



PLANNING COMMITTEE: 24th March 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0019: Outline planning application with all matters reserved except access for development of up to 60 dwellings at development land at former Lings Upper School, Billing Brook Road

WARD: Brookside

APPLICANT: Northamptonshire County Council
AGENT: Mr T. Coleby, Peter Brett Associates

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major Development requiring a S106 legal agreement

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to conditions and for the following reason:

The proposed development would result in the satisfactory reuse of this previously developed site on account of the proposal representing a sustainable residential development that would address the established need for housing within Northampton. The site is located in a sustainable location with good access to local facilities and public transport and is therefore in compliance with the National Planning Policy Framework, Policies BN2, BN3, C2, H1, H2, S1, S3, S10, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Policies E20, L2 and H17 of the Northampton Local Plan.

1.2 That delegated authority is given to the Director of Regeneration, Enterprise and Planning to negotiate and secure the necessary mitigation in the form of financial and non-financial planning obligations through the completion of a Section 106 Legal Agreement. The Legal Agreement will secure the following heads of terms:

- i) 35% on site affordable housing;
- ii) A payment towards primary and secondary education provision;
- iii) A payment towards the provision of health care facilities;

iv) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and

v) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.3 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.

1.4 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 Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks outline planning permission for the erection of up to 60 dwellings. All matters are reserved with the exception of access. Means of access to the development would be via the existing access from Birds Hill Walk which will be widened to bring it up to adoptable standards.

2.2 As the application is in outline form, no finalised layouts have been submitted; however an indicative layout plan has been submitted which shows the provision of an open space and flood attenuation area, the retention of existing trees and the widening of Birds Hill Walk to bring it up to adoptable standards. There is an existing small brick built electricity substation within the site which is to be retained.

3. SITE DESCRIPTION

3.1 The application site is 1.49 hectares in area and is accessed from Birds Hill Walk off Billing Brook Road in the eastern area of Northampton. It comprises part of the former Lings Upper School, which has now been demolished, together with Birds Hill Walk itself. Birds Hill Walk also serves access to the adjoining medical centre car park, to a terrace of four residential dwellings which immediately abut the application site to the north and to the rear service road serving Northampton Academy, which replaced the former upper school and is located south and east of the site. The application site generally slopes down in an easterly direction and has been vacant and surplus to the County Councils requirements for approximately 10 years.

3.2 To the north of the site on the opposite side of Birds Hill Walk is the site of the former Emmanuel Middle School (also demolished). To the west is the Weston Favell Medical Centre, a children's day centre, the Emmanuel Church and Lings Forum. Beyond these on the opposite side of Billing Brook Road is the Weston Favell Shopping Centre which contains commercial and leisure facilities as well as public transport links.

4. PLANNING HISTORY

- 4.1 None relevant for the site itself.
- 4.2 In respect of adjoining land, the Northampton Academy was granted permission in 2003 (N/2003/1238 refers). The former Emmanuel Middle School site to the north is the subject of outline planning permission for residential development (up to 109 dwellings). This was previously approved by West Northamptonshire Development Corporation in 2008 and was more recently approved by Northampton Borough Council in 2014 (N/2011/1263 refers).

5. PLANNING POLICY

Development Plan

- 5.1 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) and Northampton Local Plan (1997) saved policies.

National Planning Policy Framework

- 5.2 The National Planning Policy Framework (NPPF) requires that new developments are of a high quality design and should secure a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant new developments on sites that are sustainable.
- 5.3 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 supports sustainable development, mitigating impacts on amenity and facilitating mixed uses (paragraph 17).
- 5.4 Of particular note is that paragraph 49 requires 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.
- 5.5 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layouts are required which minimise conflicts between pedestrians, cyclists and traffic.
- 5.6 Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduces the potential for conflicts between pedestrians and traffic. The NPPF also requires that new developments be of a good quality design (paragraph 56).

