include an education payment within its associated S106 Agreement. As a result of this, officers have sought clarification from the County Council as to the change in circumstances that have led to the request at this stage. It would appear that at the time that the previous application was determined, the capacity within the neighbouring primary schools was generally within the upper years. These students have now moved onto secondary education, whilst any space capacity has been taken by larger intakes within the lower years. For this reason, it is considered that there has been a material change and therefore this request accords with the statutory tests with regards to planning obligations.
- 7.38 The County Council has also requested a payment for the provision of the fire services. There is no adopted development plan policy support for this and it is not clear what facilities would be secured / needs would be addressed by this requirement. The new Community Infrastructure Levy Regulations also prevent the pooling of S106 funds to deliver infrastructure. For these reasons it is not considered that this request cannot be supported.
- 7.39 The development will also make a payment and provide opportunities for the provision of construction worker training, which would be secured by the legal agreement in accordance with adopted policy.

8. CONCLUSION

- 8.1 The proposed development, subject to conditions and the securing of mitigation through a Section 106 Agreement would not have undue adverse impact upon neighbour and visual amenity and highway safety. Furthermore, the development would provide a number of houses within a sustainable location. Therefore, it is considered that the proposed development is compliant with the requirements of national and local planning policies.

9. CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 30154 HT-44 Rev. A; 30154 HT-45 Rev. A; 30344 01 Rev. K; 30344 02 Rev. A; 30344 03 Rev. A; 30344 04 Rev. A; 30344 05 Rev. A; 30344 05 Rev. A; 30344 06 Rev. A;

30344 100; 30344 101; 4186:01 Rev. B; 704/Tr Svy/1; AGD2; AGD2/FH; AGS2A; AST2; HTPD_A402 01; HTPD_A444 (special); HTPD_AF05 A2 A; HTPD_A4/1 01; HTPD_A444/2; HTPD_C431; HTPD_P202; HTPD_P202 (special); HTPD_P302 A; HTPD_P401v; HTPD_P404 (special); HTPD_P404 01 A; HTPD P202 (special); HTPD_P303 (special) HTPD_P303/1; HTPD_S241; HTPD_S461; HTPD_P306 (special); HTPD_P401 (special); HTPD_S351; TOWH/02/110; TOWH-02-2000; S2000/02 Rev. A; and Contextual Street Scenes

Reason: For the avoidance of doubt and to accord with the details of the planning application.

3. Full details of the method of the treatment of the internal boundaries (including for the areas of open space and allotments) of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

4. The development hereby permitted shall be carried out in accordance with the external boundary treatment details shown on drawing TOWH-02-2000, which shall be fully implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

5. Details and/or samples of all proposed external facing materials including windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

6. Full details of the proposed surface treatments of roads, accesses, parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The Development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory development in terms of visual amenity and highway safety in line with the requirements of the National Planning Policy Framework.

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

9. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrology and hydrological contexts of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 0.5% plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details prior to the substantial completion of development.

The scheme shall also include:

- i) Detailed design for each element of the proposed attenuation system, including storage and flows controls.
- ii) Details of how the scheme will be maintained and managed after completion.
- iii) Supporting drawings and calculations.

Reason: To prevent the increased risk of flooding, both on and off the site in accordance with the National Planning Policy Framework.

10. Prior to commencement of development, a scheme, including phasing for the provision of mains foul water drainage on and off the site has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and implemented prior to the first occupation of the dwellings hereby permitted.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

11. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Enclosure of phase or sub-phase development sites;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- The safe means of access of construction traffic to the site; and
- Routing agreement for construction traffic

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework.

12. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in the National Planning Policy Framework.

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 12 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 12 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 12.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in the National Planning Policy Framework.

14. Prior to the commencement of development, the applicant shall assess the noise levels of the site due to its exposure from transportation noise, with reference to the World Health Organisation guidelines for Community noise. This must take into account, where appropriate, roads or railways that may not be immediately adjacent to the site and the likely growth of traffic over the next 15 years, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of securing a satisfactory standard of development in terms of residential amenity in accordance with the requirements of the National Planning Policy Framework.

15. The approved noise assessment shall include, where the World Health Organisation guidelines for Community noise has not been complied with, a noise mitigation strategy, which should include a site plan showing the position, type and height of the proposed noise protection measures together with the resultant noise exposure levels. Where noise protection measures for the site are impractical or do not reduce the noise exposure levels for all amenity areas, floors or façades, a noise insulation scheme, including the provision of mechanical ventilation shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in terms of residential amenity in accordance with the requirements of the National Planning Policy Framework.

16. Details of the provision for the storage of refuse and materials for recycling to serve the flats and apartments shall be submitted to and

approved in writing by the Local Planning Authority prior to the commencement of development, implemented prior to the occupation or bringing into use of the building(s) and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

17. No development shall take place until the roundabout and works within Lancaster Way as shown on drawing 30344 01 Rev. J have been carried out.

Reason: In the interests of securing a satisfactory standard of development in terms of highway safety in accordance with the requirements of the National Planning Policy Framework.

