



PLANNING COMMITTEE: 28th July 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0335: Redevelopment comprising a new distribution centre (Use Class B8) including related service roads, access and serving arrangements, car parking, landscaping bund and associated works at Milton Ham, Towcester Road

WARD: West Hunsbury

APPLICANT: Travis Perkins (Properties) Ltd
AGENT: Mr J. Best; Montagu Evans

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major development requirement S106 Agreement

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to the conditions as set out below and for the following reason:

The proposed development would represent a suitable use of this site and is of a suitable design. In addition, the proposed development would have a neutral impact upon the amenities of nearby residential properties and adjacent open space. Subject to the securing of items of mitigation relating to drainage, landscaping and transport, it is considered that the development would be in accordance with the requirements of the National Planning Policy Framework; Policies S7 and S10 of the West Northamptonshire Joint Core Strategy; and Policies B5, E11 and E20 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) The securing of enhanced access to public transport provision in order to mitigate the traffic and environmental impacts of the scheme;

- ii) The submission and implementation of a Travel Plan, which will include the requirement to submit annual monitoring reports detailing uptake of the Travel Plan for a period of no less than five years; and
- iii) To secure through either the Travel Plan or a separate obligation in the Legal Agreement the means for ensuring that the site is adequately served by public transport which shall be available on any shift change involving 50 or more people starting or finishing work; and
- iv) 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 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 applicant seeks full planning permission to erect a storage and distribution centre on this site adjacent to the M1 and the A43. The building would have a footprint of approximately 46,651m² and a maximum height of approximately 18.3m. The building would also include ancillary office accommodation that would be located to the west of the site. The development would also include a small gatehouse adjacent to the vehicle entrance.

2.2 In addition, the scheme includes the provision of 422 car parking spaces (including 22 for use by those with disabilities) and 66 parking spaces for use by large heavy goods vehicles. The car parking spaces would be located to the west of the site between the warehouse building and the A43. Some of the lorry parking spaces would be located to the west of the proposed building, however, the bulk would be sited towards the east. The warehouse building would be surrounded by a circular access road.

2.3 The proposed development includes the construction of bunding towards the north of the site, which would be landscaped. The area to the east of the building and lorry car parking would also be landscaped and would include a flood attenuation pond.

2.4 Unlike previous proposals for this site, the proposed development is not of a speculative nature and as a consequence, there is an identified occupier for the proposed development in the Travis Perkins group.

3. SITE DESCRIPTION

3.1 The application site consists of a site that has previously contained a combination of farm buildings, which have since been demolished. The remainder of the site is land that has previously been farmed and is currently undeveloped. Notwithstanding this, a large section of the application site (of approximately 10ha) has been historically allocated for commercial development. The remainder of the site is allocated within the Local Plan as being green space. The

reasoning for this allocation is to ensure that the character and setting of villages and to define the extent of the built up area.

- 3.2 The boundaries of the application site are currently marked by a combination of hedges, fences and some trees. Beyond the southern boundary is the M1 motorway, which is separated from the site by an embankment. The western site boundary is adjacent to the A43 dual carriageway. It is a notable feature that the roundabout on this road (which also provides access to the Pineham and Swan Valley areas, Junction 15a of the M1) features a spur that was designed to serve the application site when it came forward for development.
- 3.3 The immediate vicinity of the northern and eastern boundaries feature open space. Of additional note is that there are playing fields located to the north east of the site. Beyond these are a number of residential dwellings and the crematorium.
- 3.4 Whilst the application site does not feature any significant variations in topography, it is notable that the general site level currently slopes downwards in an easterly direction.

4. PLANNING HISTORY

- 4.1 88/0085 – Proposed Corporate Office Park (Class B1 use), Business Support Centre, Conference Centre and Hotel, Residential and Leisure – Outline Application – Non-determination Appeal Withdrawn
88/0086 – Proposed Corporate Office Park (Class B1 use), Business Support Centre, Conference Centre and Hotel, Residential and Leisure – Outline Application – Refused
88/1656 – Corporate Office Park (Class B1 use) Business Support Centre, Conference Centre and Hotel, Residential and Leisure Development – Outline Application – Approval in Principle, Legal Agreement not Finalised
89/1007 – Single office building – Outline Application – Dismissed on Appeal
91/0025 - Corporate Office Park (Class B1 use) Business Support Centre, Conference Centre and Hotel, Residential and Leisure Development – Outline Application – Approved
97/0166 – Corporate Office Park (Class B1 use) Business Support Centre, Conference Centre and Hotel, Residential and Leisure Development – Outline Application – Approval in Principle, Legal Agreement not Finalised
98/0077 – Development of Land to provide Office and Leisure Use – Outline Application – Undetermined
N/2001/1451 – 2no B2/B8 Warehouses with ancillary offices, car parking, associated landscaping, formation of a lagoon and temporary access – Withdrawn
N/2002/0750 – Erection of 2no. B2/B8 warehouses with ancillary offices, car parking and associated landscaping – Refused, dismissed on appeal
N/2002/1674 – Development of the site for B2/B8 uses with ancillary offices, associated landscaping, formation of a lagoon and public open space – Outline – Dismissed on appeal
N/2006/0582 – Erection of B1(a)(c), B2 and B8 units with associated parking, service yards and landscaping – Undetermined
08/0160/FULWNN – Engineering Works to include Ground Modelling, Creation of Landscaping Bunds, Drainage, Roads, Attenuation Lake and Infrastructure Landscaping – Approved
08/0275/FULWNN – Erection of seven commercial/industrial buildings (B1], B2 and B8), two office buildings (B1), two hotels (C1), two car showrooms (sui

generis) and countryside park with associated infrastructure, parking and servicing, landscaping and drainage (including attenuation lake) – Approved N/2012/0291 – Application to extend time limit for implementation of Planning Permission 08/0275/FULWNN for erection of seven commercial/industrial buildings (B1, B2 and B8), two office buildings (B1), two hotels (C1), two car showrooms (sui generis) and countryside park with associated infrastructure, parking and servicing, landscaping and drainage (including attenuation lake) – Refused

