

PLANNING COMMITTEE: 26th September 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0025

LOCATION: Barker Buildings , Countess Road

DESCRIPTION: Part demolition and conversion of existing building to 54 apartments and erection of new three storey building to provide a further 10 apartments, together with bin and cycle storage and parking

WARD: Spencer Ward

APPLICANT: Homegrown Property
AGENT: BB Partnership

REFERRED BY: Councillor G Eales
REASON: Impact on parking

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal would bring about the development of a disused and derelict building in a prominent location within a residential area. The renovation of which would enhance and make a positive contribution to the character and appearance of the surrounding area. The site is in a sustainable location, with good access to the town centre and public transport, the conversion to residential use of the existing building and erection of the new build apartment block proposed would make a positive contribution to the Council's 5-year housing supply. Subject to the conditions proposed, the development would not lead to any unacceptable adverse impacts on existing highway, flood conditions, existing or proposed residential amenity, or adjacent land uses. It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied and that, on balance, the lack of contributions would be outweighed by the environmental and social benefits of the proposal. As such the proposal is considered to be in accordance with the requirements of Policies S3, S10, C2, E1, H1, BN7, BN9, INF1, INF2 and N1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application proposes the part demolition and conversion of the existing building to 54 apartments and the erection of a new 3-storey building to provide 10 apartments, together with bin and cycle storage and parking. The conversion of the existing building would comprise of 41 x 1-bed units and 13 x 2-bed units. The new build would comprise of 5 x 2-bed units. Vehicular access to the site would be from Countess Road, with a separate pedestrian access from Lyttleton Road. On-site parking provision of 68 parking spaces would be provided. Both the converted building and the new building would have lift access from the ground floor to the upper floors.

3. SITE DESCRIPTION

- 3.1 The site comprises of a disused 3-storey factory building located at the corner of Countess Road and Lyttleton Road. The overall site is 0.39 hectare in area. The surrounding area is predominantly residential of varying types and ages including houses and apartments. To the rear and immediate north of the site are industrial workshops accessed from Lyttleton Road. The factory building comprises of a mainly 3-storey solid brick building with slate roof with two lift shafts and a range of single storey buildings located to the rear. Vehicular access is from Countess Road. Dallington Brook runs through the centre of the site north to south, and a large part of the site is situated within Flood Zone 2.

4. PLANNING HISTORY

- 4.1 The site is subject to an existing planning permission (N/2015/1021) for the part demolition and conversion of the existing factory building into 45 apartments and the erection of 2 dwellings approved in April 2016. The application was subsequently amended to alter the car park layout in accordance with flood mitigation details and re-position the bin stores (N/2016/0900).
- 4.2 The original application was subject to a viability assessment which concluded that the scheme was unable to support the provision of any affordable housing or S106 contributions. The benefits of development of the disused site and provision of housing was considered to outweigh these issues and the development of the site was approved by Committee in April 2016 without any affordable housing provision or S106 requirements.
- 4.3 The site has subsequently been sold and an amended application has now been submitted by the current owner.

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 the 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:

The NPPF has a presumption in favour of sustainable development.

Paragraph 17 - sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 29 - advises that the long term protection of employment sites should be avoided where there is no reasonable prospect of the site being used for that purpose.

Paragraph 47 - requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

Paragraph 49 - housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 51 - planning applications for change of use from commercial to residential use should normally be approved where there is an identified need for additional housing in that area, provided there are not strong economic reasons why such development would be inappropriate.

Paragraph 56 - good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 100 - inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 101 - the aim of a sequential test is to steer development to areas with lower probability of flooding. Development should not be allocated or permitted if there are reasonably alternative sites appropriate for the proposed development.

Paragraph 102 - if it is not possible for the development to be located in zones with a lower probability of flooding, the exception test should be applied which demonstrates that the development provides wider sustainability benefits to the community that outweigh flood risk and the development will be safe for its lifetime without increasing flood risk elsewhere.

