



**PLANNING COMMITTEE:** 17<sup>th</sup> February 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1160:** Erection of 51 dwellings with associated access, parking and landscaping at AT Toolcentre Ltd, Studland Road

**WARD:** Semilong

**APPLICANT:** Orbit Homes  
**AGENT:** Lifespace Design

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

**REASON:** Major application requiring S106 legal agreement

**DEPARTURE:** YES

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to the following:

a) The prior finalisation of a Section 106 agreement to secure:

- 100% on site affordable housing;
- and the provision of construction training; and
- The Council's monitoring fees.

b) The conditions below and for the following reason:

The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would be in keeping with the character and appearance of the area and would enable the rationalisation and improvement of the area by removing a conflicting commercial use adjacent to residential dwellings. The development

would provide for 100% affordable housing, for which there is a recognised need. The development would contribute towards the Borough's 5 years housing land supply. The development would therefore be in accordance with Policies H2, S1, S4, S10 and INF1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

- 1.2 As the consultation period has not expired at the time this report is prepared, it is recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any additional issues raised in comments received not dealt with in the report.
- 1.3 It is also recommended that in the event that the S106 legal agreement is not secured within three calendar months of the date of this Committee meeting, delegated authority be given to the Director of Regeneration, Enterprise and Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

## **2. THE PROPOSAL**

- 2.1 The proposal is for the demolition of all on site buildings and the construction of 51 dwellings which would be 25 two bedroom houses, 11 three bedroom houses and 15 one bedroom apartments. The apartments would be in two separate blocks at the north-east and north-west corners of the site whilst the houses would occupy the remainder of the site. Access would be taken from Studland Road, Bembridge Drive and Branksome Avenue.

## **3. SITE DESCRIPTION**

- 3.1 The site currently accommodates a commercial building, now vacant, and associated car parking.
- 3.2 The site is surrounded on three sides by roads, and on the fourth southern side is adjacent to a residential area. Beyond the roads to the north and west are commercial premises whilst to the east is another formerly commercial site, the Grose Motors site, which has recently been granted planning permission in principle, subject to the finalisation of a S106 agreement, for a residential development together with a supermarket.

## **4. PLANNING HISTORY**

- 4.1 Planning history relates to the original erection of a factory on the site in 1951, and subsequent extensions and related applications, which are not of direct relevance to the current application.

## **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. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013).

### **5.2 National Policies - National Planning Policy Framework (NPPF)**

The NPPF states at paragraph 49 that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.

In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17).

### **5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015**

The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. As part of the development plan, consistent with Section 38(6) it carries significant weight when considering planning applications.

Policy S1 of the JCS states that new developments should be concentrated primarily in and adjoining the existing principal urban area of Northampton.

Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment.

Policy S10 sets out sustainable development principles and requires that new developments will achieve the highest standard of sustainable design.

Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures.

Policy H2 sets out the requirements for affordable housing and requires that at least 35% of developments of 15 or more dwellings should be made available for this purpose.

#### 5.4 **Northampton Local Plan 1997 (Saved Policies)**

Many policies of the Local Plan have now been superseded by the Joint Core Strategy, however Policy B14 remains in force and seeks the retention of allocated business sites for employment purposes (Use Classes B1, B2 and B8) unless it can be demonstrated that the proposed redevelopment would generate significant employment and community benefits.

Policy E20 also remains relevant and states that new buildings should be of an appropriate design.

#### 5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

### 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received can be summarised as follows:

- 6.1 **NHS England** – The development will result in additional GP registrations and therefore a contribution towards the cost of additional facilities is requested.
- 6.2 **Northamptonshire County Council** – Contributions are requested towards the cost of education, fire and rescue, libraries and broadband.
- 6.3 **Anglian Water** – No assets of Anglian Water are within the site boundary, there is capacity for the waste water and foul sewage which would be generated. Surface water disposal should be via a SUDS system. A condition is requested for an alternative strategy.
- 6.4 **Environmental Health** – Conditions are requested for a Construction Environmental Management Plan, Site Investigation and noise mitigation scheme.

