

PLANNING COMMITTEE: 13th February 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1097

LOCATION: Emmanuel Church Middle School, Birds Hill Walk

DESCRIPTION: Erection of 81no dwellings including new vehicular access from Billing Brook Road

WARD: Brookside Ward

APPLICANT: Westleigh Partnerships Ltd
AGENT: rg+p Ltd

REFERRED BY: Head of Planning
REASON: Major application requiring S106 agreement

DEPARTURE: Yes

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 Education payment;
 - iii) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme;
 - iv) A payment towards highway improvements;
 - v) A payment towards the enhancement and/or maintenance of off-site open space;
 - vi) That the on-site Public Open Space is maintained and made available for public access in perpetuity; and
 - vii) 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 five 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, C2, H1, H2, BN2, BN3, BN7, INF1 and INF2 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 Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application seeks full planning permission for the erection of 81 dwellings comprising 24 one bedroom flats, 37 two bedroom houses and 20 three bedroom houses. The development proposes the provision of 138 car parking spaces. Access to the site will be from Billing Brook Road to the north with a further pedestrian access to Billing Brook Road to the west. The development also includes an area of public open space.

3. SITE DESCRIPTION

- 3.1 The site is that of the former Emmanuel Middle School which is located on the east side of Billing Brook Road and to the north of Birds Hill Walk. It is situated within a mixed environment of commercial and residential buildings. The site is 2.15 hectares in area and comprises hardstanding, trees and overgrown vegetation. The school buildings on the site were demolished several years ago and since then the land has received minimal maintenance.
- 3.2 The site is a sloping site falling from south to north and from west to east. To the north east is an area of open space and a pond beyond which is residential housing. To the west of the site, beyond Billing Brook Road is a church, police station and office units. To the south is the former Lings Upper School site, with a terrace of 4 dwellings facing onto Birds Hill Walk. To the south east is the Northampton Academy, and to the south west is Weston Favell Centre with commercial and leisure facilities and public transport links.

4. PLANNING HISTORY

- 4.1 The site was the subject of outline planning permission for residential development (up to 109 dwellings). This was approved by West Northamptonshire Development Corporation in 2008 and was more recently approved by Northampton Borough Council in 2014 (N/2011/1263 refers).
- 4.2 It should also be noted that outline planning permission was recently granted for up to 60 dwellings on the nearby former Lings Upper School site (N/20115 0019 refers).

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), Northampton Local Plan (1997) saved policies, and emerging Neighbourhood Development Plans where relevant.

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 – objectives for the planning system

Paragraph 32 – Requirements for Transport Statement or Assessment – promoting sustainable transport; providing safe and suitable access; refusing development on transport grounds where residual cumulative impacts are severe

Paragraph 34 - minimising need to travel and maximising use of sustainable transport modes for developments generating significant movement

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.

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

Paragraph 49 - presumption in favour of sustainable development for housing applications.

Paragraph 50 - delivering a wide choice of high quality homes.

Paragraph 56 – requiring good design.

Paragraph 103 – minimising and mitigating flood risk.

Paragraph 117 – conserving and enhancing biodiversity.

Paragraph 205 – planning obligations and viability.

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 SA – Presumption in Favour of Sustainable Development

Policy S1 - Distribution of development

Policy S3 - Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles

Policy C2- New Developments

Policy H1 - Housing Density and Mix and Type of Dwellings

Policy H2 - Affordable Housing

Policy BN2 – Biodiversity

Policy BN3 – Woodland Enhancement and Creation

Policy BN7 - Flood Risk

Policy BN9 – Planning for Pollution Control

Policy INF1 – Approach to infrastructure delivery

Policy INF2 – Contributions to infrastructure requirements

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 – New development
Policy L2 – Community Use of existing schools and colleges
Policy T12 - Development Requiring Servicing
Policy H17 – Housing for People with Disabilities

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Planning Obligations SPD (2013)

5.6 **Other Material Considerations**

Growing Together Neighbourhood Plan

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) was made in April 2017, and now forms part of the development plan for Northampton.

