



PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/1263: Erection of 38 no. new dwellings comprising 12 no. flats and 26 no. houses in addition to a retail unit (400 sqm) with associated parking and installation of new access road at land between Booth Rise and Talavera Way

WARD: Boothville

APPLICANT: Westleigh Developments Ltd
AGENT: RG+P

REFERRED BY: Head of Planning
REASON: Major development requiring a Section 106 Agreement and affecting land owned by Northampton Borough Council

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to conditions, would represent the satisfactory reuse of the land and contribute to the established housing need in Northampton. The development is of a satisfactory design and layout and would not impinge upon the amenities of surrounding occupiers or highway safety. The development is therefore in accordance with the National Planning Policy Framework and Policies E19, E20, E40 H7 and H32 of the Northampton Local Plan

1.2 The prior completion of a Section 106 Legal Agreement to secure:
i) 35% of the development to be used for affordable housing;

- ii) A financial payment to fund the provision, improvements to connections and/or enhancements to areas of public open space within the vicinity of the site;
- iii) A financial payment to fund highway improvement works within the vicinity of the site;
- iv) A financial payment to fund the provision of two bus shelters and their ongoing maintenance within the vicinity of the site;
- v) A financial payment to fund the provision of primary and secondary school education facilities within the vicinity of the site;
- vi) Construction worker training opportunities; and
- vii) The Council's monitoring fee.

1.3 The prior resolution of the objections from the Environment Agency in respect of drainage.

1.4 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 full planning permission to erect 38 dwellings. These comprise 16 two bedroom houses, 10 three bedroom houses and 12 one bedroom flats. The houses would be two storeys in height, whilst the flats would have a height of three storeys. The proposal also seeks permission to construct a single storey convenience store with an area of 400 square metres, of which 323.1 square metres would be used for the display and sale of goods. The proposed store includes an ATM on the western elevation and would be serviced from a yard to the east of the building. The development includes the provision of 65 off street car parking spaces, including 17 for use by the retail unit.

2.2 The development would be accessed via a new roadway that would run from the original section of Booth Rise, which is situated to the west of the application site, and would utilise an existing turning area.

3. SITE DESCRIPTION

3.1 The application site is a vacant plot of land situated between Booth Rise and Talavera Way that is not allocated for any particular purpose in the Local Plan. The site features a number of variations in land levels and is currently in a somewhat overgrown state. The site also features a number of trees.

- 3.2 The surrounding area is characterised by the presence of residential accommodation, which broadly comprises older houses and bungalows of traditional appearances that run alongside Booth Rise and Thorpeville in a ribbon pattern and more recent residential developments. The most prominent of these is the Booth Park development, comprising 111 dwellings, which is in the process of being constructed, with some dwellings now being completed and occupied. The surrounding buildings are typically of one or two storeys in height, although there is a three storey block of flats at 69-71 Booth Rise, whilst the Booth Park development also includes some buildings of three storeys.
- 3.3 The site is adjacent to Booth Rise, which serves as one of the main routes into Northampton from Kettering. The site is also adjacent to the Spinney Hill roundabout, which forms a junction between Booth Rise, Thorpeville and Talevera Way, in addition to access to Stone Circle Road.

4. PLANNING HISTORY

- 4.1 None relevant

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise.

5.2 National Policies

The National Planning Policy Framework (hereafter referred to as the NPPF) states that planning should proactively support sustainable development to deliver new homes, whilst seeking good quality design, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 of the NPPF requires that new developments should provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

5.3 Northampton Local Plan

E11 – Trees and hedgerows
E19 – Implement development
E20 – New development
E40 – Crime and anti-social behaviour
H7 – Residential development

H17 – Housing for people with disabilities
H32 – Affordable housing

5.3 **Supplementary Planning Guidance**

Developer Contributions
Parking
Planning out Crime

6. **CONSULTATIONS/ REPRESENTATIONS**

Representations are summarised as follows:

- 6.1 **Anglian Water** – Request a condition that would require the submission and agreement of a drainage strategy prior to the commencement of development.
- 6.2 **Arboricultural Officer (NBC)** – No objections, but recommend that in the event that the application is approved, it be subject to a condition requiring the submission of a landscaping scheme and for this to be maintained.
- 6.3 **Archaeological Advisor (NCC)** – The site is located adjacent to an area where an extensive amount of historical information has been identified. No archaeological work has been carried out on this site and therefore a condition is recommended that would require an on site investigation.
- 6.4 **Construction Futures** – Request the securing of training opportunities and funding for construction worker trainees.
- 6.5 **Development Management (NCC)** – Request Section 106 obligations for the provision of primary and secondary education, the fire and rescue service, the library service and for the provision of a fire hydrant.
- 6.6 **Environment Agency** – Objecting to the proposal as further justification and supporting information is required in respect of the chosen drainage method.
- 6.7 **Environmental Health (NBC)** – It is advised that a condition is attached to any approval requiring the remediation of any potential naturally occurring contamination. The applicant has demonstrated that noise levels to future residents of the development can be mitigated. Recommend conditions relating to the control of deliveries to the retail unit and its opening times. A condition mitigating noise emanating from this use is also advised.
- 6.8 **Highways Agency** – No objections.

- 6.9 **Highway Authority (NCC)** – Support the application. It is requested that a condition is attached to any permission requiring the submission of a travel plan. In order to encourage the use of more sustainable means of travel, it is recommended that a Section 106 Agreement be entered into that provide bus shelters to serve the existing bus stops. The proposal is likely to result in the increase in usage of the Round Spinney roundabout, which should be mitigated. This could be achieved through a Section 106 obligation that would fund improvements to the roundabout as part of the Highway Authority's programme of works. This includes the provision of traffic signals on the approach to the roundabout. Further comments on the transport statement are awaited.
- 6.10 **Housing Strategy (NBC)** - The mix in terms of tenure and sizes is consistent with meeting needs within the Borough. The houses with gardens will address the needs of families, whilst the one bed flats also meet the significant need for these types of properties that exist in the area. The Council should seek 35% of the development for affordable housing, which would be split on a 70% rent/30% intermediate basis.
- 6.11 **National Grid** – The site is in the vicinity of National Grid apparatus. The attention of the developer is drawn to various guidance points.
- 6.12 **Northamptonshire Police Crime Prevention Design Advisor** – No objection as the scheme has been revised to address previous areas of concern.
- 6.13 **Urban Designer (NBC)** – The scheme has been revised to improve the character and appearance of the development. The parking arrangement for Plot 16 is acceptable as this is a more open corner plot. Further details of surface treatments and boundary treatments are required. The fenestration arrangement on the side of the store could be further enhanced.
- 6.14 **Michael Ellis MP** – Objecting as the site is unsuitable for housing due to its proximity to busy roads. The site has formed a buffer between developments. The development would adversely affect the amenity of existing residents.
- 6.15 **County Councillor M. Hallam** – Objecting as the site is not suitable for development and the site has historically formed a buffer between houses and busy roads. The Round Spinney roundabout cannot take any more additional traffic.
- 6.16 **38 letters of objection.** Comments can be summarised as:
- The area is heavily congested by traffic, which would be exacerbated by the proposed development. Traffic surveys have not been carried out as the busiest times.

- The site of the proposed site entrance is often used for car parking by existing residents. Therefore the proposed development would increase parking problems.
- Insufficient car parking has been provided in the development.
- The development would be an out of character form of development. Booth Rise is characterised by 1930s dwellings.
- The development would result in the loss of areas of green space, which are of use to the local community. The loss of areas of planting is also to be regretted.
- New development should be directed towards previously used land.
- The development should be assessed in conjunction with the Booth Park development and the proposed Northampton North Sustainable Urban Extension. There should be a comprehensive approach to traffic management.
- The site is unsuitable for development due to the differing land levels and drainage easements on site.
- There is a lack of local facilities, such as school places.
- There was no public consultation prior to the application being submitted.

7. APPRAISAL

Principle of the development

- 7.1 It is accepted that the site currently serves as a landscaped buffer between Booth Rise and Thorpeville; however, the site does not have any specific allocation in the Northampton Local Plan. As a consequence of this, alternative uses for the site can be considered. Due to the significant distance between Booth Rise and Thorpeville and the presence of other areas of open space within the general vicinity, it is considered that the development would have a neutral impact upon the area's character. Therefore there is no over-riding planning policy objective that would require the retention of this site as open space.
- 7.2 The presence of trees on this site is an important characteristic of the streetscene; however, it is understood that these are generally poor specimens and therefore their removal would not be contrary to the requirements of Local Plan Policy E11. The removal of these trees would be mitigated through the submission of a landscaping scheme that would ensure that those trees capable of retention are maintained and replacement planting takes place.
- 7.3 The applicant has submitted an air quality assessment, which has concluded that the air quality surrounding the application site is sufficient to ensure a satisfactory standard of residential amenity for the future residents of the development.