Paragraph 103 - in determining planning applications Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding when informed by a Flood Risk Assessment

Paragraph 205 - where obligations are being sought Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

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. Policies of particular relevance are:

Policy S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings in the plan period 2011 to 2029.

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations, be located

where services and facilities can be easily reached by non-car modes; protect, conserve and enhance the built environment; minimise pollution from noise, air and run-off.

Policy C2: New Developments – new development will be expected to achieve modal shift targets by maximising travel choice from non-car modes.

Policy E1: Existing Employment Areas – change of use to non-employment generating uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment purposes, conflict with adjoining uses or its release would offer significant benefits to the local area.

Policy H1: Housing Density and Mix and Type of Dwellings – new housing development will provide for a mix of house types, sizes and tenures having regard to the character of the area; accessibility to services and facilities and public transport; living conditions of future residents and impact on amenity of occupiers of neighbouring properties.

Policy H2: Affordable Housing – required to be provided at 35% on sites of 15 dwellings or more.

Policy BN7: Flood Risk – new development will need to demonstrate there is no increased risk of flooding to existing properties, and the proposed development is (or can be) safe and shall seek to improve existing flood risk management.

Policy BN9: Planning for Pollution Control – new development likely to result in exposure to sources of pollution will need to demonstrate provision of opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development.

Policy INF1: Approach to Infrastructure Delivery – new development will be supported by and provide good access to infrastructure. Where development generates a need for new infrastructure developers will need to demonstrate that provision will be made to meet the necessary requirements arising from that development.

INF2 – Contributions to Infrastructure Requirements – new development will only be permitted if the necessary on and off-site infrastructure required to support and mitigate its impact is already in place or there is a reliable mechanism to ensure it will be delivered.

Policy N1: The Regeneration of Northampton – will be supported by, amongst other things, housing development within the existing urban area through urban capacity infill.

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 – the design of new development should adequately reflect the character of the surrounding area and be designed and located to ensure adequate standards of privacy, daylight and sunlight.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection, following the receipt of additional information regarding noise impacts from adjacent business units on proposed residential amenity, subject to a condition for a scheme of noise mitigation to be submitted providing appropriate mitigation measures. Recommend a condition regarding an intrusive site investigation and mitigation for any contamination as required. The site is located near to the St. James Air Quality Management Area (AQMA) and the provision of secure cycle storage is noted. The inclusion of low NOX boilers is recommended. A waste audit is recommended to ensure adequate provision for waste collection and disposal, including recycling. As the site proposes demolition and construction, a Construction and Environmental Management Plan (CEMP) is recommended which emphasises noise and dust control measures.
- 6.2 **Local Highway Authority (LHA)** – no objection. Although it does not meet the LHA standards with regards to the level of parking, when considering this in comparison to the permitted development on this site (N/2015/1021), this will not adversely affect the highway.
- 6.3 **Highways England** – no objection.
- 6.4 **Crime Prevention Design Advisor** – recommend secure boundary treatments, external letter plates for dwellings accessed via a communal door, automatic electronic gates, a brick built lockable cycle store and on each floor of the apartment block access control doors should control access from the stair/ lift lobby onto each floor to reduce unauthorised movement through the building.
- 6.5 **NCC Lead Local Flood Authority** – are satisfied that the impacts of surface water drainage have been adequately addressed at this stage, subject to conditions requiring a detailed design for a surface water drainage scheme and a scheme for the ownership and maintenance of every element of the surface water drainage system.
- 6.6 **Environment Agency** – no objection, subject to a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment and additional details and mitigation measures received.
- 6.7 **Anglian Water** – no comments received.
- 6.8 **NCC Planning** – development is likely to generate a need for approximately 13 primary school pupils and 5 secondary pupils based on the proposed housing mix. A contribution of £37,122 is required towards primary education provision. Secondary education is expected to be provided through CIL. Request the installation of 2 fire hydrants and a contribution of £8,517 towards libraries.
- 6.9 **Construction Futures** – request 56 training weeks and a contribution of £6,208 towards training provision.
- 6.10 **Housing Strategy Officer** - Policy H2 of the West Northamptonshire Joint Core Strategy Part 1 (adopted 2014) requires that 35% of the dwellings on sites over 15 dwellings should be affordable housing. This is subject to a viability assessment on a site by site basis. A range of sizes and types of dwellings should be provided on the site to reflect the needs of the Borough, however there is a particular need for houses for families providing 2 and 3 bedroom accommodation with private garden space.
- 6.11 **Councillor G Eales** – calls in the application on the grounds of inadequate parking which will perpetuate the existing shortage of on-street parking for residents.
- 6.12 **Two objections** have been received and are summarised as follows:

- Insufficient parking and impact on existing parking problems on street
- Impact on commercial vehicles at the corner of Lyttelton Road/ Countess Road when trying to access units on the commercial estate. The proposed development will make the situation worse as front doors are now proposed onto the street itself.
- Dwellings will have external wall with no protection from commercial vehicles using the access road, as wall is situated on the existing boundary of the access road
- The existing industrial buildings give noise protection to residential areas when night working occurs. The development will result in considerable number of properties with no noise protection.

7. APPRAISAL

Principle of development

- 7.1 The NPPF has a presumption in favour of sustainable residential development and encourages the use of brownfield sites and the re-use of commercial buildings for residential use where there is an identified need for additional housing in the area and no strong economic reasons as to why development would be inappropriate.
- 7.2 Policy E1 of the JCS seeks to resist change of use of existing employment to non-employment uses unless it can be demonstrated that the site is no longer economically viable for employment purposes, there is conflict with adjoining uses or its release would offer significant benefits to the local area.
- 7.3 The principle of development of the site for residential use has been established through the grant of previous permissions in 2015 and 2016 respectively. There has been no change in relevant planning policy since that time. Whilst the current application represents an increase in the number of units proposed from 47 units to 64 units, this would increase the contribution of the development towards the Council's housing supply. The impacts of this increase in units in relation to the character of the area, amenity, flood risk, noise and highway impacts are considered below.
- 7.4 The site is in a sustainable location, with good access to the town centre and public transport, the development of which for residential use would contribute towards the Council's 5-year housing supply and bring an existing derelict building back into use. Subject to the considerations discussed within the remainder of this report, the principle of conversion of the existing building and new build element of a further 10 units is considered acceptable.

Design and Appearance

- 7.5 The development would remove the unattractive later additions to the rear of the building. The majority of the traditional features of the existing building, including window openings, would be retained with minimal alterations to the front and sides of the building proposed, with the exception of new door openings to the front of the building in former window openings which are currently bricked up. A number of roof lights are proposed in the front and rear roof slopes to allow living accommodation within the roofspace, as permitted under the previous scheme, but due to the height of the building, these would not be prominently visible from the street. Internally the existing second floor and internal columns will be removed allowing for a more efficient solution to the headroom available on each floor and allowing a more efficient layout of units, corridor and access design.
- 7.6 The scheme includes the retention of the façade of the existing ancillary range fronting onto Lyttelton Road, incorporating this element into the new build 3-storey apartment block. This is considered an improvement to the previously approved scheme, which proposed two dwellings in

this location. This amended design assists in retaining an element of the historic relationship between the main and ancillary buildings and retains a number of the original window openings, whilst incorporating a contemporary element to the development proposal. The height of the new build apartment block would be less than 0.5 metre higher than the ridge height of the existing building it replaces.

- 7.7 The application includes the provision of a new roof to the existing building finished in slate. Door, window and material details would be agreed by condition to ensure the conversion remains sympathetic to the appearance of the existing building.
- 7.8 The design and appearance is considered acceptable and the conversion would enhance the appearance of the existing derelict building and the overall site and would contribute positively to the character and appearance of the area in accordance with the requirements of Policies H1 and S10 of the JCS and the NPPF.

