

PLANNING COMMITTEE: 22nd November 2016
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2012/0909

LOCATION: Land at Lancaster Way

DESCRIPTION: Proposed residential development of 139 residential dwellings, garages and associated works including new access roundabout.

WARD: Delapre & Briar Ward

APPLICANT: Xcite Projects Ltd and Bovis Homes Ltd

REFERRED BY: Head of Planning
REASON: Major Development requiring S106 and affecting Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to S106 Agreement to secure:

- 1.1.1
- i) 35% on-site affordable housing;
 - ii) Primary School Education payment;
 - iii) A payment towards the increase in capacity of Queen Eleanor interchange in accordance with the A45/M1 Growth Management Scheme;
 - iv) A payment towards improvements in highway capacity;
 - v) A payment towards increasing public transport provision;
 - vi) That the on-site Public Open Space is maintained and made available for public access in perpetuity;
 - vii) That the on-site Public Open Space and allotments are maintained in accordance with a management strategy that is agreed in advance with the Council;
 - viii) Training opportunities for construction workers and associated administration costs;
 - ix) A payment towards Community Development (which can include the provision and/or enhancement of off-site open space, such as Delapre Parkland);
 - x) Place Making payment (which can include public realm improvements, public art and town/local centre improvements);
 - xi) The Council's monitoring fee subject to the Head of Planning being satisfied the monitoring fee is necessary and of an appropriate scale

1.1.2 The conditions as set out below and for the following reason:

The proposed development, subject to conditions, represents an acceptable land use which would contribute towards the Council's 5-year housing supply and would have a neutral impact upon the character and appearance of the surrounding area, visual and neighbour amenity and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S1, S3, S10, H1, H2 and BN7 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

- 1.2 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 has applied for full planning permission to erect 139 dwellings. This comprises 42 two bedroom dwellings (including 4 apartments), 56 three bedroom dwellings and 41 four bedroom dwellings. The development also includes 341 car parking spaces, including those contained within garages.
- 2.2 The proposal includes a number of areas of public open space, including a centrally sited play area.
- 2.3 Access to the development would be via Lancaster Way, which is positioned to the south of the application site. A new roundabout is proposed which would, in part, occupy some of the existing public open space adjacent to the northern side of Lancaster Way.

3. SITE DESCRIPTION

- 3.1 The application site is approximately 5ha in area and is allocated within the Northampton Local Plan for residential development (Policy H8). The application site has historically been used for the keeping of animals and as allotments, although the use of the site has been in decline and fallen into disuse in recent years. As a result of this, the site is overgrown in places. A Tree Preservation Order is in place to protect the mature tree adjacent to Lancaster Way. The general topography of the site slopes downwards in a northerly direction, with a number of undulations within the site.
- 3.2 The surrounding area is predominantly residential in nature, with the surrounding buildings being of a wide variety of scales, styles and types. Of particular relevance are the traditional houses within Towcester Road which date from the early part of the 20th century, and the more modern dwellings within Hedgely Court and Hexham Court to the south; Braunstone Close to the west; Tunnel Hill Cottages, Radleigh Close and Leah Bank to the north; and Briar Hill Walk to the east. Pedestrian access to the site is also present (albeit currently closed) by a path that runs from Towcester Road (which also serves the rear of dwellings in this road) to Tunnel Hill Cottages, with access from Braunstone Close. This route then travels in a northerly direction joining Rothersthorpe Road.
- 3.3 Lancaster Way runs adjacent to the southern boundary of the site, and provides vehicular access from Towcester Road to the residential accommodation to the west. Of additional note is that there is a driveway serving 196 Towcester Road which is accessed from Lancaster Way.

4. PLANNING HISTORY

4.1 07/0348/FULWNN – Residential development comprising 206 dwellings – Approved.

4.2 The current application was originally considered by the Committee in the summer of 2013, where it was 'Approved in Principle' subject to the prior completion of a Section 106 Agreement. At the time, a large part of the Application Site was unregistered land and as the Applicant was not able to demonstrate good title the Section 106 Agreement could not be completed and planning permission could not be issued. Accordingly a revised scheme has now been submitted for consideration and, at the time of preparing this report, the re consultation period associated with this submission has yet to conclude. Any further representations received in advance of the Committee will be reported to Members via the Addendum, which will be circulated prior to the meeting commencing. It should also be noted that due to the passage of time, revised supporting reports have been submitted for consideration.