- 6.5 **Environment Agency** – Conditions are required in respect of site investigation, remediation and verification of the results, and in respect of foul water drainage.
- 6.6 **National Grid** - National Grid has plant in the vicinity and should be contacted before work is carried out.
- 6.7 **Western Power Distribution** – No objections
- 6.8 **Highways Agency** – The proposed development is not expected to have a material impact on the closest strategic route, the A45.
- 6.9 **Local Highway Authority** - revised drawings are acceptable, no observation to make subject to a Section 184 licence being applied for, for the new vehicular crossover. Additionally, the Local Highway Authority confirmed in response to an objection that Branksome Avenue is of sufficient width to cater for the development.
- 6.10 **Police Crime Prevention Design Adviser** – No objections.
- 6.11 **Construction Futures** – A contribution and construction training will be required.
- 6.12 The application was notified to adjoining occupiers and representations were received from 10 neighbouring occupiers in **Branksome Avenue** as well as one in **Bembridge Drive** and one in **Motspur Drive**, and from **Michael Ellis MP** in support of residents, which can be summarised as follows:
- Object to opening up of Branksome Avenue for access to the site – should remain as a cul-de-sac and access should be taken from Studland Road. Branksome Avenue is not of sufficient width to serve the whole development.
  - Car parking on Branksome Avenue is congested already.
  - Too many dwellings / oversaturation of the site.
  - Concerned about deliveries to the site.
  - If shared ownership occupiers will have less respect for the properties – will affect house values.
  - New residents will require medical services, will affect existing surgery.
  - Concerned about properties abutting boundary as would prevent access for maintenance.
  - Concerned about capacities of foul and storm water drains.
  - Amended plans have done nothing to allay concerns.

- Concerned about proximity of houses.
- Over-development of a very tight, small parcel of land
- Layout appears contrived and totally out of character with the existing dwellings in Branksome Avenue and Bembridge Drive.
- High density has resulted in the site having a sea of parking courts.
- Fails to achieve aims and objectives of planning policies.
- The property is vacant so there would be no reduction in traffic.

## 7. APPRAISAL

- 7.1 The issues to consider are the principle of the proposal, the impact of the proposed development in visual terms, the impact on neighbouring occupiers, living conditions for future occupiers and parking.

### **Principle of Residential Development**

- 7.2 The application site is in an area designated as an Employment Area in the Northampton Local Plan. As set out above, Policy B14 of the Local Plan states that the site should be retained for employment purposes, unless it can be shown that the proposed development would generate employment or community benefits.
- 7.3 The site is currently occupied by a vacant commercial building, which has remained vacant since 2010. Some evidence was provided at the pre-application stage that the site had been marketed for commercial use and that this was not successful.
- 7.4 In considering the policy position in respect of this site, it must be recognised that the Local Plan is now very dated and has been largely superseded by the Joint Core Strategy. In addition, the NPPF states that a plan cannot be considered as being up to date unless a five year housing supply can be demonstrated. This cannot be demonstrated in the Borough.
- 7.5 It is additionally considered that the site's designation as an employment area has always been somewhat anachronistic, given the fact that the site directly adjoins residential properties. This designation has therefore been under reconsideration by Planning Policy and is considered to be no longer appropriate.
- 7.6 Taking into account all of the above, the principle of residential use of this site is therefore considered to be acceptable.

### **Impact on the street scene**

- 7.7 The site is currently occupied by large commercial buildings, which are typical of their type.

- 7.8 However, these buildings are located adjacent to modest two storey residential dwellings to the south, and this results in a somewhat discordant appearance. It is therefore considered that in principle, buildings of a domestic scale would be more in keeping with the location.
- 7.9 The adjacent site at the former Grose Motors site is currently under development, and the design of this future development has been taken into account in the design of the proposals for this site, in terms of the general design of the proposed properties particular by continuing the pedestrian link which runs through the adjacent site thereby providing pedestrian access for future residents through to the supermarket.
- 7.10 The wider surrounding area to the north of the site is occupied by commercial development whilst to the south the area is more residential in character and comprises of terraced and some semi-detached houses generally of two-storey height, the residential development of this site would therefore be much more in keeping with this character and would provide a more logical break, in visual terms, between the commercial and residential elements of the area.
- 7.11 The proposed houses would all be two-storeys in height as would the smaller block of flats, providing 6 flats. The larger of the block, providing 9 flats, would be three storeys. Given the context of the immediate area, which consists of buildings of varying size and height it is considered that this scale of development would be in keeping.
- 7.12 In the longer term, it is possible that further proposals would come forward for the redevelopment of other commercial premises around the site, which would of course have to be judged on their merits. However, it is considered that the design of the current proposal would allow for such redevelopment as the scheme has been designed not to be inward facing.

### **Impact on adjoining occupiers**

- 7.13 The application site is adjacent to residential properties in Branksome Avenue, and is separated from commercial properties fronting Bembridge Drive and Studland Road.
- 7.14 Access to the site would be taken from all of these roads, with 25 dwellings accessed from Studland Road, 15 from Bembridge Drive and 11 from Branksome Avenue. This is an amendment to the originally submitted plans which indicated 21 dwellings accessed via Branksome Avenue, in response to the large number of objections received from neighbouring residents, focussing primarily on the use of Branksome Avenue for access. Some of these objections appear to be made in the belief that Branksome Avenue is intended as the only or main access, which was never the intention. Although this previous arrangement was acceptable to the Local Highway Authority, it was considered

preferable for this amendment to be undertaken to lesser impact on the existing residents.