- 4.2 The above demonstrates that there has been a long history of applications for commercial uses being considered on this site and being deemed acceptable. However, of particular note is the appeal against the 2002 proposals for the erection of two warehouses on the site. These buildings were of a utilitarian design and had dimensions of approximately 148m by 85m and 242m by 111m and heights of approximately 16m and 15m respectively. The buildings were to be surrounded by a substantial bund.
- 4.3 The Inspector concluded that due to the context of the site, development for purposes within Use Class B8 would be acceptable; however the proposed development failed to comply with the relevant Local Plan policies on design. In addition, in order to mitigate the building's design, substantial bunding would be required. On account of the form of these proposed works, it was considered that a strident feature would be created within the landscape that would harm the character and appearance of the landscape.

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 Policies

- 5.2 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document; however, the following sections are of particular relevance to this application.
- 5.3 In addition, the economic, social and environmental impacts and needs of development should play an active role in guiding developments to sustainable locations. To achieve this, paragraph 9 states that planning should seek improvements to creating jobs, moving from a net loss in biodiversity, promoting good design and improving conditions for living, work, travel and leisure.
- 5.4 These objectives are elaborated in paragraph 17, which states that there is a requirement for planning to proactively drive and supporting economic development. Planning should also take into account market signals. Development should be of a good quality design and ensure a neutral impact on

all existing and future residents. In order to accomplish this, decisions should take into account the different roles and character of areas.

- 5.5 The need to promote a strong economy is highlighted in paragraph 19 states that the planning system should not act as an impediment to economic growth and as a consequence, supporting this objective should be given significant weight when determining planning applications. In delivering this objective, paragraph 21 is salient as it states that planning policies should be flexible enough to accommodate needs not anticipated within the plan.
- 5.6 A further consideration is that the NPPF places a great weight upon the importance of design. In particular, paragraph 57 states that it is important that the planning achieves high quality developments. This is clarified in paragraph 57 which advises that development should function well over the lifetime of the development; create attractive and comfortable places to live and work; and feature good architecture and appropriate landscaping.
- 5.7 In terms of amenity, paragraph 109 states that new developments should not contribute towards or create an unacceptable impact upon noise and air pollution. The same paragraph also requires that developments protect valued landscapes and that the wider benefits of ecosystems are recognised through minimising impacts upon biodiversity. Paragraph 118 provides greater emphasis on meeting this objective.

West Northamptonshire Joint Core Strategy (2014)

- 5.8 The West Northamptonshire Joint Core Strategy (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.
- 5.9 Policy S7 of the JCS states that the provision of 28,500 jobs within the West Northamptonshire area during the plan period of 2008-2029. This policy requirement is strengthened through Policy S8, which identifies that the bulk of this new job growth would take place within Northampton through the renewal and regeneration of employment sites and through the development of industrial land. Policy E1 states that existing and allocated employment sites would be retained for commercial purposes, including those falling within Class B8 of the Use Classes Order.
- 5.10 Policy S10 (Sustainable Development Principles) provides a set of overarching objectives regarding the assessment of planning applications. In particular, there is a requirement that new developments achieve the highest standards of design; that developments enhance biodiversity; and minimise pollution from noise, air and run off.
- 5.11 Policy BN1 states that green infrastructure corridors should be created within new developments, including the future management. This should also include biodiversity enhancements and include native and climate appropriate planting.

Northampton Local Plan 1997 (Saved Policies)

- 5.12 Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application.

- 5.13 Policy E20 requires that new developments be designed in such a way so as to ensure adequate levels of light, outlook and privacy. As discussed previously, the site is partially within an area of allocated open space and as a result Policy E6 is of some relevance as it states that new developments should not unacceptably prejudice the function of allocated areas. Policy E11 states that new developments should not adversely affect trees of particular amenity value.
- 5.14 Policy B5 allocates an area of the application site for business purposes. Further details are provided within Policy B9, which states that development within the Milton Ham site includes a landscaping zone of 50m alongside the M1 motorway and alongside the northern boundary for a distance of 20m to the east of the eastern boundary. It is requested that the first 20m comprise landscaping works only and landscaping should predominate within the remaining 30m. Policy B11 states that buildings with a height of 9m on any elevation should not be located within 50m of the northern boundary.

Supplementary Planning Documents

- 5.15 Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water** – Provide advice to the applicant relating to the discharge of trade effluent and the installation of petrol/oil interceptors.
- 6.2 **Arboricultural Officer (NBC)** – No objections.
- 6.3 **Archaeology Advisor (NCC)** – Recommend conditions to ensure suitable investigation of matters of archaeological interest prior to building works taking place.
- 6.4 **British Pipeline Agency** – No objections.
- 6.5 **Environment Agency** – No objections in principle, subject to conditions relating to the provision of drainage and unsuspected contamination.
- 6.6 **Environmental Health (NBC)** – Recommend conditions relating to the control of noise and lighting levels in order to ensure that the development does not have a significant adverse impact upon the amenities of nearby residential properties.
- 6.7 **Highway Authority (NCC)** – Request the securing of a Travel Plan, which should include the provision or securing of bus services to serve the site and shall be available on any shift change involving 50 or more people either starting or finishing work. The applicant shall also be required to submit annual monitoring reports detailing uptake of the Travel Plan for a period of no less than five years. In addition, the Legal Agreement should secure financial contributions towards the funding towards measures to encourage bus usage. A Construction Environment Management Plan should also be secured.
- 6.8 **Highways England** – No objections, subject to a condition relating to access arrangements.