5. PLANNING POLICY

5.1 Statutory Duty

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.

5.2 National Policies

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.

Of particular note to residential proposals 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.

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).

Paragraph 17 states that planning decisions should always endeavour to secure high quality designed developments, which secure a good standard of amenity for existing and future occupiers of land and buildings. In doing this, planning should also take into account the differing roles and character of areas. The same paragraph also encourages the redevelopment of previously used sites.

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.

Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. The NPPF also requires that new developments be of a good quality design (paragraph 56).

Paragraph 103 states that when determining planning applications, care should be taken to ensure that flood risk is not increased elsewhere and that priority should be given to the use of sustainable urban drainage systems.

5.3 **West Northamptonshire Joint Core Strategy (2014)**

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.

Policy S10 requires that developments be of a good standard of sustainable design and incorporates safety and security considerations in order to promote a good sense of place. In addition, development should be sustainably located in order to encourage access by walking, cycling and public transport.

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.

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 INF2 requires that new developments will only be permitted in instances where there is a reliable mechanism in place to ensure that required mitigation can be delivered.

Policy BN7 requires new development to demonstrate there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improve existing flood risk management.

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

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.

Policy E20 requires that new developments be constructed to a good design and to ensure that there would be no significant adverse impact upon the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy.

6. **CONSULTATIONS/REPRESENTATIONS**

6.1 As discussed in paragraph 4.2, the current proposals are a revision to a previously considered scheme. The comments below are those submitted since the submission of these revised documents.

6.2 **Anglian Water** – Request a condition relating to foul water drainage.

- 6.3 **Development Management (NCC)** – Request a Section 106 obligation to secure a financial payment towards primary school provision.
- 6.4 **Environment Agency** – Recommend conditions relating to foul water drainage and surface water management.
- 6.5 **Highway Authority (NCC)** – The layout is, in this instance, considered acceptable, and it has been demonstrated that refuse lorries can manoeuvre within the site. If approved, it is requested that a Section 106 Agreement is entered into in order to secure improvements to the highway system and public transport provision. Planning conditions are also requested in respect of access, a pedestrian crossing, a Travel Plan and a Construction Environment Management Plan.
- 6.6 **Lead Local Flood Authority (NCC)** – No objections, subject to conditions relating to drainage systems and their maintenance.
- 6.7 **Northamptonshire Police Crime Prevention Design Advisor** – Advise against a pedestrian link between the application site and Leah Bank.
- 6.8 21 letters of objection as well as representations from the Buckingham Fields Community Action Group and the Far Cotton Number 1 Allotment Association. Comments are summarised as follows:
- The development would have an adverse impact on the highway system, including impinging upon safety. There is also only one access to the site.
 - The proposed roundabout is not needed and could be replaced by a smaller junction.
 - The proposed roundabout and site access would result in a loss of green space.
 - The proposed site access is inappropriate.
 - The development would impact on existing accesses.
 - More details are required regarding site levels.
 - A link should be created through to Leah Bank.
 - The safety of the open space is questioned.
 - The applicant has not demonstrated sufficient interest to enter into a Section 106 Agreement.
 - Not all of the site is owned by the applicant.
 - The delivery of the proposed housing is questioned.
 - Further details regarding boundary treatments are required.
 - Measures should be put in place to prevent mud being dragged onto the road during construction.
 - Concerns are raised regarding drainage.
 - The development would have an adverse impact on wildlife.
 - Tree protection measures should be insisted upon.
 - Confirmation of the phasing of works should be provided.

7. APPRAISAL

Principle of the development

- 7.1 As discussed previously, it is incumbent upon Local Planning Authorities to demonstrate that there is a five year housing land supply. Currently, there is no such supply in Northampton. As a consequence, bringing forward the site for residential accommodation would contribute to delivering a supply of much needed housing within the Borough. The application site is located well within the existing boundaries of the town and as a result, would assist in the creation of a more sustainable form of development. Whilst the development would result in the loss of land that has been used as allotments, the site has been allocated for housing within the Local Plan.

In addition, planning permission has previously been granted for residential development on this site. For these reasons, the principle of developing this site for housing is considered acceptable.