- 7.15 Objections nevertheless remained, stating that in their views that no access should be taken via Branksome Avenue.
- 7.16 As it stands, Branksome Avenue is a cul-de-sac which ends at the edge of the site at the boundary fence of the existing factory with no turning head. This road was developed up to this point in the 1930s, almost certainly with plans at that time that it would be continued. However, this did not ultimately take place.
- 7.17 The access through this road would provide for only an additional 11 properties, with 22 parking spaces provided for these. It is considered that the access for these additional 22 vehicles, along with any visitors for whom there is space available on the street, would not have a detrimental impact on the residents of Branksome Avenue due to traffic movements. Given the level of parking spaces which would be provided it is further considered that this would not result in any adverse impact on existing residents in terms of additional demand for parking within Branksome Avenue, which it is acknowledged can become congested. It can also be noted that many of the properties on Branksome Avenue have garages to the rear accessed from Studland Road.
- 7.18 Furthermore, the proposals are considered to be an improvement on the existing situation by extending the road and providing a turning head in particular for emergency vehicles which would be useable by the existing residents of this road as well as the occupiers of the new dwellings.
- 7.19 There are also existing residential properties fronting onto Bembridge Drive, which would be adjacent to new dwellings on this road. It is considered that these residents would not be significantly affected by traffic movements as Bembridge Drive is already a through road linking on to Studland Road and leading to commercial premises beyond this.
- 7.20 In terms of the relationship between neighbouring properties, the two existing neighbouring houses to the site, at the end of Branksome Avenue, have side walls which face towards the site, each of which has a single obscure glazed window at first floor level. These windows do not serve a habitable room and would not, therefore, be affected by the neighbouring new dwellings, which would in any event be 11m away from these windows so would not result in any loss of light.
- 7.21 The end house in a similar position at 20 Bembridge Drive has a blank gable wall with no windows facing towards the rear of the neighbouring new house, which is also 11m away. The occupier of this particular property has objected on the basis that there would be no access to the side wall of their property following the development. Whilst such access is currently available, this is over the private parking area of the



existing commercial premises and this access could be restricted at any time. It is not considered that it would be reasonable to effectively require an access strip to be provided over part of the site for this neighbour. Access for maintenance would still be possible by agreement with the new occupiers of the neighbouring house.

- 7.22 It is not considered that the redevelopment of the site would affect the remaining commercial operators close to the site, which may be the subject of complaints about noise from the new occupiers, as any such impact would be mitigated by the proposed noise conditions as required by Environmental Health.

### **Design of the scheme / living conditions for future occupiers**

- 7.23 The layout of the development has been designed to provide for an acceptable residential environment in close proximity to remaining commercial premises, and in this respect the dwellings to the north of the site have been set away from this boundary of the site, to provide better separation from the premises across this road.
- 7.24 The houses fronting onto Bembridge Drive have been laid out in a more conventional manner, which is considered to be an acceptable arrangement as the buildings towards which these houses would face are offices which would not have a detrimental impact on future residents.
- 7.25 Within the site, the houses have been laid out in a complimentary style to the adjacent recently approved site, and it is considered that the layout of the site and the separation provided between neighbouring properties is acceptable and would provide a satisfactory living environment for future occupiers.
- 7.26 Although the site is in relatively close proximity to commercial premises, advice from Environmental Health is that the impact of this can be satisfactorily mitigated.

### **Parking and Highway Issues**

- 7.27 Parking spaces would be provided at a ratio of two per dwelling for each of the houses on site, generally adjacent to the individual houses, with parking courts to the north end of the site only. For the two blocks of flats, one space would be provided per flat, with 6 visitor spaces for the larger block of 10 flats and 3 visitor spaces for the smaller block of 3 flats. These would be provided in an individual car park for each block. It is considered that this represents an appropriate level and arrangement of parking provision.
- 7.28 The level of vehicle movements associated with the former commercial use of the site has been assessed in the transport assessment, which accompanied the application, as has the projected level of vehicle movements from the proposed residential use. From this assessment it

has been estimated that the redevelopment would reduce traffic movement by between 50 to 60%, during peak periods and throughout the day and will also reduce the number of heavy goods vehicles in the vicinity of the site, in comparison to the former use of the site, which could be recommenced.

- 7.29 As referred to above, the neighbouring site, the former Grose Motors site, has recently been granted planning permission in principle for a residential development. This site has its vehicular access directly onto Kingsthorpe Road, rather than Studland Road. In terms of the cumulative impact of the two developments, it should be noted that given that the current proposal would actually reduce vehicle movements, such impact would in fact be less than if the site was brought back into active commercial use.