West Northamptonshire Joint Core Strategy – Adopted December 2014

- 5.7 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.
- 5.8 Policy S1 of the JCS states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. Policy S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period and 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 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.
- 5.9 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing. Policy S10 encourages sustainable development and to further encourage sustainable development, Policy C2 requires that new developments maximise opportunities for travel choices.
- 5.10 In addition to these matters, Policy INF1 requires that developments will be supported by and provide good access to infrastructure. Developers will provide evidence as to whether existing infrastructure can be used more efficiently or whether the impact of development can be reduced through behavioural change. Policy INF2 states that development will only be permitted if the infrastructure that is required to support it is either already in place or can be delivered.
- 5.11 In assessing applications that would result in the loss of trees Policy BN3 states that the retention of aged and veteran trees would be supported unless the benefits of development clearly outweigh the loss.
- 5.12 Policy N11 requires new development in Northampton East to be of a high standard of design to address local issues of deprivation.

Northampton Local Plan 1997 (Saved Policies)

- 5.13 Due to the significant age of the Local Plan, the amount of weight that can be attributed to its policies is substantially diminished; however, Policy L2 allocates this site as an education establishment and states that planning permission to redevelop the site should only be granted in instances where it can be demonstrated that the land or facilities is not needed in the long term for recreational purposes and that the site should not have any significant amenity or landscape value; that the scheme retains open space of significant amenity/landscape value and retains/provides adequate outdoor or indoor recreational facilities for public use; and that any existing sports and recreation facilities can be retained or enhanced.

- 5.14 Policy E20 states that new buildings should be of an appropriate design; and Policy T12 necessitates that new developments have sufficient manoeuvring space for commercial vehicles. In addition, Policy H17 requires the provision of a suitable level of housing for people with disabilities.

Supplementary Planning Documents

- 5.15 Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004
Affordable Housing
Developer Obligations SPD

Other Material Considerations

- 5.16 The Northampton Landscape Sensitivity and Green Infrastructure Study (2009) suggests the application site may be located within an area of medium landscape sensitivity. In assessing the application consideration should be given to the landscape impacts of the proposed development.
- 5.17 The 2012 update of the West Northamptonshire Strategic Housing Land Availability Assessment (SHLAA) confirms that this site is suitable, available and achievable for residential development.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water** – state that the surface water strategy/flood risk assessment submitted with the application is acceptable. Request that the agreed strategy is reflected in the planning approval.
- 6.2 **Arboricultural Officer (NBC)** - no objections in principle, but highlights a number of matters for the developer to consider when devising their reserved matters application
- 6.3 **Archaeology Advisor (NCC)** – the site is disturbed with a low archaeological potential therefore has no comments to make.
- 6.4 **Construction Futures** - request that in the event that the application is approved, the legal agreement secures training opportunities and appropriate funding for new construction workers.
- 6.5 **Development Management (NCC)** - request Section 106 obligations to fund improvements to primary (Lumbertubs Primary School) and secondary school (Northampton Academy) provision; the fire and rescue service and the libraries service.
- 6.6 **Environmental Health (NBC)** – suggest conditions to deal with contaminated land and noise exposure.
- 6.7 **Environment Agency** – request a condition relating to the implementation of the proposed drainage system.
- 6.8 **Highways Agency** – no objections