- 6.9 **Lead Local Flood Authority (NCC)** – No objections in principle, but request that any permission is subject to conditions relating to the provision of a drainage scheme and its ongoing maintenance.
- 6.10 **National Grid** – Comment upon the presence of equipment within the vicinity of the site.
- 6.11 **Natural England** – The proposal is unlikely to affect any statutorily protected sites or landscapes.
- 6.12 **Urban Designer (NBC)** – Recommend revisions to the elevations of the building (Officers Note: The scheme has been revised in light of these observations and the changes are discussed in more detail in the appraisal section).
- 6.13 **Andrea Leadsom MP** – Highlighting concerns that have been received from constituents with regards to the visual impacts; noise; pollution; flood risk; loss of green spaces and wildlife habitats; and economic benefits.
- 6.14 **Milton Malsor Parish Council** – Object to the application on the grounds that the development encroaches onto allocated open space, which adversely affects the amenity of the crematorium and site lines from the Milton Malsor Parish area would be adversely affected.
- 6.15 **West Hunsbury Parish Council** – Object to the development as the proposal is contrary to the requirements of the West Northamptonshire Joint Core Strategy; that there is an overdevelopment of the site due to the encroachment onto allocated green space; the size of the development fails to reflect the natural features of the site; there would be overshadowing; accessing the site from Ladybridge Drive would not be desirable and would increase pressure on the car parks that currently serve the open space; and concerns are expressed relating to flood risk.
- 6.16 **218 letters of objection** have been received. Comments can be summarised as:
- The development is of a similar use to previous schemes that have been refused planning permission and is also of a greater scale and encroaches onto allocated green space.
 - Whilst less weight may be attached to the Local Plan policies, the area is of unchanged sensitivity.
 - The development could not be masked by landscaping.
 - The proposed bunding will appear incongruous
 - The proposed bunding is not sufficient to mask the building.
 - The development would generate excessive pollution, which is of greater sensitivity due to the proximity of residential accommodation.
 - The number of vehicle movements associated with the development is excessive and would lead to increased pollution and congestion.
 - Traffic along Ladybridge Drive would increase.
 - Concerns are raised regarding the extent of proposed highways mitigation and whether this would have a lasting effect.
 - The site is in close proximity to playing fields and a play area, which is of concern due to the potential impact on air quality.
 - Since the site was allocated for business purposes, the surrounding land has matured and now includes sports pitches and the natural environment will be disturbed by the development.

- The development would create noise pollution due to vehicles manoeuvring.
- Whilst there may be 208m between the proposed building and residential dwellings, noise would be generated in areas that are closer due to items such as vehicle manoeuvring areas.
- There would be disturbance created by lighting at the proposed development.
- Concerns are raised regarding the impact upon flood risk.
- The development would have an adverse impact upon wildlife.
- The development will also adversely impact upon the environment at the nearby crematorium.
- There are concerns that a footpath link could be created between the application site and Ladybridge Drive.
- The application overstates the economic benefits of the proposal and an alternative use could generate a greater number of employment opportunities.
- The site could be used for other purposes, such as a country park and the development could be incorporated into other areas.

6.17 **A letter of support** has been received. Comments can be summarised as:

- The development will support regeneration.
- The proximity of the development to the M1 means that it is appropriately located.

7. APPRAISAL

Principle of the development

- 7.1 The application site straddles two different site allocations within the Northampton Local Plan. The largest section of the site (approximately 10 hectares) to the west is allocated for commercial development, including warehouses. The remainder (approximately 4.8 hectares) to the east is allocated as open space. By reason of the initial allocation, the principle of developing this section of the site for a warehouse is considered acceptable in principle.
- 7.2 In respect of the eastern section of the site, it is accepted that the site is allocated as open space; however, Policy E6 of the Local Plan identifies the reason for this allocation is to maintain the character and setting of nearby villages and to define the established urban area. In considering this particular application, it should be recognised that the application site is already separated from the nearest villages by the M1 motorway to the south and the old Towcester Road.
- 7.3 In addition to these factors, it should be recognised that the land to the north of the M1 has been the subject of a significant amount of development. This includes the industrial uses within Pineham and Swan Valley areas to the west and on a smaller scale, the crematorium and some residential accommodation to the east. It is also noted that Policy N5 of the JCS allocates the land south of Collingtree and in proximity to the M1 motorway as a site for residential development. These developments and allocations have also served to extend to the urban area of Northampton. As a consequence of these combined factors, it is considered that the overall effectiveness of the open space in maintaining the setting of the surrounding villages is somewhat debatable.