Amenity

- 7.9 The existing building would be converted to provide 41 x 1-bed units and 13 x 2-bed units. The new build would comprise of 5 x 2-bed units. Additional space would be created internally in the existing building from the previous scheme by removing internal columns allowing for a more efficient solution to the headroom available on each floor and allowing a more efficient access and corridor design. The current scheme also differs in that a lift to increase mobility throughout both the existing and proposed building would be provided.
- 7.10 All rooms within the converted building and the proposed new apartments would have sufficient daylight and outlook. Secure enclosed bin storage areas would be located to the rear and side of the buildings. Outdoor amenity space would be limited with small areas of landscaping within the car park to the rear and external balcony areas to the upper floor apartments on the new build element. However, the site is within close proximity of Victoria Park to the south and Dallington Park to the north-west and it is not unusual for flat developments to have limited outdoor amenity space.
- 7.11 In respect of neighbouring amenity, other than roof lights, no new openings are proposed on the front elevation facing towards residential properties on Countess Road. The new apartment block would introduce some additional windows and balcony areas facing directly onto a parking area situated opposite the site on Lyttelton Road. The building would be off-set from the rear garden of No. 66 Countess Road and the front elevation of No. 1 Lyttelton Road, both on the opposing side of Lyttelton Road, such that it is not considered that there would be any unacceptable adverse impact on neighbouring amenity.

Noise

- 7.12 The NPPF seeks to ensure that significant adverse impacts on health and quality of life arising from noise are avoided, recognising that existing businesses should not have unreasonable restrictions put on them because of changes in nearby land uses.
- 7.13 Policy S10 and BN9 of the JCS seek ensure that pollution from noise is minimised and new development likely to result in exposure to sources of pollution demonstrates appropriate mitigation.
- 7.14 The site is bound to the west and north by established industrial units some of which are known to operate on a 24 hour basis. A Noise Assessment has been submitted in support of the application. The report acknowledges that, on the basis of previous reports submitted relating to development of the site, the significant environmental noise impacting the site comes from the adjacent Eagle Wilcox factory at the northern end of the site. However, it should be noted that

there are no restrictions on the units to the rear of the site and therefore, whilst it is understood that at least one other unit may potentially have cause to, on occasion, operate during the night, there is the potential for any of the units to operate on a 24 hour basis.

- 7.15 Environmental Health has no objection subject to an appropriate scheme of noise mitigation being secured by condition for habitable room windows which would incorporate the need to install alternative forms of ventilation providing an alternative option to occupiers other than opening windows. The internal layout of the proposed apartments has been amended to reduce the proximity of bedrooms to the adjacent industrial units to assist in further mitigating the impacts.
- 7.16 Whilst it is acknowledged that the relationship of the development with adjacent commercial units is not ideal, this needs to be balanced with the consideration that the site has been vacant for some considerable time and has not come forward for development which would retain the building or site in employment use and that appropriate mitigation could be achieved to negate the potential noise impacts from adjoining land uses by condition.

Highway Impacts

- 7.17 Access to the site would be via the existing access from Countess Road. Parking for a total of 68 vehicles and secure cycle storage would be provided on site to the rear of the main building with access via automated secure access gates. The Northamptonshire Parking Standards (September 2016) advise that applications for new build flats will be treated on their own merits based upon the local character of the area. No specific standards are set out for the conversion of buildings to residential apartments, which are again assessed on their merits.
- 7.18 The site is in a sustainable location within close proximity to facilities on Harlestone Road and public transport. Furthermore, there is on-street parking surrounding the site. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe. The Highway Authority raise no objections and on balance, it is not considered that the proposal would lead to any unacceptable adverse impacts on existing highway conditions within the area.
- 7.19 In respect of concerns raised with conflict commercial vehicles at the corner of Lyttleton Road/ Countess Road when trying to access units on the commercial estate, access to the residential site will be via the existing access from Countess Road, situated away from the vehicular access to the commercial units to the rear of the site.