- 7.2 The proposed development includes a mixture of residential dwellings, comprising two, three and four bedrooms. As a result of this, the proposed development would provide a good mixture of house types that would assist in meeting the needs of various groups of society.
- 7.3 The proposed layout provides a good level of on-site open space (including a play area). This therefore ensures that residents of the development would have ready access to outdoor recreation facilities. It is proposed that an obligation be included within the Section 106 Agreement that would ensure that these open spaces are maintained and made available for public use in perpetuity. The development also includes an area of open space adjacent to the entrance. In addition to this creating an entry feature (in particular due to the retention of the protected tree), this would also offset the loss of the open space within the existing grassed area adjacent to Lancaster Way. As a consequence, existing residents would not be unduly prejudiced by the creation of the new access.

Design and layout

- 7.4 The open space adjacent to the site's entrance would be framed by the buildings proposed to be located in this area which, by reason of their large footprint and overall scale, would have sufficient presence to form a visually strong entrance into the development. At key points within the development, the building designs utilised would include additional features such as varied fenestration details or different materials, which would assist in creating further interest at these points.
- 7.5 A notable feature of the development is a central area of public open space, including a play area and a retained mature tree. This space would be overlooked from the frontages of a significant number of dwellings, thereby offering good natural surveillance and activity, which is conducive to creating a safe and secure form of development. It is recommended that a condition be imposed that would secure a low level boundary treatment (such as a knee height post and rail fence), which would ensure that this area is used for its intended purpose, and does not become the venue for indiscriminate car parking. A further benefit of this would be that it provides some certainty to drivers as to where pedestrians may emerge and look to cross the highway. The roads surrounding this space would feature an alternative form of surfacing, which would serve to emphasise the importance of this area in defining the overall character of the development.
- 7.6 The proposed layout features reasonable separation distances between the various dwellings, which would ensure that all future residents of the development have an appropriate level of light, outlook and privacy. A condition is recommended that would enable the Council to approve the boundary treatments for each plot, and to insist on this being provided prior to the first occupation. The benefit of this ensures that each plot has a good level of security, and that the boundary treatments contribute to visual amenity.
- 7.7 The proposed dwellings are of a variety of styles that are complementary towards the prevailing character, which is of importance due to the scale of the proposed development. The proposed house designs include a number of features to ensure that there is sufficient interest; these include bay windows, front gables and porches. The palette of materials shown includes a combination of bricks and render. In the event that the application is approved, it is recommended that it be subject to a condition requiring the submission of details relating to building materials in order to maintain visual amenity.
- 7.8 The proposed buildings are of limited height, being only of two storeys. This ensures that there would be a neutral impact upon the occupiers of surrounding properties in terms of matters such as light and outlook. The proposed layout and separation distances also ensure a satisfactory

level of privacy for the occupiers of nearby properties. It can be anticipated that some releveling of the site would be carried out in order to facilitate the development and, as a result of this, a pre-commencement condition is recommended which would enable the Council to consider the scope and scale of such works.

Highways and access

- 7.9 The proposal includes the provision 341 off-street parking spaces, which comprises driveways, garages and small private courts. These spaces benefit from a good level of surveillance either from the proposed dwellings or public areas. As a result of this, it is considered that the car parking would be reasonably safe and secure. The number of parking spaces and the layout has been assessed by the Highway Authority and no objections have been raised. Given this situation, it is considered that the number of car parking spaces is appropriate for a development of this scale, and would reduce the risk of vehicles having to be parked, on a regular basis, either on street or outside of the development. The latter point would not be desirable due to the nature of the nearby road network.
- 7.10 Over the course of the application, the scheme has been amended to improve visibility and to ensure that large vehicles, such as refuse vehicles can adequately turn in the site. Due to recent changes to the layout for land ownership reasons, a revised plan has been submitted to the Council, which is the subject of on-going consultation, including with the Highway Authority. A further update on this matter will be provided to members, via the Addendum, which will be circulated in advance of the Planning Committee meeting commencing.
- 7.11 The proposed roundabout and alterations within Lancaster Way are sufficient to ensure that highway safety would not be compromised and that congestion would not be created. In the event that the application is approved, it is recommended that it is subject to a condition requiring that these highway works are carried out at an early stage in the development process.
- 7.12 In order to provide sufficient infrastructure to meet the needs of the development, it is recommended that any approval be subject to a Section 106 Agreement relating to the increasing highway capacity (such as within the Queen Eleanor Interchange in accordance with the A45/M1 Growth Management Scheme) and to increase public transport services, specifically bus services during evening periods and on Sundays.
- 7.13 The proposed development features pedestrian access from Lancaster Way, which would promote non-car means of travel. It is noted that, in the past, some representations have been submitted regarding the potential for a pedestrian access to be created to the north of the site into Leah Bank. It is considered that this would increase permeability and encourage more environmentally sustainable means of travel, which would outweigh any potential anti-social behaviour; however, it is noted that the section of land to the north of the application site within Leah Bank is within separate ownership and, as such, a link between the two cannot be provided at this stage. Notwithstanding this, the developer has provided a path up to the northern boundary in order to provide the potential for such a link in the future.
- 7.14 It is appreciated that the development is likely to increase pedestrian movements in the vicinity of the site. It is also appreciated that vehicle usage in Towcester Road has also increased over time. As a consequence, it is recommended that the planning permission be subject to a condition that would require the provision (by the developer) of a new pedestrian crossing in Towcester Road. This would therefore assist in the promotion of more environmentally sustainable means of travel.
- 7.15 In order to provide certainty regarding the development, an additional condition is recommended that would require the submission of a strategy for the maintenance of the development's access