- 7.4 The majority of the allocated open space would remain undeveloped as it would feature landscaping to reduce the impacts of the proposed building and a drainage lagoon. In addition, the quality of planting be improved and would include a number of native species and there would be some ecological benefits of the proposal. As a management regime can be secured, it is considered that the development accords with Policy BN1 of the JCS. On balance, a reduced amount of weight can be given to this specific policy allocation within the Northampton Local Plan and as such the development in this respect is acceptable.
- 7.5 In addition, the impact upon the open space allocation needs to be balanced against the benefits of the scheme. It is noted that the proposed development would generate 300 employment opportunities. There would be further jobs generated in associated work, such as logistics (estimated to be a further 130 jobs). The employment opportunities will be in addition to the existing commercial units within the Borough that operated by the applicant. The proposed development does offer significant employment opportunities that would support the delivery of the aims and objectives of the JCS as discussed within paragraph 5.9. It is therefore considered that the benefits of the scheme do provide further justification for developing this site for commercial purposes.
- 7.6 It has been the subject of representations that the Local Plan allocation suggests that the site could be developed for other uses other than warehousing. These uses comprise either offices (Use Class B1) or general industrial functions (Use Class B2). In response, it should be recognised that the more recent national and local planning policies direct uses such as offices towards locations such as the town centre. Furthermore, it is likely that general industrial uses would have a greater impact upon neighbour amenity in terms considerations such as noise and air quality than the proposed use. It is likely that the site is attractive for warehouse type uses gives its proximity to the strategic road network. It is concluded that therefore a warehouse represents a proposal that has a realistic likelihood of being implemented and delivering the economic benefits as previously identified.
- 7.7 It is noted that representations have commented upon the prospect of the proposal being sited within Pineham or Swan Valley; adjacent to Junction 16 of the M1 or at the Daventry International Rail Freight Terminal (DIRFT).
- 7.8 Notwithstanding the fact that the key test in determining planning applications of this type is whether the proposal is acceptable in the proposed location and not whether the development could be accommodated on another site, information on alternative locations has been submitted. Following an assessment of this information, it has been concluded that there are no available sites in Pineham and Swan Valley of sufficient size. Whilst it is acknowledged that the land adjacent to Junction 16 of the M1 motorway has been allocated for the strategic development of commercial facilities (Policy E8); however, the scale of the development envisaged within this policy is far greater than that proposed within this planning application. In addition, locating the development at DIRFT would mean that the employment opportunities as identified previously would be lost to the Borough.
- 7.9 It is acknowledged that the development includes a two storey office building that would be attached to the western elevation of the warehouse building. Notwithstanding the sequential aspiration towards the location of office facilities (as discussed within paragraph 7.6), it is recognised that the proposed offices are

intended to operate as an ancillary function to the warehouse and as a consequence of this, requiring the two elements of the business to operate on separate sites would be unreasonable. In order to ensure that the offices are not occupied by a separate business, to which the above points would not apply, a condition is recommended requiring that the offices remain as an ancillary function.

Design and appearance

- 7.10 As discussed previously, the Local Plan (in Policy B9) specifies that there should be a 50m landscaped zone from the northern boundary and a similar boundary adjacent to the M1 motorway. The proposed development is in compliance with this objective in terms of the landscaping that has been provided adjacent to the northern boundary; however, there is a breach in respect of the level of landscaping adjacent to the motorway.
- 7.11 In respect of this specific breach, it is considered that the proposed development would not prove to be unacceptable due to the minimal harm arising from it. The reasoning for this is that this element of the site is not overly prominent by reason of the differing land levels and existing landscaping that is prevalent between the motorway and the application site. As a consequence, the level of landscape mitigation that is required in this section of the site is proportionately lower. It is recognised that this reduced landscaped buffer does mean that the proposed building is closer to the motorway than originally envisaged within the Local Plan; however, as the building is of sufficient quality and suitable landscaping would be provided in close proximity to this boundary. This would prevent a significant adverse impact upon visual amenity. It is also noted that this arrangement increases the distance between the proposed building and the residential accommodation to the north, which are of greater sensitivity.
- 7.12 In addressing the issue relating to Policy B9, it is noted that the policy is of a significant age, which does diminish the amount of weight that can be attached to its requirements. It should be noted that the NPPF places a significant weight upon the securing of additional employment opportunities and that a proactive approach should be taken in supporting economic development. As a consequence, the arrangement of the proposed warehouse building in relation to the motorway is acceptable.
- 7.13 Policy B11 states that no building with a height in excess of 9m should be constructed within 50m of the northern boundary. By reason of the position of the proposed warehouse building, this objective has been complied with as no building is located within 50m of the northern boundary of the area of land identified in the Local Plan.
- 7.14 Notwithstanding this conclusion, it is recognised that the proposed warehouse has substantial proportions given that it has a floor space of 46,651m² and a maximum height of approximately 18.3m. Whilst the proportions of this building are far larger than those of the residential accommodation within the vicinity of the site, it is considered that the development would not harm the visual amenity of these residents. The reasoning for this is that the building on its side (northern and southern) elevations utilised a pitched roof design, which reduces the massing of the building.
- 7.15 During the application process, the applicant has made a number of revisions to the materials palette and the proposed landscaping and boundary treatments.

These measures are considered necessary to ensure that the proposed building would have a reduced impact upon the visual amenity of the surrounding area including residential accommodation. These measures would be secured through recommended conditions, which would ensure the carrying out of a landscaping scheme and give the Council the opportunity to approve all external facing materials.