Flood Issues

- 7.20 A large part of the site lies within Flood Zone 2 due to the presence of Dallington Brook which runs across the site north to south.
- 7.21 The NPPF advises on the application of a sequential test for development in areas at risk of flooding, however the application is predominantly for the conversion of an existing building with an element of new build and, therefore, where development is considered necessary it should be made safe without increasing flood risk to elsewhere.
- 7.22 Subject to conditions, the Environment Agency and Lead Local Flood Authority are satisfied that the development will not lead to any increased flood impacts, and subject to the conditions proposed would not adversely affect proposed occupiers and, therefore, have no objection. In relation to the exceptions test it is considered that the development would provide wider sustainability benefits to the community in bringing a disused building back into use which would enhance the character and appearance of the area and would also provide much needed housing.

Affordable Housing, S106 and Viability

- 7.23 National Planning Guidance advises that a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. A flexible approach should be taken in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.
- 7.24 Assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the National Planning Policy Framework is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.
- 7.25 Policy H2 of the JCS sets out a requirement for affordable housing at 35% for developments of 15 or more dwellings. This would equate to a requirement of 22 units within the development being affordable.
- 7.26 The previous development proposal for the site was subject to a viability assessment which demonstrated that the scheme was unable to support the provision of any affordable housing or S106 contributions and permitted without any affordable housing provision or S106 requirements.
- 7.27 In respect of the current scheme, a further viability assessment has been produced on behalf of the current applicant that advises that development of the site as proposed would result in a profit margin of 13%. The report advises that the overall budgets are now substantially greater than predicted and the development risk has increased accordingly. The development includes abnormal costs arising from contamination, structural alterations to convert the building and noise mitigation.
- 7.28 The viability assessment has been considered by an independent consultant on behalf of the Council. The report concludes that a policy compliant scheme, providing affordable housing and S106 requirements would result in a negative development sum for the site and on this basis a hypothetical landowner would not bring the site forward for development.
- 7.29 The report goes on to advise that based on a 100% open market unit scheme with no affordable housing or S106 contributions but with CIL payment, a profit of 10.30% of Gross Development Value (GDV) would be generated. This is below the market expectation of a return of 20% GDV. On this basis, the report concludes that the development as shown is not capable of supporting an affordable housing contribution or other S106 payments.
- 7.30 Based on this assessment, it is considered that would not be reasonable to require any affordable housing provision on the site, which would make the scheme unviable and therefore undeliverable.
- 7.31 The County Council has requested a financial payment towards the provision of primary education within the vicinity. A request for fire hydrants and financial contributions towards libraries has also been made, however, there is no policy basis for this and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122. No response has been received from the consultation to the relevant healthcare authorities in respect of healthcare provision.
- 7.32 A further requirement is for the provision of construction training and the Council's monitoring fees. These requests would normally satisfy the tests as set out above and the payments as requested would be required to be made, to be secured through a legal agreement.

- 7.33 However, the above contributions are also subject to the viability assessment as discussed above. Given that conclusions of the viability assessment, the requirement for affordable housing and S106 contributions would result in the development being unviable and the site remaining undeveloped for a further period. This is a material consideration in determining the planning application.
- 7.34 The development would be subject to CIL payments, the payments of which would be considered against the relevant categories of the Council's Regulation 123 which includes Secondary Education.