- 7.4 The advice of the Council's Environmental Health section is that the development be permitted subject to a condition requiring that the recommendations of the applicant's noise mitigation strategy are implemented in order to ensure a satisfactory level of residential amenity. As part of their submission, the applicant has investigated the potential for contamination on the site. As a consequence of this and due to the potential residential use of the site, a number of conditions are recommended that would secure the remediation of naturally occurring contamination.
- 7.5 It is noted that objections have been received from the Environment Agency; however, it is understood that the basis of these objections stems from a need to provide greater justification and supporting information in respect of the proposed drainage methods. The applicant is working to resolve these matters and a further update will be provided at the Committee meeting.
- 7.6 In order to mitigate the impacts of the proposed development, it is recommended that a condition be attached to any approval that would require the submission of a Construction Environment Management Plan. This would include details pertaining to the phasing of the development, hours in which construction works would take place and methods for the suppression of construction noise and dust.
- 7.7 The proposed development would provide 38 dwellings, which would make a contribution to the established need for housing in Northampton.

Design and Layout

- 7.8 The design of the dwellings has been revised during the application process. In particular the palette of materials has been changed to focus on red bricks. The level of rendering has also been reduced and is now predominantly used to add interest and emphasise elements of the building. This design approach is suitable given the traditional form of the surrounding properties.
- 7.9 The houses are of two storeys in height, whilst the flats would have a height of three storeys. It is considered that these heights are suitable given the type of buildings in the surrounding area as described in paragraph 3.2. The siting of the two 3 storey buildings adjacent to Booth Rise is appropriate on account of this providing a suitable feature on the edge of the development, whilst ensuring that it would not lead to a loss of light, outlook or privacy to the occupiers of the surrounding proposed and existing dwellings.
- 7.10 It is recognised that due to the varied topography of the site, it would be necessary to carry out some alterations to the site's levels. In order to ensure that these works do not harm the amenity of existing

residents, a condition is recommended that would ensure that these works are approved by the Council prior to any works commencing.

- 7.11 Each of the houses would have a sufficient separation distance, which ensures that all residents of the development have a suitable level of light, outlook and privacy. In addition all of the proposed dwellings would have a suitably sized rear garden. This is of particular importance due to the presence of family housing in the development. The layout of the section surrounding the flats has been revised so that the cycle storage is sited adjacent to the entrance to the flats. This arrangement is likely to encourage the usage of this facility due to the more attractive location and greater security. This promotes more sustainable means of travel. This is in accordance with the NPPF and Local Plan Policy E40.
- 7.12 The residential development includes 48 car parking spaces. This provides an average provision of approximately 1.3 spaces per dwelling. Whilst this level of parking is less than the maximum level specified in the Parking Supplementary Planning Guidance, the provision is acceptable given that the predominance of the development is given over to the provision of one and two bedroom dwellings. Furthermore, the site is in close proximity to a bus stop in Booth Rise and cycle storage has been provided for the flats. Therefore, the proposal has addressed the likely parking needs arising from the development.
- 7.13 The proposed parking spaces are either situated within the curtilages of dwellings or in areas that would be habitually overlooked and benefit from natural surveillance. It is accepted that one dwelling (Plot 16 to the west of the site) features two car parking spaces to the side of the property. These spaces would feature from some surveillance from the associated dwelling and would benefit from natural surveillance arising from the prominence of the space. For these reasons, the proposed parking arrangement is acceptable and in compliance with Local Plan Policy E40.
- 7.14 The development would secure the provision of at least 35% of the development for affordable housing, which assists in creating a mixed community and addressing a need for such housing within Northampton. In order to ensure that a mixture of house types are made available on affordable tenures, the legal agreement would secure the provision of six 1 bedroom flats, five two bedroom houses and three 3 bedroom houses for this purposes. In addition, and in conformity with Local Plan Policy H17, a condition would secure 10% of the development to be constructed to the Council's mobility standards. This ensures that a variety of housing would be provided to meet the varied needs of the community.