roads. This therefore provides some certainty that the roads will be maintained to an appropriate level in the event that they are not adopted by the Local Highway Authority.

Environmental considerations

- 7.16 In order to secure a satisfactory standard of development, conditions requiring contamination investigation and remediation, where necessary, would be appropriate. Further conditions requiring the remediation of any unsuspected contamination are also necessary.
- 7.17 In addition to this matter, conditions are necessary requiring the submission of an assessment of noise levels and any appropriate mitigation measures to protect the development against noise. In order to ensure that the amenities of the occupiers of neighbouring properties are not adversely impacted upon during the construction process, it is recommended that a Construction Management Plan is secured by condition that would cover, amongst other matters, controls over noise and dust.
- 7.18 As a result of the requirements of the NPPF, conditions requiring the submission of a drainage scheme and the means of securing foul drainage are considered necessary in order to ensure that the proposed development is not susceptible to flooding through inappropriate drainage or cause flooding elsewhere. This is consistent with the advice of the Environment Agency and the Lead Local Flood Authority.
- 7.19 Whilst it is recognised that the site is predominantly undeveloped, the relatively small buildings on the site are not considered suitable to form shelters for roosting bats, whilst the trees on the site do not offer significant potential for the formation of bat roosts. In terms of areas for foraging, the fact that the site is relatively isolated from higher value habitats and enclosed by residential developments, means that this potential is relatively low and limited to the on-site scrub. This would be replaced through new planting contained within gardens and the open space. As such, the potential impact on bats would not be significant.
- 7.20 Given that there are no suitable habitats on the site, or within 500m of the site's boundaries, it is exceedingly unlikely that the development would adversely impact upon any colony of amphibians, including Great Crested Newts.
- 7.21 The application site is likely to support some population of birds, with the most common likely to be bullfinch due to the presence of some mature fruit trees. Whilst these trees are likely to be lost through the development of the site, this can be mitigated to an appropriate degree through a replacement planting programme that would be approved by the Council prior to building works commencing.
- 7.22 The site's lack of connections with mature semi-natural woodland and the historical lack of provision of this habitat within the application site mean that dormice are unlikely to be present. The nature of the existing site (i.e. dense scrub, trees and short turf) mean it is unlikely that a population of reptiles or invertebrates could be supported.
- 7.23 The potential for badgers has also been assessed, but there is no evidence of their presence. A condition is recommended to ensure that the development is carried out in line with the recommendations of the submitted ecological assessment in respect of further attention being given to this matter as the development progresses.
- 7.24 On account of the dominance of dense scrub and very short turf, the site does not represent a suitable habitat for reptiles. In addition to this factor, the site is separated from areas of greater habitat potential by residential developments and roads, which further reduces the potential for a substantial reptile population.