The following policies are relevant to the determination of this proposal:

DES1 – High quality design
H1 – Housing mix
CO2 – Loss of community facilities
OS2 – Outdoor Amenity Space

The Northampton Borough Council Brownfield Land Register 2017 confirms that this site is suitable and available for residential development.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Anglian Water** - suggest a condition to deal with foul sewerage.
- 6.2 **Arboricultural Officer (NBC)** - no objections provided recommendations of the arboricultural implication assessment are fully implemented and adhered to.
- 6.3 **NCC Archaeology** – no objections.
- 6.4 **Construction Futures** - request a financial contribution for training and employment for new construction workers.
- 6.5 **Development Management (NCC)** - request financial contributions to fund improvements to early years and primary education provision; fire hydrants, libraries service and broadband services.
- 6.6 **Public Protection (NBC)** - suggest conditions to deal with contaminated land, air quality and a Construction Environmental Management Plan. Expect that the development should include electrical charging points for cars.
- 6.7 **Environment Agency** – no objections.

- 6.8 **Highways England** – no objections.
- 6.9 **Highway Authority (NCC)** - the internal layout has been agreed to our satisfaction and the agreement of the Travel Plan can be conditioned. Require a scheme to show junction improvements which could be secured by a S106 agreement. Request conditions to improve visibility splays at the site entrance.
- 6.10 **Housing Strategy (NBC)** - supports the proposed mix of affordable housing.
- 6.11 **Northamptonshire Police Crime Prevention Design Advisor** - has made a number of recommendations during the course of the application to reduce opportunities for crime and disorder and notes that amendments to the proposal provide for a better environment. With regard to the latest plans states that the rear boundaries facing onto Birds Hill Walk will be vulnerable. Makes suggestions for the hedging and fencing that should be installed to the rear of these and states that the grass buffer between the rear fence lines and Birds Hill Walk would be better planted rather than left to grass.
- 6.12 **NCC Lead Local Flood Authority** - following the receipt of additional information suggest conditions to ensure the impacts of surface water drainage are adequately assessed.
- 6.13 **NCC Ecology** – following the receipt of additional information is satisfied with the Site Mitigation Statement and recommends conditions relating to site preparation.
- 6.14 **Growing Together Neighbourhood Forum** – welcomes the proposal in principle as the site is designated in the Neighbourhood Plan as a priority development site and the proposal provides the kind of housing that is most needed in the area. Makes further comments as follows:
- Supports concerns made by Northamptonshire Police.
 - Would support the retention of the perimeter fencing on the site.
 - State that the best drainage solution for the eastern end of the site should be sought.
 - Consideration should be given to safety surrounding the attenuation pond.
 - Public open space contribution should be used to create a wide range play area on the green space.
 - Imperative that the footpath around the site is maintained during the construction phase.
 - Would like to see improvement of the permanent footpath.
 - Believe the straight road through the site may encourage speeding.
 - Note that the former school playing field is not included in the site and consider spur road access should be included to allow for future development or other community use.
 - Believe that one parking space per flat is inadequate.
 - Concerned about fire safety of the flats.
 - Would like to see installation of energy microgeneration features.
- 6.15 **Councillor Janice Duffy** - initially expressed concern about the flats only having one door for access and egress. Following assurance that the building is subject to Building Regulation Approval and has to meet government standards they confirmed that their fears are allayed.
- 6.16 **Wildlife Trust** - initially state that very little ecological mitigation outlined for the effects on wildlife. No comments received following submission of the Updated Habitat Survey.
- 6.17 **Northampton Academy** - initially concerned that the 4 storey flats and house gardens will overlook their field and cause safeguarding concerns. Also expressed concerns about security and flooding of their site. State that in the future they intend to use the adjacent field and there could be noise issues for residents and light issues as they will require floodlights. State that there is the possibility that they will redevelop the site as additional school premises and residents need to be aware of this.

Following consultation on revised plans state that they have since met with the developers and that they have answered their concerns. As such the school now supports the application.

- 6.18 **Billings Brook School** - state that they are in favour of the principle of developing the site for housing but have concerns about safeguarding with overlooking of their school from the four storey flats; concerned about location of site access impacting on safety of their pupils; consider additional traffic using Penistone Road will result in more traffic outside the school which will have safeguarding implications; hope that S106 monies could be used to develop a safe walking pathway on both sides of the road and would like to see support for developing a secure car park. Concerned about future security of the estate and that it could be used as a 'cut through'. Would like to see the fence maintained around the outside of the estate for security purposes.
- 6.19 One objection has been received from a resident in Crestwood Gardens stating that all the space in the NN3 area is being taken away and the area is being turned into a concrete jungle for no reason. Refers to housing being built in Crestwood Road, at Moulton and at the Round Spinney Roundabout. States that streets are not cleaned and trees are not trimmed and the area is deteriorating.