- 6.9 **Highway Authority (NCC)** – note the submitted Transport Assessment and agree that the site is in a highly sustainable location. Therefore have no objection in principle subject to conditions to secure Birds Hill Walk being brought up to adoptable standards and a requirement for the developer to undertake parking surveys on Birds Hill Walk within one month of the first occupation of any dwelling and which includes an allowance to fund appropriate traffic orders to limit on street parking within Birds Hill Walk at appropriate locations.
- 6.10 **Housing Strategy** – welcome the provision of 35% affordable Housing. State that subject to viability all homes should be built to Lifetime Homes standard and at very least 10% should be built to mobility standard. Thought also needs to be given on how to improve the environmental performance of the dwellings. States that the proximity of the site to shopping/service/transport facilities makes it a good location for older people and those with supported housing needs.
- 6.11 **National Grid** – identify that they have apparatus in the vicinity of the site. State that they should be informed of the decision and the contractor should contact them before any works are carried out.
- 6.12 **Natural England** – no objections.
- 6.13 **Northamptonshire Police Crime Prevention Design Advisor** – No objections in principle, but make a number of recommendations to reduce opportunities for crime and disorder.
- 6.14 **NHS (GP Premises Officer)** – state that the development will affect the GP practices based in Weston Favell and request that a contribution is sought to improve facilities.
- 6.15 **Sport England** –no comments to make.
- 6.16 **Western Power** – no objections.
- 6.17 **ES Group (property consultants responding on behalf of Northampton Academy)** – strongly object to the proposal. Consider the proposal would have a negative impact on the immediate vicinity for the following reasons:
- The site is designated for education and recreational use in the Local Plan and should be protected for such use to ensure that future education and recreation needs can be met.
 - Consider increased use of Birds Hill Walk will cause highway safety issues, especially for school children. Also concerned about the ability of service and emergency vehicles to access the school.
 - Concerned about privacy and overlooking of sports pitches due to close proximity of proposed residential properties.
 - Concerned about potential impact of existing late night sports pitch use on proposed residential properties with regard to noise nuisance and use of floodlights.
 - Concerned about security of the application site as it has experienced trespassing in the past.
 - Concerned about flood risk increasing on the site or elsewhere.

- 6.18 Seven letters of objection have been received from staff of **Northampton Academy** in various posts repeating the concerns expressed at 6.17 above.
- 6.19 One letter of objection has been received from a **Governor of Northampton Academy** – states that the school has progressed over the last 10 years and the continued improvement of the Academy will see a need for educational land over the medium term. Most likely requirement is for a primary school linked with the main academy or for an extension of the 6th form. Consider proposal is foolhardy and unnecessary. Understands the need for affordable housing targets to be met but states that these should not endanger school progress.
- 6.20 One letter received from **a resident in Newport Pagnell** objecting as follows:
- The site is allocated for education and recreation and there are no justifiable reasons to change this. Population growth means extra demand for school places. Should focus on the existing successful school which is over-subscribed.
 - There are many more suitable locations to absorb population growth.
 - Proposal will compromise highway safety.
 - Proposal breaches guidelines on safeguarding due to overlooking of school play areas.
 - The existing school works well but having residents close by will lead to objections from future residents.

7. APPRAISAL

Housing Land Supply

- 7.1 The NPPF requires local authorities to identify and maintain a five year supply of housing land. Northampton does not currently offer a five year supply of housing land. The site has the potential to contribute to the supply of new homes within the next five years through the provision of up to 60 dwellings. In relation to the provisions of paragraph 49 of the NPPF, this lack of supply is a significant factor. The importance of increasing the supply of housing is given additional weight by a further reiteration of the need to consider housing applications in the context of presumption in favour of sustainable development. In addition the adopted JCS recognises that there is a substantial need for delivering new housing, which can only be delivered through the redevelopment of sites contained within the existing built area. The bringing forward of this site for residential uses would contribute towards addressing these issues.

Change of use of existing school/college site

- 7.2 The application site is located within an area formerly occupied by Lings Upper School. The Northampton Local Plan 1997 identifies former Lings Upper School as a School/College Site (saved policy L2), as indicated on the Proposals Map. Saved policy L2 recognises the important contribution school premises and grounds may offer in terms of amenity, landscape and recreational open space. The policy seeks to limit the change of use or development for non-educational purposes of all or part of the area, unless:
- It can be demonstrated that the land or facilities likely to be lost are not needed in the long term; or
 - The scheme retains all open space of significant amenity/landscape value and retains or provides adequate recreational facilities for public use; or