8. CONCLUSION

- 8.1 The proposal would bring about the development of a disused and derelict building in a prominent location within a predominantly residential area, the renovation of which would enhance and make a positive contribution to the character and appearance of the surrounding area. The site is in a sustainable location with good access to the town centre and public transport and the conversion to residential use and additional new build apartments proposed would make a positive contribution to the Council's 5-year housing supply. The development would not lead to any unacceptable adverse impacts on existing highway or flood conditions, existing or proposed residential amenity, or adjacent land uses.
- 8.2 It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied, however the scheme would be subject to CIL payments. This consideration needs to be weighed against the benefits of bringing a derelict building back into use in an area where there is a high degree of crime and anti-social behaviour and the positive contribution that the development would make towards the character and appearance of the area in addition to the provision of much need housing. On balance it is considered that the environmental and social benefits of the proposal outweigh the harm identified above and the application is therefore recommended for approval.

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) Details of all proposed external facing materials including window, door and balcony details shall be first 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.

3) Prior to the occupation of the development hereby permitted, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy H1 & S10 of the West Northamptonshire Joint Core Strategy.

4) Prior to construction of the covered cycle store, full details of the cycle store 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 fully implemented 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.

5) Prior to occupation a detailed scheme of hard and soft landscaping for the site, including measures for screen planting along the western boundary of the site adjacent to the industrial units, shall be submitted for approval in writing by the Local Planning Authority.

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

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

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

7) Notwithstanding the submitted details, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first 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 S10 of the West Northamptonshire Joint Core Strategy.

8) 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 Policy BN9 of the West Northamptonshire Joint Core Strategy.

9) Prior to occupation of the development hereby permitted a scheme for the mitigation of external noise impacts from adjacent employment uses on the proposed residential Units 5-21 (odds), 27-41 (odds), 44-58 (evens) and rear and side elevation of Unit 22 of the existing building, and Unit 1 rear elevation, Unit 2 rear and side elevation, Unit 4 side elevation, Unit 23 rear elevation, Unit 24 rear and side elevation, Unit 26 side elevation, Unit 43 rear and side elevation on the new build apartments, as shown on drawing nos. FPD_201 rev F, FPD_202 rev C, FPD_203 rev B and FPD_204 rev B shall be submitted for approval in writing by the Local

Planning Authority. The scheme shall include glazing specifications and details of mechanical ventilation. The scheme shall be implemented in accordance with the approved details prior to occupation of the above units and retained thereafter throughout the lifetime of the development hereby permitted.

Reason: In the interests of the amenity of the proposed occupiers of the residential units and to protect adjacent employment uses in accordance with the requirements of Policy BN9 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the NPPF.

10) Prior to the commencement of development a Construction Environment 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;
- 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. This condition is required pre-commencement to ensure that such details are agreed in a timely manner

11) No development shall take place until a detailed design of 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 should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include 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 structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

Reason: To reduce the 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 Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

12) No development shall take place until a detailed scheme for the ownership and maintenance for 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. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted.

A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

Reason: To ensure the future maintenance of drainage systems associated with the development in the interests flood prevention in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

13) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) undertaken by BCAL Consulting (ref: 5357 R002 FRA, dated April 2017), email from Barry King of BCAL Consulting dated 8 September 2017 and the following mitigation measures detailed within:

1. Finished floor level set no lower than 65.770 AOD for the existing building and 65.175 m AOD for the new building.
2. Provision of floodplain compensation as shown on drawing nos. 5357-27 Rev AS and 5357-28 Rev B.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

14) The access, access gates, car parking, cycle parking provision and bin storage shall be laid out in accordance with the details shown on drawing no. FPD_201 rev F prior to occupation of the development hereby permitted and retained thereafter.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

15) The development hereby permitted shall be carried out in accordance with the following approved plans: FPD_001, FPD_201 rev F, FPD_202 rev C, FPD_203 rev B, FPD_204 rev B, FPD_210, FPD_211, FPD_212 (Front Bin Store only), FPD_212 Proposed Bike Store and FPD_220.