18. The development hereby permitted shall be carried out in accordance with the tree protection measures as shown on drawings Towh-03-081Rev. A and Towh-03-081Rev. B.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policy E11.

19. A minimum of 10% of the total number of dwellings shall be constructed to the Council's mobility standards and implemented concurrently with the development and retained thereafter.

Reason: In the interests of securing mixed development in accordance with the requirements of Local Plan Policy H17.

20. Prior to the commencement of development, a full survey and assessment of the site shall be undertaken and the details submitted to the Local Planning Authority to ascertain the existence and location of historic wells on site. If, as a result of the survey, any wells are found, a further statement shall be submitted to and approved in writing by the Local Planning Authority detailing how the wells shall be dealt with. Development shall be carried out in accordance with the approved details.

Reason: To ensure effective investigation of the site has been undertaken in respect of historic wells in accordance with the requirements of the National Planning Policy Framework.

21. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development relative to surrounding neighbouring property shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan.

22. Prior to the commencement of development, a pre-construction survey into the presence of badgers and any mitigation measures shall be submitted to and approved in writing by the Local Planning

Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

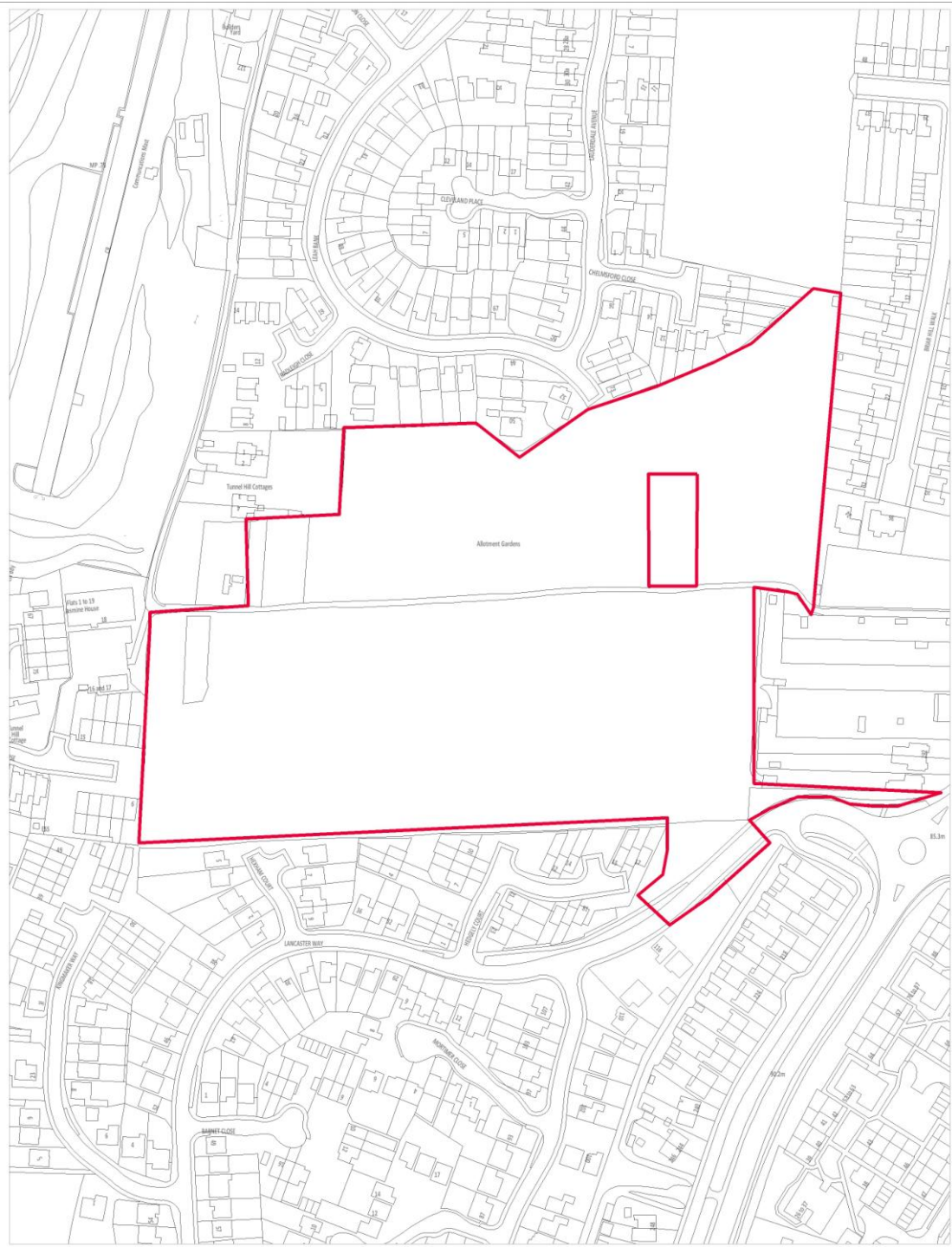
10.1 07/0348/FULWNN and N/2012/0909.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name:
 Date: 11th June 2013
 Scale:
 Dept:
 Project:

Title

Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655