- 7.16 The proposed warehouse building is approximately 208m away from the nearest residential dwelling. Given this, it is likely that there would be no undue detrimental impact upon the levels of light currently enjoyed by existing residents. This separation distance also reduces the impact on the outlook of the nearby residential properties. It is accepted that the development involves construction on allocated greenspace; however, as discussed previously, the reason for the allocation relates to an aspiration to define the confines of the urban area rather than any intrinsic value that the space has in providing an outlook.
- 7.17 In terms of building heights, it is recognised that permission has been granted for taller buildings on this site. In particular, the 2008 proposal (which contained a number of commercial, office and leisure uses) included a hotel with a height of 30m, albeit with a smaller footprint than the building proposed within the application.
- 7.18 The impacts of the building are also reduced by the presence of the proposed bunding and landscaping. It is accepted that the existing topography features a gradual slope; however, the bunding has been designed in an asymmetric fashion so that the northern face of these works has a much more gradual gradient. This ensures that these works appear more natural within the landscape and as such prevents them from forming an overbearing or strident feature. The impacts of the building would also be diminished by a significant amount of planting, which would partially obscure the building.
- 7.19 The proposed landscaping would feature a number of native species, which would assist in ensuring that the proposed bunding would offer adequate mitigation from the impacts of the development. These points ensure that the landscaping would appear within the area as being reasonable natural and would therefore avoid the deficiencies of the 2002 proposals.
- 7.20 The proposed development also includes a gatehouse, which would be constructed from materials of the same type as the warehouse building. As a consequence of this and due to its comparatively small scale there would be no undue detrimental impact upon visual or neighbour amenity.
- 7.21 It is accepted that the site is a gateway into Northampton and its proximity to the motorway does give it an elevated prominence to which the design does pay suitable regard. In particular, the building's orientation means that there is variation in the roof shape on the western elevation, which adds interest to the streetscene, whilst reducing the massing for residents to the north. Furthermore, the materials palette features some vertical delineation, which serves to break up the massing of the building. In addition to these points, the ancillary office building has been located at the front of the building. This adds greater interest when viewed from the public highway and allows for the introduction of greater variety of materials. For these combined reasons, it is considered that the development is of an acceptable design and compliant with national and local planning policies.

Highways

- 7.22 It is accepted that the development would increase road traffic usage within the vicinity of the site; however, it is noted that the application site has been allocated for commercial developments for some time and the existing road network has been designed to include a junction to serve the site.
- 7.23 In terms of parking, the proposed development includes 422 car parking spaces (including 22 for use by those with disabilities) and 66 parking spaces for use by large heavy goods vehicles. Given the scale of the development and the fact that there is no potential for on street parking within the vicinity, it is considered that this provision is acceptable and would prevent any significant undue detrimental impact upon highway safety.
- 7.24 The development has been assessed by Highways England (formerly the Highways Agency), which have raised no objections to the proposal, subject to the imposition of a condition requiring the access arrangements to be implemented prior to the first occupation of the building.
- 7.25 Notwithstanding this assessment, it is recognised that there is a need to encourage more sustainable means of travel. To achieve this, the applicant has revised the layout of the scheme in order to create a bus stop and turning area. It is noted that the bus services to the Swan Valley area are to be increased and these services will also be enhanced so as to serve the application site. In order to encourage the use of this service, the applicant through the Section 106 Agreement, will also provide a number of measures to increase public transport usage.
- 7.26 In addition to these factors, the applicant will provide a Travel Plan which will ensure that sustainable transport measures are implemented. As part of the Travel Plan process, annual monitoring reports will be submitted to the Council for at least five years in line with the advice of the Highway Authority.
- 7.27 In addition, it is considered that there is a necessity to ensure that the site is adequately served by public transport, particularly in instances when a significant number of people are likely to either commence or finish a shift. The applicant has committed to working with local bus operators to ensure that services to the site will be available and in the event that this is not possible will step in to providing its own services (subject to a significant financial cap). This service provision will either be secured via the Travel Plan or as a separate obligation within the legal agreement, either will provide certainty regarding its provision.
- 7.28 Within the various consultation responses that have been received, the merits of creating a pedestrian link between the application site and Ladybridge Drive have been discussed. In response to these points, it is considered that such a path would not be necessary in planning terms on account of the aforementioned sustainable transport measures being secured. Furthermore, there are significant doubts regarding the deliverability of such a path given that the bulk of its route would fall outside of the applicant's ownership and such a path could call into question the long term use of the adjacent sports pitch. As referenced previously, the proposed development would operate on a continuous basis. Therefore, it is likely that staff would be entering and leaving the site during the hours of darkness. If the path were to be used during these times it may not be safe due to a lack of surveillance and lighting.

Air quality

- 7.29 It is accepted that there is the potential for a number of vehicle movements to and from the site. This would be in addition to the significant number of vehicles using the surrounding highways network. It is also noted that the adjacent section of the M1 motorway is within an Air Quality Management Area. In respect of these matters, the applicant has carried out an assessment of the impacts of the development on air quality, which has been reviewed by the Council's Environmental Health section. This has concluded that the development would result in a marginal increase in the levels of nitrogen dioxide and particulate matter at sensitive receptors; however, the development would not prevent any targets for future emission levels from being met.
- 7.30 Notwithstanding this conclusion and given that the development would operate in conjunction with other commercial developments within the vicinity, which would give rise to some cumulative impacts. In order to mitigate this; the applicant through the Section 106 Agreement, will provide additional funding to promote more environmentally sustainable means of travel for employees and visitors to the site.