- The existing sports and recreational facilities can best be retained or enhanced through the redevelopment of part of the site.
- 7.3 The proposed development of the application site would result in the loss, in part, of an area identified by saved policy L2. However, the school buildings which formerly occupied the site were demolished at least ten years ago and the site has not been maintained and does not provide sports and recreational facilities. The remainder of the school site was redeveloped to provide the Northampton Academy, with associated facilities including sports and recreation. The proposed development is not expected to impede Northampton Academy's ability to continue to offer education, sports and recreation to pupils and external clubs and organisations into the future. Currently there is no other strategy to enhance the value of the site or to bring it into education, sports or recreation use. In this instance it seems reasonable to conclude that the proposed development would not result in the loss of land needed in the long term for education, sports or recreation use.

Sustainable Development

- 7.4 As discussed previously, it is incumbent upon local authorities to demonstrate a five year housing land supply. Currently, Northampton does not have such a provision. In instances where this cannot be demonstrated any relevant local plan policy cannot be considered to be up to date and that, in line with the requirements of the NPPF, any application should be determined based upon whether it represents sustainable development.
- 7.5 By reason of the site's positioning in close proximity to an allocated centre containing a mix of leisure and commercial facilities, future residents of the development would have easy access to facilities and services. In addition, the site's environs feature good public transport links and good accessibility to schools and open space within the area. It is considered that the proposal represents sustainable development and is therefore acceptable. The sustainable nature of the proposal is further emphasised by the fact that the development would result in a previously used site being brought back into a productive use.

Highway impacts

- 7.6 The site is to be accessed from Birds Hill Walk which will be subject to improvements in preparation for its adoption as formal highway. Birds Hill Walk will be widened from approximately 5 metres to 5.5 metres and footways either side of the carriageway are to be installed at 1.8 metres width. These footpaths will connect to Billing Brook Road which in turn leads to Weston Favell Centre. Billing Brook Road is also designated as a National Cycle Network (NCN) Traffic Free Zone. The site will therefore be well connected to existing walk and cycle facilities making journeys to and from the site via foot and cycle feasible.
- 7.7 The site is very well served by public transport with the nearest bus stops located on Billing Brook Road less than five minutes walk from the application site. These bus services connect with a range of key locations including the town centre, Northampton General Hospital, Northampton and Moulton Colleges and the University.
- 7.8 A Transport Statement has been submitted with the application. Assessment of the likely traffic generation associated with the proposed development

demonstrates that it is expected to generate approximately 32 two-way vehicle trips during the morning peak travel period and 30 trips during the evening peak. Whilst it is recognised that the development is likely to increase usage of the general road network, the Highway Authority agrees that the site is located in a highly sustainable location and has no objection subject to the access route to the site being brought up to adoptable standards.

- 7.9 The Highway Authority has also identified that Birds Hill Road is subject to reasonable levels of on-street parking which could impede the passing of traffic following redevelopment of the site. To mitigate this confirmation has been sought from the applicant to ensure that they undertake appropriate funding for the appropriate traffic regulation order to limit parking within Birds Hill Walk. This is considered necessary to prevent traffic congestion within the vicinity of the site and enable the safe movement of vehicles.

Affordable/Mobility Housing

- 7.10 Of the provided dwellings, 35% would be secured for use on affordable tenures and a minimum of 10% of the development would be constructed to the Council's mobility standards. These factors mean that a development would be provided that would conform with planning policy.

Noise

- 7.11 The site has been the subject of a noise assessment. It concludes that the main source of noise impacting on the site is from road traffic. It states that there is some impact from external facilities at Northampton Academy but that mitigation of road traffic will also adequately mitigate noise from other sources. It is noted that the Council's Public Protection officers agree that noise is not a material concern and the development can proceed if noise mitigation is presented with a final proposed layout. A condition to this effect is therefore recommended.