- 7.25 Whilst it is accepted that a number of trees are proposed to be removed from the site, these are trees over which there are no statutory means of protection and are not of suitable quality or amenity value to justify inclusion within a Tree Preservation Order. As such, their retention could not be reasonably insisted upon. As discussed previously, a landscaping strategy would be submitted due to the recommend conditions and ensuring that appropriate trees are provided within the development

Legal Agreement

- 7.26 By reason of the scale and type of development, a Section 106 Agreement is required to secure the planning obligations set out in paragraphs 1.1.1 above. The Application Site consists of a large number of former allotment plots in different ownerships and when the Application was previously considered by members in 2013 a larger part of the Site was unregistered land than now. Since then, the landowners and the Applicant have progressed registering all of the land. Whilst it has not been possible to secure the registration of all of the outstanding plots the scheme has been reduced and amended to ensure no development takes place in these areas. A condition is recommended to ensure that suitable screening is installed, within land controlled by the applicant, which would result in a suitable level of amenity for future occupiers. This particular proposal is unlikely to prejudice the future development of these areas and ensures that there is sufficient interest in the land in order to determine the planning application
- 7.27 The Community Infrastructure Levy Regulations 2010 specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.
- 7.28 In line with the requirements of the Council's policies, 35% of the development would be secured for occupation on affordable tenures. The obligation within the legal agreement would provide certainty that a mixed development would be created that addresses the needs of a wider number of people. Furthermore, the legal agreement would ensure that the affordable housing is representative of the overall composition of the development.
- 7.29 In addition to the highway works and public transport improvements referenced previously, the legal agreement would also secure financial payments towards the provision of education, community development (which could include the provision and/or enhancement of off-site open space, such as Delapre Parkland); place making payment (which could include public realm improvements, public art and town/local centre improvements) and construction worker training opportunities.
- 7.30 A further obligation would require that the public open space is maintained in accordance with an agreed management strategy and for these spaces to be made available for public use in perpetuity.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the development represents an effective use of the site, which would assist in the delivery of new housing in Northampton, for which there is a great need. Subject to conditions, and the proposed Heads of Terms for inclusion within the Section 106 Agreement, it is considered that the impacts of the development can be adequately mitigated.

9. CONDITIONS

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

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

(2) The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

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

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

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy H1 & S10 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy H1 & S10 of the West Northamptonshire Joint Core Strategy.

(5) Full details of the proposed surface treatments of roads, accesses, parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority. The 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 shall be retained thereafter.

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 & S10 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure that such details are agreed in a timely manner.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 & S10 of the West Northamptonshire Joint Core Strategy.

(8) 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 drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:

a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.

b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydro brakes and any other flow control devices.

Reason: To prevent the increased risk of flooding, both on and off the site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

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

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

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

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This condition is required to ensure that such details are agreed in a timely manner.

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

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

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

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

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

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

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of securing a satisfactory standard of development in terms of residential amenity in accordance with the requirements of the National Planning Policy Framework. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

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

Reason: In the interests of securing a satisfactory standard of development in terms of residential amenity in accordance with the requirements of the National Planning Policy Framework. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

(16) Details of the provision for the storage of refuse and materials for recycling to serve the flats and apartments shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development, implemented prior to the occupation or bringing into use of the building(s) and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 & S10 of the West Northamptonshire Joint Core Strategy.

(17) No development shall take place until full engineering, drainage and constructional details of the highway improvement works currently shown indicatively on plan/s ref. 5312:SP02 (these works being to create a mini roundabout junction on Lancaster way as access into the development) have been 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 shall be retained thereafter.

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

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

Reason: In the interests of securing a satisfactory standard of development and the preservation of existing trees on site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

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

Reason: To ensure effective investigation of the site has been undertaken in respect of historic wells in accordance with the requirements of the National Planning Policy Framework. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

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

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

(21) The development hereby permitted shall be carried out in accordance with the recommendations of Table 2 of the submitted Ecology Report (reference: R-2440-01.1 and dated January 2015).

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

(22) Notwithstanding the details submitted, full details of new bird and bat boxes 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 shall be retained thereafter.

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

(23) No development shall take place until full details of a new pedestrian toucan crossing in Towcester Road (including full engineering and constructional details) and a timetable for implementation have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of promoting sustainable means of travel in accordance with the requirements of the National Planning Policy Framework. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

(24) Notwithstanding the details submitted, a maintenance strategy for the development's internal access roads 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 in place prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework. This condition is required to ensure that such details are agreed in a timely manner.

(25) Prior to the first occupation of any unit of the proposed development the applicant shall provide a full Travel Plan for written agreement by the Local Planning Authority. The measures identified shall thereafter be carried out in accordance with a timetable to be included in the full Travel Plan.