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

10. BACKGROUND PAPERS

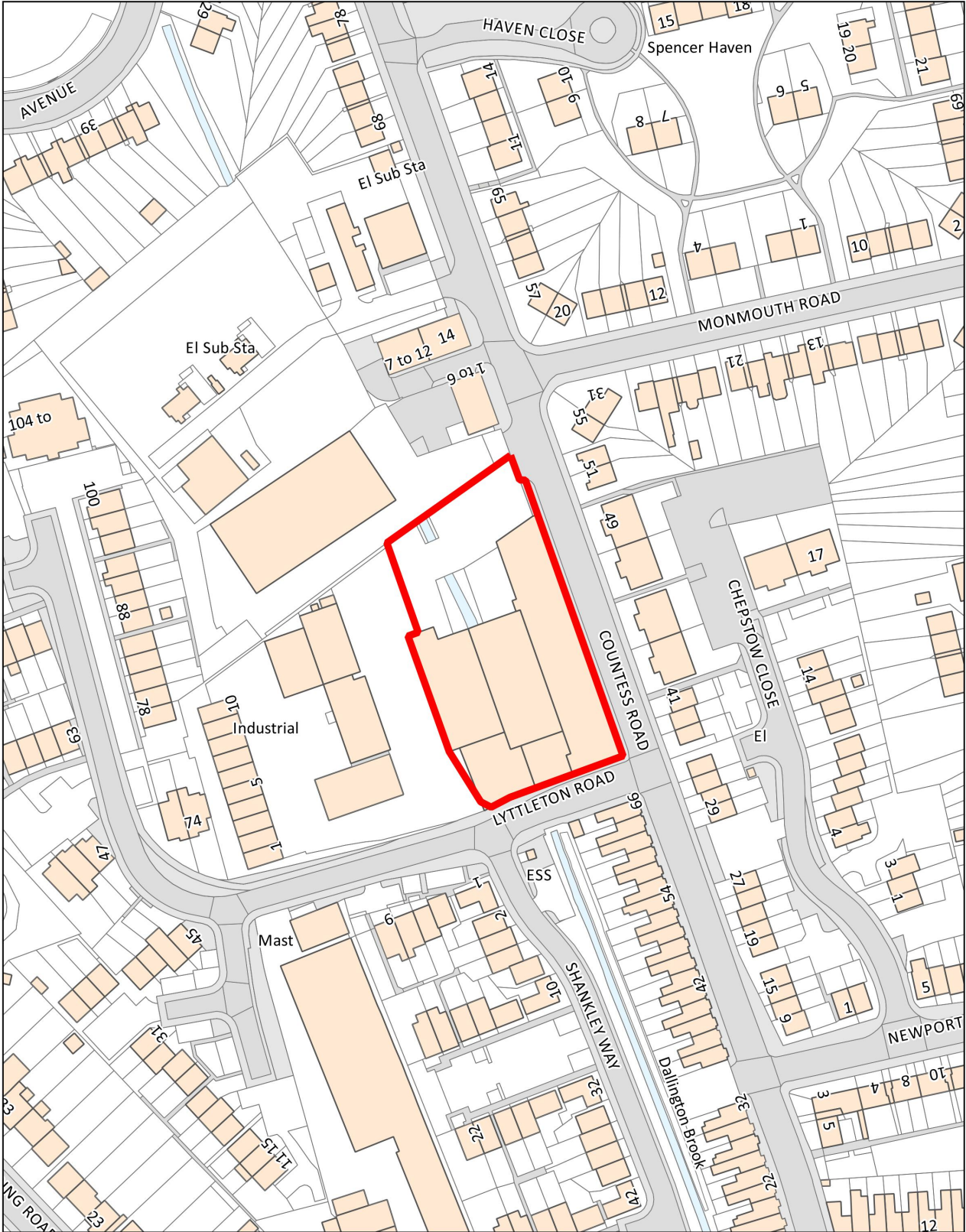
10.1 N/2017/0025.

11. LEGAL IMPLICATIONS

11.1 The development is CIL liable.

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: **Barker Buildings, Countess Road**

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Date: 18-09-2017

Scale: 1:1,321

Drawn by: -----