Contamination

- 7.12 The application is supplemented with a Phase 1 desk top study of the site. This establishes the principle of the sites suitability for the end use of residential. Public Protection Officers recommend that further intrusive investigation is required in order to ensure a satisfactory remediation scheme is presented if required. A suitable condition is recommended.

Flood Risk

- 7.13 The site has been the subject of a Flood Risk Assessment and the application has been assessed by the Environment Agency and Anglian Water. There are no objections to the proposal subject to conditions relating to drainage provision.

Archaeology

- 7.14 An Archaeological desk-based heritage assessment has been submitted with the application. It states that there are no designated heritage assets within or close to the site and no Historic Environment Record monuments within the site. It is considered that the construction of Lings Upper School would have destroyed any below ground archaeological remains and as such no further archaeological investigation would be required.

Impact upon neighbouring properties

- 7.15 As this is an outline application, there are no details submitted in respect of the design of the proposed dwellings and the submitted layout is only indicative at this stage. Any impacts on the adjoining residential properties in terms of overlooking or overshadowing will be considered at reserved matters stage. The applicant has indicated that there would be a maximum of 60 dwellings (40 dwellings per hectare) consisting of 1, 2 and 3 bed dwellings. It is considered that the proposal would result in an acceptable density given the character of the site's environs.
- 7.16 Several objections have been received from Northampton Academy raising concerns about the safety of pupils from additional traffic, privacy and overlooking. They also raise concerns about security at the site stating that it has experienced trespassing in the past. Furthermore they are also concerned about the impact of noise from playing fields impacting on future residents. Development of the site will regenerate the area, remove concerns about site security and increase surveillance of the current secluded school access. Furthermore it is considered the improvement and adoption of the highway will mitigate the impacts of increased traffic using the roadway and will benefit all users of the highway including members of the Northampton Academy. Any noise impacts will be mitigated by the proposed noise conditions as required by Environmental Health.
- 7.17 Concerns about overlooking of school playing fields are considered to be unfounded. There are many examples in Northampton where residential properties surround and abut schools. In any event issues of overlooking and separation distances can be addressed at the reserved matters stage. It is not considered that these objections could override the benefits of developing the site for residential development.

Trees and ecology

- 7.18 The site has been the subject of an Arboricultural Report. It identifies that there are both large mature trees present and many self-set specimens that have grown since the area fell into misuse and are of poor quality. None are protected by a tree preservation order. The mature trees offer significant local visual amenity and as a consequence of this, conditions are proposed that would require details to be submitted with the Reserved Matters application detailing trees to be retained, the root protection measures to be implemented and associated method statements. These details would be sufficient to ensure that the development does not have an undue negative upon these trees in accordance with the requirements of the JCS.
- 7.19 The site has been the subject of both an ecological survey and a reptile survey. Neither has established any evidence regarding the presence of bats or reptiles. As a consequence of this, it is considered that the redevelopment of the site would not pose any undue adverse impacts on ecology.
- 7.20 The redevelopment of the site could bring forward some ecological benefits in terms of enhancements to landscaping (such as in the use of native species) and could offer some mitigation by replacing existing planting however, these are matters that would be addressed during the reserved matter stage. The

submitted ecology assessment recommends that care should be taken to ensure that breeding birds are not affected by clearance works if this is required during the bird breeding season.

Legal agreement

- 7.21 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 payment and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122. 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 does not need to be replicated as part of the planning process.
- 7.22 The County Council has also requested financial payments towards the provision of primary and secondary education within the vicinity of the site. Although the proposed composition (in terms of unit types) of the development is unknown at this stage, it is reasonable to assume that a proportion of the development would be in use as family accommodation. As a consequence of this, it is likely that the development would place a greater pressure on school provision within the area. Therefore and with reference to the legal tests as described previously, an obligation to secure enhancements to primary and secondary education is necessary and reasonable.
- 7.23 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.
- 7.24 The Section 106 agreement would also secure payments towards the provision of improved general practitioner services. The National Health Service consider the proposal would affect the GP practices based in Weston Favell Health Centre which are very constrained in their ability to accept new patients. An obligation to secure enhancements for Weston Favell GP practices is therefore necessary and reasonable.
- 7.25 A further requirement is for the provision of Construction Training and the Council's monitoring fees.