Noise

- 7.31 It is recognised that the proposal is for the development to operate on a continuous basis. Given the modus operandi of the applicant, any form of condition limiting the operating hours of the proposed development could be construed as being unreasonable. As a result of this, the level of noise emanating from the development is of key importance due to presence of residential accommodation within the wider area. In assessing noise levels, it is important to recognise that the site is in close proximity to two heavily trafficked roads and as a consequence of this, the level of background noise is high.
- 7.32 The proposed bunding would offer some mitigation in addition to reducing the visual impact of the building. This would be supplemented by the installation of acoustic fences running along the top of the bunding, which would offer further mitigation. The variety of landscaping that has been proposed would, in the longer term, screen views of the fence thereby ensuring that this would not unduly adversely affect visual amenity.
- 7.33 In order to provide additional certainty regarding the impacts of the proposed development upon the occupiers of adjoining residential properties and in line with the recommendations of the Council's Environmental Health section, a number of conditions are recommended that would set limits on the levels of noise that could emanate from the site (including more stringent controls to cover night time periods). These controls would cover noise generated from matters such as the movement of vehicles and unloading in addition to the operation of plant and equipment.
- 7.34 A number of representations have been submitted to the Council regarding the impact of the development upon the environment surrounding the nearby Crematorium and its surrounding memorial gardens. It is appreciated that this site is of particular sensitivity given its use; however, given the existing background noise levels and the mitigation measures that would be secured as discussed previously, it is concluded that there would be no significant adverse impact upon the character and amenity of this facility.

Lighting

- 7.35 By reason of the development operating on a continual basis, the issue of lighting is of particular importance. The applicant has submitted a lighting scheme details light levels on a horizontal plane and demonstrates that there would be no adverse impact upon the occupiers of neighbouring properties. Conditions are recommended that would ensure that the development operates in accordance with these details.
- 7.36 Notwithstanding this, there is the potential for light to fall upon the vertical plane of nearby properties. Whilst this is likely to be very limited due to the separation distances involved and the fact that the proposed bunding would provide significant screening, a condition providing certainty regarding maximum light levels is considered necessary and reasonable. The lighting would need to be designed in such a way so as to achieve the International Commission on Illumination's (CIE) guidance on this matter. By reason of the character of the surrounding area, the condition would secure more stringent light controls.

Flood risk

- 7.37 It is acknowledged that the site is currently undeveloped and as such is currently permeable, although the site is not within any established flood zone. This would be replaced by the proposed building and various elements of hardstanding although it should be acknowledged that a number of flood mitigation measures have been included within the proposed development, including a balancing pond to the east of the site.
- 7.38 The application is supported by a Flood Risk Assessment, which has been assessed by the Environment Agency, which has concluded that the development would have no significant impacts upon flood risk, subject to a condition that would require details of foul water drainage to be submitted and approved by the Council. These details would include a phasing plan for the implementation of such a scheme and will be implemented prior to the development coming into use.
- 7.39 In addition to the measures and to respond to the comments of the Lead Local Flood Authority, further conditions are recommended which would secure the provision and on-going maintenance of the specific surface water drainage system. This would include details such as the design of the physical drainage system, the volume of the attenuation lake and the provision of control chambers.
- 7.40 As a consequence of these measures, it can be demonstrated that any flood risk arising from the proposed development can be appropriately mitigated and as a consequence there would be no undue detrimental impact upon flood risk either on site or within the surrounding environs.

Ecology

- 7.41 Whilst the site is currently undeveloped, there are only a small number of trees on site. As these trees are generally of poor quality, there is no specific policy objection to their removal. Moreover, the loss will be more than compensated through the additional landscaping that would take part as of the development of the site.

- 7.42 Separate to this point, the applicant has undertaken a full ecological survey of the site. Of particular note is that the site has been grazed by horses, which results in grassland that is dominated by common species. The area surrounding the now demolished farm buildings features more variation; however, the additional species tend to be nettles. There are five hedges either in the site or marginally beyond its boundaries; however, two of these have recently been planted (within the motorway verge), whilst the remainder contain common plants. As a consequence, the hedgerows do not contain any species that are of ecological importance.
- 7.43 In terms of fauna, the site has been assessed and there is no evidence of any protected species including badgers. There is also no evidence to indicate that the site would be a habitat for reptiles due to the current level of grazing, combined with it being isolated from more attractive reptile habitats. Although there is a mature walnut tree on site, which has the potential to be used for roosting by bats, there is no evidence to indicate that this is that case. It is possible that the hedgerows could support a range of common bird species during the breeding period; however, this could be offset by appropriate new planting as part of the development process. Moreover, the applicant's submitted Ecological Assessment details appropriate timescales for the removal of any such planting in order to prevent any undue detrimental impact upon birds and bats.
- 7.44 In addition to these measures, further mitigation would be secured through the incorporation of new bat boxes, which are likely to be located to the east of the site, adjacent to proposed attenuation pond.

Archaeology

- 7.45 The application site has been the subject of previous investigations into matters of archaeological interest as a result of previous decisions. This has established the presence of a series of Romano-British enclosures and evidence Neolithic cremations. As a consequence of the scale of the development and in line with the requirements of the NPPF, a more intrusive investigation and recording programme needs to be undertaken, which would be secured by condition.

Land Conditions

- 7.46 The applicant has undertaken an initial survey of land conditions, which has identified further required areas of study. In order to respond to these matters, and in line with the requirements of the NPPF, conditions are recommended that require a more intensive investigation into potential land contamination and for details of any remediation to be submitted to and agreed by the Council. A further condition covering the remediation of any unsuspected contamination is also advised by the Council's Environmental Health Section and the Environment Agency.

Construction Management

- 7.47 In order to ensure that the construction process does not adversely affect the amenities of neighbouring properties and the flow of traffic within the area, a condition is recommended that would require the submission of a Construction Environment Management Plan. This would include the hours in which construction works would take place; the routing of construction traffic; and strategies to reduce dust and vibrations during building works.