Retail unit

- 7.15 The development includes a retail unit, of which 321.1 square metres would be used for the display and sale of goods. By reason of this limited floor space, the applicant is not required to submit sequential and impact assessments as the floorspace falls below the thresholds established in the NPPF and the submitted West Northamptonshire Joint Core Strategy. Nonetheless, it is necessary to consider that the impacts of this element of the development on the viability and vitality of the allocated hierarchy of centres.
- 7.16 Whilst the proposed store is located outside of an allocated centre, due to its limited floor space, the impacts of the development upon centre viability and vitality is unlikely to be significant. This is because the nature of retailing carried out in the store would comprise small scale, 'top up' purchases of a more frequent nature, rather than large scale shopping trips, typically carried out within an allocated centre. As a consequence of this, it is considered that the development proposed does not necessarily have to be accommodated within an allocated centre. In order to provide certainty of this in the future, a condition is recommended that would limit the amount of the building that can be used for the display and sale of goods.
- 7.17 The design of the building has been revised during the application. The alteration primarily consists of changes to the building materials, the entrance canopy and the amount of fenestration. This ensures that the building harmonises with its surroundings and would not detrimentally impact on the visual amenity of the locality. As with the residential accommodation, it is likely that there would need to be some alterations to the site's levels. This would be the subject of a pre-commencement condition. The design of the store also ensures that the ATM would benefit from natural surveillance as required by Local Plan Policy E40.
- 7.18 The entrance and car parking would benefit from natural surveillance arising from the proximity of this to the main estate road. The northern boundary of the store and car parking site would feature a variety of landscaping in order to prevent unauthorised access to the site. These measures would therefore deter anti-social behaviour in line with Local Plan Policy E40.
- 7.19 It is accepted that the arrivals and departures of patrons from the store could cause some disturbance; however, this can be mitigated through a condition limiting the store's opening times. In addition, a condition is recommended that would require the submission of a strategy for the mitigation of any noise arising from equipment (such as chiller units) associated with the store. This would ensure that this element of the development is compliant with the NPPF.

- 7.20 The store would be served by 17 parking spaces (including two for use by customers with disabilities), which is sufficient given the scale of the development. Furthermore, it is likely that due to the proximity of the store to the proposed and existing residential properties and the provision of cycle storage and the scale of retailing that would take place in the building, it is likely that that some customers would not use cars to travel to the store. The rear (northern) boundary of the site would feature a substantial amount of landscaping, which would prevent unauthorised access to the car parking area. This would ensure that this element of the proposal is compliant with Local Plan Policy E40.
- 7.21 The service area would be screened from the surrounding road network would reduce the prominence of this element of the proposal. The development includes sufficient space for commercial vehicles to turn without detriment to highway safety. In addition, the service area has been situated so that it is the furthest possible distance away from existing and proposed houses, which would ensure that deliveries would not cause undue detriment to residential amenity. Further mitigation would be secured by a condition controlling the times in which deliveries can be made.

Highways implications

- 7.22 As discussed previously, the development includes sufficient parking to meet the likely needs arising from the development. Furthermore, the layout of the development has been revised so that internal junctions in the development have sufficient visibility to avoid highway and pedestrian safety being compromised.
- 7.23 It is accepted that the development would increase road traffic use within the vicinity, which should be seen as being in conjunction with the impacts of the new residential development on the opposite side of Booth Rise and the impacts of the potential Northampton North Sustainable Urban Extension (planning application currently undetermined by Daventry District Council); however, the applicant has undertaken an assessment of the likely traffic arising from the proposed development.
- 7.24 The application has been assessed by the Highway Authority and no objections have been received. It is accepted that the development is likely to increase the usage of the surrounding road network, including Booth Rise and the Spinney Hill roundabout. Whilst this is unlikely to result in a large effect on the free flow of traffic, the impact should be mitigated. This can be achieved through an obligation to the Section 106 Agreement that would secure improvements to the surrounding highway system. The representations from the Highway Authority indicate that this money would contribute towards the Authority's programme of improvements to the Round Spinney roundabout.

7.25 In order to encourage more sustainable means of transport, the Section 106 Agreement would also secure new bus shelters for the existing bus stops in proximity to the site. A condition is also recommended that would require the submission of a travel plan.

Legal Agreement

7.26 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.

7.27 As discussed previously, 35% of the development would be utilised for the provision of affordable housing. 70% of these dwellings would be utilised for social or affordable rent and 30% intermediate ownership. This would ensure that the development provides a mixture of housing to provide a varied community in line with the requirements of national and local planning policies. As discussed in paragraphs 7.24 and 7.25, the legal agreement would also secure improvements the highways system.