8. CONCLUSION

- 8.1 The redevelopment of the site for housing as proposed would accord with the provisions of the development plan. It would contribute towards addressing the established housing needs within the Borough and provide the opportunity to create a high quality residential environment which respects the amenities of its surroundings. It would secure social, economic and environmental benefits and constitutes sustainable development.
- 8.2 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.

9. CONDITIONS

(1) Approval of the details of the layout, scale, appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.

(2) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or if later before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(4) The development hereby permitted shall be carried out in accordance with the following approved plans: N0242A/A3, 131000 9130 D, 28781 – 008 – 001.

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

(5) The development hereby permitted shall be for a maximum of 60 dwellings.

Reason: For the avoidance of doubt and to accord with the terms of the planning application to ensure conformity with the National Planning Policy Framework.

(6) The access arrangements as shown on drawing 28781 – 008 – 001 shall be constructed prior to the first occupation of the development hereby permitted and retained thereafter.

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

(7) Prior to the commencement 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.

(9) No development shall take place until a desk top study in respect of possible contaminants within that 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 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.

(10) Prior to development commencing, the applicant shall submit to the Planning Authority an assessment of noise exposure of each habitable room and/or outdoor amenity space due to transportation noise. This must take into account, the likely growth of traffic over the next 15 years. Where noise levels in any habitable room or amenity space may exceed:

- Indoor habitable areas – LAeq, 16H 35dB window open, during the daytime period (07:00 – 23:00)
- Bedrooms – LAeq, 8H 30 dB and LAMAX 45 dB (for 2+ events per hour) window open, during the night time period (23:00 – 07:00)
- Outdoor Amenity Spaces – LAeq, 16H 50 dB

A scheme to protect any affected habitable rooms/bedrooms or outdoor amenity spaces shall be submitted to the Local Authority for written approval. For habitable rooms/bedrooms this will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather. The approved scheme shall be implemented prior to the properties being occupied and retained thereafter.

Reason: In order to safeguard the amenities of future occupiers in accordance with the advice contained in the National Planning Policy Framework.

(11) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

1. Confirmation that the hierarchy of drainage has been followed. Further percolation testing is required in accordance with BRE Digest 365 9 or Ciria 156.
2. Full detailed surface water calculations and drawings to ensure adequate surface water drainage facilities on site all events up to and including 1% (1 in 100AEP) plus climate change.
3. Sustainable drainage systems (SuDS) features on site to be in accordance with Table 12.1 of the Northampton Level 2 Strategic Flood Risk Assessment.

4. An assessment of overland flood flows.
5. Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

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

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

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

(14) 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 H1 of the West Northamptonshire Joint Core Strategy.

(15) The development hereby approved shall be constructed in accordance with the requirements of the Lifetime Homes Standard.

Reason: In the interests of securing a satisfactory standard of development in accordance with Policy H4 of the West Northamptonshire Joint Core Strategy.

(16) Any subsequent reserved matters applications shall include an Arboricultural Impact Assessment that details any trees to be retained as part of the final layout; a plan identifying the location and specification of fences to be installed for the protection of the retained trees; an arboricultural method statement detailing any works to be carried out within the root protection areas of the retained trees.

Reason: In the interests of securing a good standard of development in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

(17) Full details of the proposed surface treatment of the roads, access and footpaths hereby approved, 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.

Informative:

The developer is advised to contact the Local Highway Authority regarding parking restrictions at the junction of Bird Hill Walk and Billingbrook Road.