8. CONCLUSION

- 8.1 It is considered that the principle of the constructing the proposed development on the allocated commercial site is acceptable. Furthermore, the amenity value of the existing open space is limited and as a consequence, its loss is outweighed by the economic benefits of the proposal. Given that an acceptable design, including landscaping has been proposed and it has been demonstrated that the scheme would not unduly impact upon neighbour amenity or highway safety, the application is recommended for approval in principle, subject to the finalisation of a S106 agreement.

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 plans.

Reason: For the avoidance of doubt and to ensure consistency with 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. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development 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. This condition is a necessity in order to ensure that there is a neutral impact upon the amenities of surrounding properties.

5. The parking, access roads and manoeuvring spaces space as shown on drawing 14070 P003 Rev. C shall be fully implemented prior to the first occupation of the development hereby permitted.

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

6. Notwithstanding the details submitted, full details of the bus stop area, which shall include details of engineering, constructional and drainage details in addition to details of lighting and a bus shelter as indicated on drawing 14070 P004 Rev. C shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved

details, be fully implemented prior to 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.

7. Notwithstanding the details submitted, full details of the appearance of all proposed hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development and retained thereafter.

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

8. All planting, seeding or turfing as shown on drawings DLA-1625-(02)-01 Rev. B and DLA-1625-(02)-03 Rev. B 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.

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

9. Full details of the appearance of all proposed external lighting installations shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

10. The development hereby permitted shall operate in accordance with the external lighting details as shown on drawings DLA-1624-(02)-07; 2764/E/101 Rev. P3; and 2764/E/102 Rev. P2.

Reason: In the interest of neighbour amenity in accordance with the requirements of the National Planning Policy Framework.

11. Notwithstanding the details submitted, the external lighting installation shall be designed so that the levels of illuminance and luminous intensity at any nearby residential premises shall not exceed the appropriate guide levels in the CIE Guide of the Limitations of the Effects of Obtrusive Light from Outdoor Lighting Installations: CIE 150:2003. In this case, it is considered that the development is situated in Environment Zone E2.

Reason: In the interest of neighbour amenity in accordance with the requirements of the National Planning Policy Framework.

12. Prior to the commencement of the development, a scheme detailing proposed lighting level shall be submitted to and approved in writing by the Local Planning

Authority. The scheme shall include all proposed lighting levels, including the vertical illuminance levels at all residential properties in Heronsford and Teal Close. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interest of neighbour amenity in accordance with the requirements of the National Planning Policy Framework.

13. The building façade luminance (L_b) on residential properties within Heronsford and Teal Close when measured as a maximum average surface illuminance shall not exceed 5cd/m^2 .

Reason: In the interest of neighbour amenity in accordance with the requirements of the National Planning Policy Framework.

14. 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.
- iv) The location, extent and duration of any temporary stockpiling areas.
- v) Measures to prevent mud being deposited on the surrounding highway.
- vi) 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. This condition is necessary to ensure that adequate provisions are in place prior to the commencement of any development.

15. No development shall take place until the applicant, or their successors in title or agents, 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. This condition is required in order to ensure the timely investigation of such occurrences prior to building works taking place.

16. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by Nolan Associates, no. 2014-269 revision P4 dated June 2015), have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The details of the scheme shall include:

i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions) of all elements of the proposed drainage system, to include pipes, inspection chambers, ACO drains, storage tanks, outfalls/inlets and swales.ii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

iii) Full specification for the permeable paving to be provided.

iv) Details of the attenuation pond dimensions, to include bank levels in relation to 'normal' and design water levels and surrounding land levels, plus cross sections through any raised sections of bank. This should demonstrate that adequate attenuation storage volume has been provided above 'normal' water level, providing an appropriate freeboard between top design water level and bank level of 600mm or that determined as being appropriate by a qualified engineer for safety and other factors. The available storage volume should account for any ballast or other permanent features within the pond.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the National Planning Policy Framework. This condition is required in order to ensure the adequate provision of adequate flood mitigation in an appropriate timescale.

17. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be retained in full thereafter.

This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development, and a plan designating routes for overland flow (including any dropped kerbs) and areas designated for flood storage.

Reason: To ensure the future maintenance of drainage systems associated with the development. This condition is required in order to ensure that any flood risk is satisfactorily mitigated in a timely manner.

18. 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 the provision of suitable water infrastructure. This condition is required in order to ensure the provision of adequate infrastructure in a timely manner.

19. 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 in a, 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 Policy BN9 of the West Northamptonshire Joint Core Strategy.

20. Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

21. The proposed development shall be carried out in accordance with the drawing number 14-T101_08 titled Access Arrangement, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a neutral impact upon the highway system in accordance with the requirements of the National Planning Policy Framework.

22. Notwithstanding the details submitted, full details of the installation of at least two bat boxes (including location) 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 development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory form of development in terms of encouraging ecology enhancements in accordance with the requirements of the National Planning Policy Framework.

23. The office accommodation as shown on drawing 14070 P007 shall remain ancillary to the warehouse building hereby permitted and shall at no time form a separate planning unit.

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

24. The development hereby permitted shall operate in accordance with the following operational ambient noise limits:

i) Where the existing background noise levels (measured at representative positions of the nearest dwellings, as a free field level) are below 40 dB LA90,T the noise levels generated from the development shall not exceed 45 dB LAr,T. (The assessment time period T will be 1 hour between 0700 and 2300 and 15 minutes between 2300 and 0700 hours).

ii) Where the existing background noise levels (measured at representative positions of the nearest dwellings, as a free field level) are equal to or above 40 dB LA90,T the noise levels generated from the development shall not equal or

exceed 5 dB above the existing LA90,T. (The assessment time period T will be 1 hour between 0700 and 2300 and 15 minutes between 2300 and 0700 hours).