7.28 It is recognised that the development would provide a comparatively high number of family accommodation units. As a result of this and with reference to the above tests, an obligation would be entered into that would be require a payment towards the increased provision of primary and secondary education facilities within the vicinity. The nature of the development, by reason of the likely number of future occupants, is likely to increase the demand for and usage of public open space. Accordingly, and in line with the requirements of Local Plan Policy E19, it is recommended that an obligation be included as part of the Section 106 Agreement to fund improvements and enhancements to open space within the vicinity of the application site.

7.29 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.

7.30 As discussed previously, it is also recommended that the Section 106 Agreement include a payment towards the provision of highway improvements.

7.31 The County Council has also requested a payment for the provision of the fire services and libraries. There is no adopted development plan policy support for these requests and it is not clear what facilities would

be secured needs would be addressed by this obligations. The new Community Infrastructure Levy Regulations, as discussed previously, also prevent the pooling of S106 funds to deliver infrastructure. For these reasons it is not considered that this request can be supported. The County Council have also requested that a fire hydrant is provided. This is a matter that would be addressed under the relevant building regulations and therefore does not need to be replicated as part of the planning process.

8. CONCLUSION

- 8.1 The development represents an acceptable use of the land and would not be detrimental to the character and appearance of the locality. The development would not have an adverse impact upon neighbour amenity and highway safety. As a result of various conditions and a Section 106 Agreement, the impacts of the development could be mitigated and therefore the proposal is considered acceptable,

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 attached schedule of approved plans.

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

3. Details and/or samples of all proposed external facing materials 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.

4. Full details of the method of the treatment of the external boundaries 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

5. 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.

6. 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.

7. All trees shown to be retained shall be protected for the duration of the development by stout fence(s) to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials nor waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E11 of the Northampton Local Plan.

8. A minimum of 10% of the affordable dwellings and a minimum of 10% of other dwellings shall be available for occupation by persons with disabilities and constructed to the Local Planning Authority's mobility housing standards and details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site and thereafter implemented concurrently with the development, and thereafter retained as such.

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H17 of the Northampton Local Plan.

9. No drainage works shall commence until a surface water management strategy 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 fully implemented prior to the construction of all hard standing areas and retained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of the National Planning Policy Framework.

10. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing naturally occurring contamination shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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.

11. The approved remediation scheme in Condition 10 above must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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.

12. Noise mitigation measures for individual plots, which covers glazing and ventilation specifications, shall be carried out in accordance with the details contained within noise assessment dated the 28th February 2014 (reference: 1628 Northampton – Booth Rise) prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

13. A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the retail unit hereby permitted and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with the advice contained in the National Planning Policy Framework.

14. Details of the provision for the storage of refuse and materials for recycling to serve the flats hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

15. Details of the provision for the storage of refuse and materials for recycling to serve the retail unit hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first use of the retail unit hereby permitted and retained thereafter.

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

16. Notwithstanding the details submitted, full details of the cycle storage to serve the flats shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details,

implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interests of encouraging more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

- 17 Notwithstanding the details submitted, full details of the cycle storage to serve the retail unit shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first use of the retail unit hereby permitted and retained thereafter.

Reason: In the interests of encouraging more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

- 18 Prior to the first occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two months of the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of promoting more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

19. Prior to the commencement of development a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved CEMP, which shall include:
- i. The control of noise and dust during the development process;
 - ii. Traffic management and signage during construction;
 - iii. Phasing;
 - iv. Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
 - v. Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
 - vi. The safe means of access of construction traffic to the site;
 - vii. Routing agreement for construction traffic; and
 - viii. Hours of operation of building works

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.

20. No development shall take place until the applicant, their agents or their successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with 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 in 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. The parking and roadways as shown on drawing 7771/019J shall be fully constructed prior to the first occupation of the development hereby approved.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

23. The retail unit service are as shown on drawing 7771/019J shall be fully constructed prior to the first use of the retail unit hereby approved.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

24. The retail unit service area as shown on drawing 7771/019J shall not be used for the storage of goods.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

25. The net sales area of the retail store shall be limited to a maximum of 323.1 square metres.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

26. The retail unit hereby permitted shall only be open to members of the public between the hours of 7:30am and 8pm on any one day.

Reason: In the interests of residential amenity in accordance with the requirements of the National Planning Policy Framework.

27. All deliveries or collections to and from the retail unit shall only take place between the hours of 8am and 8pm on any one day.

Reason: In the interests of residential amenity in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

- 10.1 N/2013/1263

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: **Planning**
 Date: **12th March 2014**
 Scale: **NTS**
 Dept: **Planning**
 Project: **Committee**

Title

Development land between Talavera Way and Booth Rise

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