10. BACKGROUND PAPERS

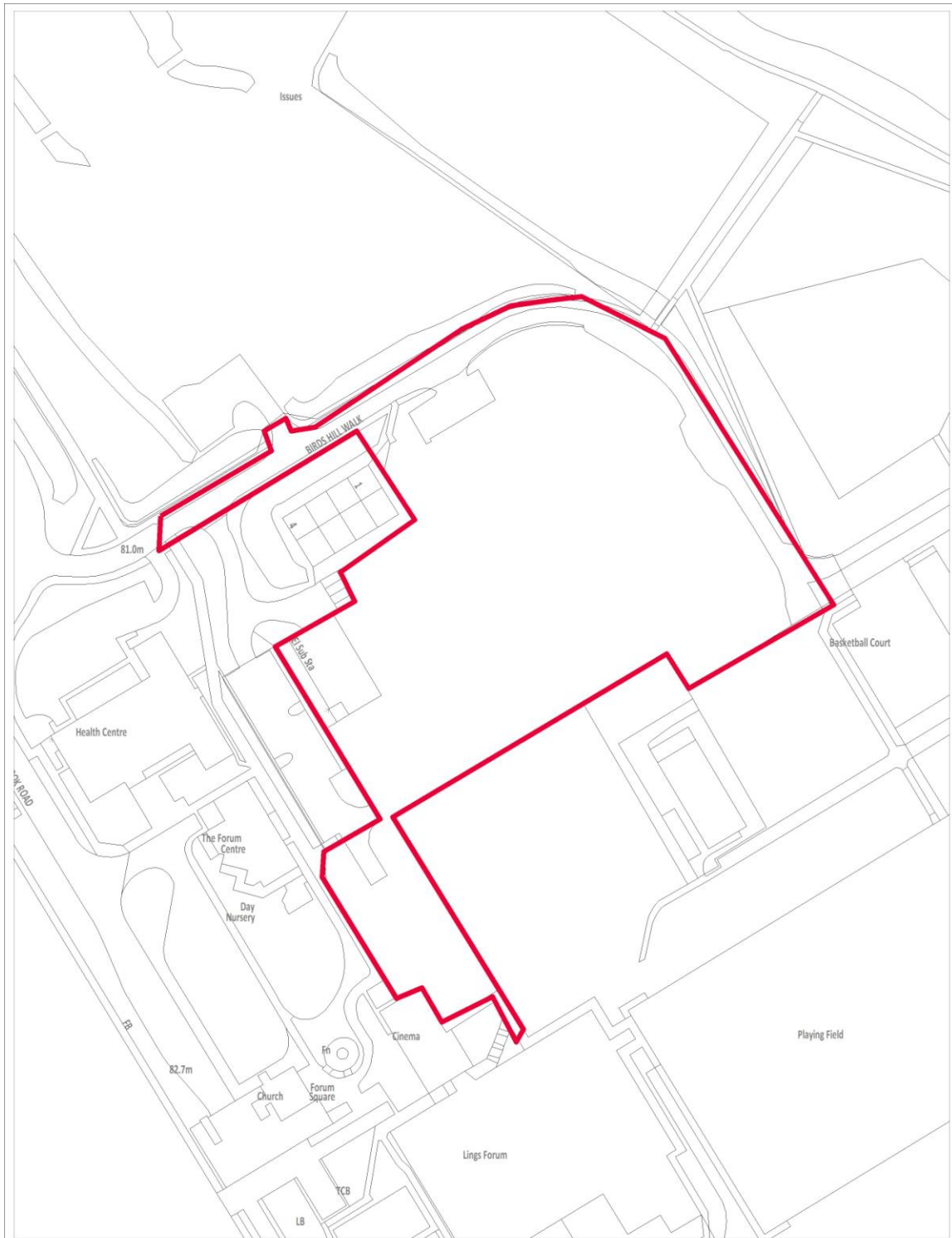
10.1 None

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: **24th February 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
Dev Land at Former Lings Upper Sch, Billing Brook Rd

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