The appropriate noise limit detailed above must be achieved, as a free field level, at positions representative of the facades of properties on Heronsford and Teal Close, to accord with the findings of the submitted acoustic report (undertaken by Cole Jarman; reference 14/0674/R1, Issue 2 dated 1st May 2015).

Reason: In the interests of securing a neutral impact upon residential amenity in accordance with the requirements of the National Planning Policy Framework.

25. The development hereby permitted shall operate in accordance with the following operational short duration event noise limits:

- i) Impulsive noise levels from loading and unloading activities on the site (excluding tonal reversing sounders) shall not exceed 53 dB LAmax between 2300 and 0700 hours.
- ii) All fork lift truck vehicles shall be fitted with white noise reversing alarms.
- iii) Noise levels from tonal reversing sounders used on site shall not exceed 45 dB LAmax between 2300 and 0700 hours.

The appropriate noise limit detailed above must be achieved, as a free field level, at positions representative of the facades of properties on Heronsford and Teal Close, to accord with the findings of the Cole Jarman acoustic report ref 14/0674/R1-2.

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

26. The level of noise emitted from plant shall be at least 6 dB(A) below the existing background noise level (as measured at representative positions of the nearest dwellings, as a free field) of 40 dB LA90,T. (The assessment time period T will be 1 hour between 0700 and 2300 and 15 minutes between 2300 and 0700 hours).

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

10. BACKGROUND PAPERS

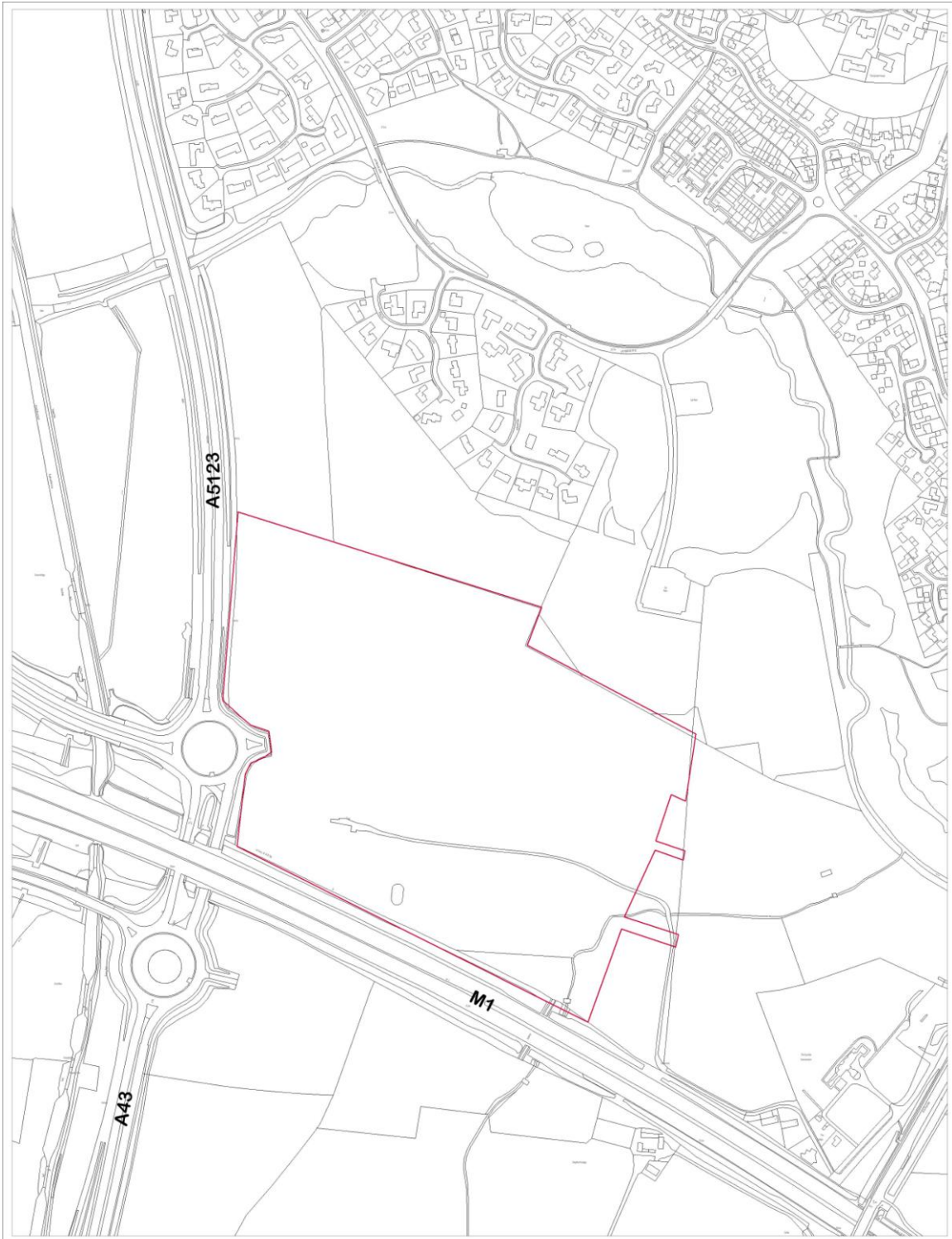
10.1 None

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: Site Location Plan
Date: 13th July 2015
Scale: 1:5000
Dept: Planning
Project: Planning Committee

Title

Land at Milton Ham, Towcester Road

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