### **Contamination of site**

- 7.30 A desktop study in respect of contaminated land was included with the application, however the work for this has not been completed. This does show, however that the site is capable of being remediated and conditions are proposed requiring the completion of this work.

### **Section 106 Contributions**

- 7.31 Comments from the County Council Development Management Section request financial contributions for fire and rescue, libraries and broadband. There is no policy basis for such payments and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122.
- 7.32 The County Council has also requested a financial payment towards the provision of primary school education within the vicinity, whilst a request has been made by NHS England for a contribution towards increased healthcare facilities.
- 7.33 It is considered that these requests would normally satisfy the tests as set out above if the development were to be a conventional private sector development. However, in this case the scheme proposed is not a private development but rather provides entirely affordable accommodation.
- 7.34 Therefore, whilst the houses will be occupied by persons who will require healthcare and by children, who will require education, the new occupiers will be drawn from existing housing waiting lists and therefore these will be persons already making use of healthcare provision and children already in education in the Borough and in need of more suitable housing. There will, therefore, be no net gain in the requirement for healthcare or education provision as a result of these people being relocated within the Borough into more suitable residential accommodation.

- 7.35 Furthermore, the applicants have indicated that the healthcare contribution requested would render the scheme unviable, which would therefore mean that this much needed affordable housing would not be provided.
- 7.36 Consequently, provided that the applicant enters into a legal agreement to ensure that the entire development would be retained for affordable housing in perpetuity it is not considered that the healthcare or education payments would be necessary. Therefore it is recommended that the legal agreement secures 100% affordable housing rather than the normal 35% requested.
- 7.37 A further requirement is for the provision of construction training and the Council's monitoring fees.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed development would represent an enhancement to the street scene and the area in general by providing a rationalisation of land uses by removing a commercial use adjacent to residential properties.
- 8.2 The use of Branksome Avenue to provide access to a limited part of the site is also considered to be an enhancement, as this would provide a turning head which is not available at present, and would not result in any significant impact due to increased vehicle movements.
- 8.3 Overall, the scheme would result in the removal of a commercial use, which whilst in an area designated as use in a residential area, in the form of a derelict warehouse, and would have no detrimental impact on adjoining occupiers.
- 8.4 The proposal would provide for much needed affordable housing, making use of grant funding and contribute towards the Borough's housing land supply.

## **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: LSD56-02, LSD56-03B REVB, LSD56-03.01 REVA, LSD56-03.02 REVA, LSD56-03.03 REVA, LSD56-03.04, LSD56-03.05 REVA, LSD56-03.06, LSD56-03.07, LSD56-03.08, LSD56-03.09, LSD56-03.10, LSD56-03.11, LSD56-03.12, LSD56-04B REVB, LSD56-05 (Site Plan)REVA, LSD56-05 (Street Scenes)REVA, Lighting Plan.

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) 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.

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

- (5) 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.

- (6) No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the quality of controlled waters in accordance with the National Planning Policy Framework.

- (7) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason To ensure that any remediation required at the site is verified as completed to agreed standards, to ensure the protection of controlled waters in accordance with the National Planning Policy Framework.

- (8) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner in accordance with the National Planning Policy Framework.

- (9) No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where

it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration in accordance with the National Planning Policy Framework.

- (10) No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details hereby approved. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with the National Planning Policy Framework.

- (11) Prior to the commencement of each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

- (12) No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval. Any site investigation found to be required shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval. All remedial works found to be required 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). 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 and where remediation is necessary a remediation scheme must be prepared, 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.

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 National Planning Policy Framework.

- (13) Where the night time internal noise level in any bedroom exceeds the night time WHO 1999 standard of LAeq,8 hour 30 dB, with the window open, a noise insulation scheme shall be submitted to the Local Authority for written approval that protects those rooms, and will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather. Development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with the advice contained in the National Planning Policy Framework.

- (14) No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable

risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration in accordance with the advice contained in the National Planning Policy Framework.

- (15) No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details hereby approved. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with the advice contained in the National Planning Policy Framework.

- (16) No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

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

- (17) A minimum of 10% of the 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 H1 of the West Northamptonshire Joint Core Strategy.

- (18) Full details of the proposed surface treatment of all roads, access and 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 construction work on site. Development shall be carried out in accordance with the approved details.



Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

- (19) Notwithstanding the submitted plans, further details of the method of the treatment of the external boundaries of the site 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.

- (20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the residential dwellings hereby permitted at Plots 9 to 20 as shown on the approved plans shall take place without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of adjoining residential occupiers in accordance with Policy E20 of the Northampton Local Plan.

- (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 relation to OS Datum 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.

## **10. BACKGROUND PAPERS**

- 10.1 Application File N/2014/1160.

## **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: Site Location Plan  
 Date: 9th February 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

Title  
**Studland Road**

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