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

10. BACKGROUND PAPERS

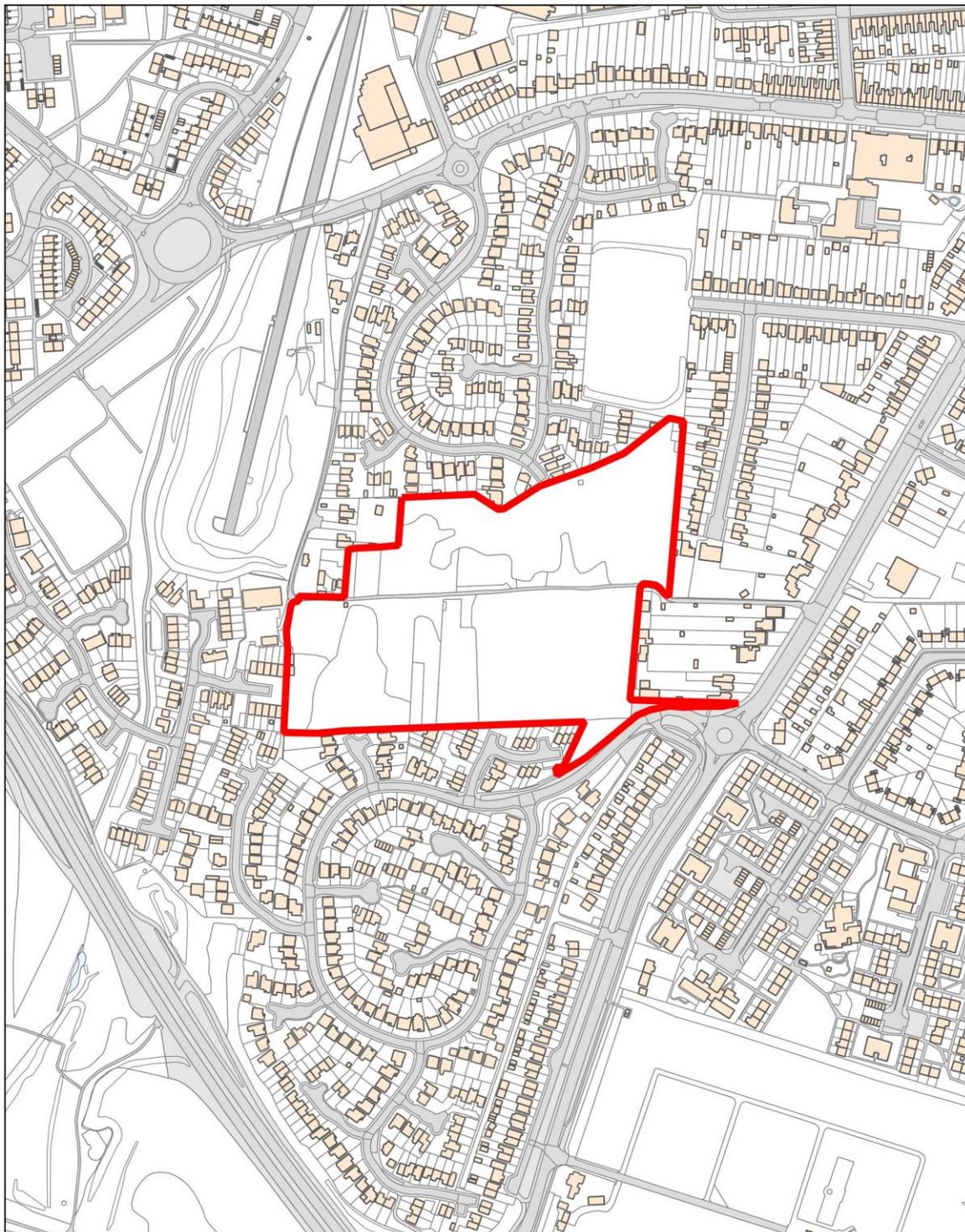
- 10.1 Item 10b from the Planning Committee held on the 2nd July 2013
Item 7b from the Planning Committee held on the 1st October 2013

11. LEGAL IMPLICATIONS

- 11.1 As set out in paragraphs 7.26 – 7.30 above.

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.



Title: **Land off Lancaster Way, Towcester Rd**

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Date: 10-11-2016

Scale: 1:3,714

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