7. APPRAISAL

Principle of the development

- 7.1 Whilst it is accepted that the site has an allocation within the Local Plan as being a school site, it should be noted that the site has been vacant for a number of years. As a consequence of this, there is no realistic likelihood of the site being used for education or community uses within the foreseeable future. Furthermore, the site does not have any significant landscape value or facilities that could be used for sports or leisure uses. As a consequence of this, it is considered that the development of this site for residential purposes would not be in breach of Local Plan Policy L2.
- 7.2 Furthermore, it should be recognised that the Local Plan is exceedingly dated and as a consequence, more recent policy documents carry a significant amount of weight. Outline planning permission for residential development on this site has previously been approved. The site is allocated in the Northampton Borough Council Brownfield Land Register and in the Growing Together Neighbourhood Plan as land suitable for residential development. It is considered that the principle of residential development of the site is acceptable and well established, and complies with National Planning Policy and policies within the West Northamptonshire Joint Core Strategy. The site is in a sustainable location with good access to public transport and local facilities. The development of the site for residential use would contribute towards the Council's 5-year housing supply, and enable the re-development of a vacant, misused site which would enhance the character and appearance of the area.

Design and layout

- 7.3 The proposed residential development will consist of 2-storey dwellings and three blocks of 4-storey flats. The site will have one new vehicular access from Billings Brook Road to the north providing the main site road with a spur to the west. From these adoptable roads a number of private drives will extend to service further dwellings and the three blocks of flats. There will be an additional pedestrian access to Billings Brook Road on the west of the site.
- 7.4 The majority of existing trees on the west boundary are to be retained, as will trees to the north and north eastern boundaries. These will surround a proposed area of public open space which will include an area of Sustainable Urban Drainage (SUDS).

- 7.5 The 4-storey flats are positioned at the north-eastern corner of the site, at the lowest point adjacent to the proposed area of open space. The flats will overlook the open space and a parking area to the front, providing a good level of natural surveillance. The flats would not feature any private gardens which is considered appropriate given that such accommodation tends not be occupied as family housing. Areas of bin and cycle storage have been identified to serve the flats and a condition is recommended requiring further details of these to secure a good standard of development.
- 7.6 The proposed dwellings are a mixture of semi-detached properties and small terraces of three and four dwellings. The dwellings are all two storey and ridge heights are fairly similar throughout the site, although the change in ground levels would result in a varying streetscape. The design of the proposed dwellings has been derived from an assessment of the surroundings, but with a more modern style. The applicant has also submitted a proposed palette of materials which ensures that the development would be constructed from materials that are complimentary to the surrounding area. It is considered that the development would not have an adverse impact on the character and appearance of the area. A condition is recommended to secure the proposed materials.
- 7.7 The development has been designed to ensure that the future residents of the development have an appropriate level of light, outlook and privacy necessary to secure a good standard of accommodation, and in line with the requirements of national and local planning policies. The dwellings have garden spaces sufficient to secure a satisfactory amenity area. To comply with Police comments plans have been submitted detailing secure boundary treatments and including lockable gates for rear shared access paths.
- 7.8 The majority of car parking would be located within the curtilage of individual dwellings, or off small private drives overlooked by the dwellings. The location of the parking spaces are considered to be acceptable, and offer a secure form of development.

Impact on neighbours

- 7.9 The site is generally remote from any neighbouring residential occupiers, other than four existing houses situated on the opposite side of Birds Hill Walk. These houses are largely screened by trees. Due to this screening and the separation distance between the properties it is not considered that the occupiers of these dwellings will be unduly impacted by the proposal.
- 7.10 Objections were initially received from Northampton Academy who own a field to the east of the site. Following a meeting with the applicant these objections have since been withdrawn. Billing Brook School to the north of the site have also objected to the proposal with concerns about overlooking from the proposed flats, and also with regard to highway safety. The four storey flats will be located on the lowest part of the site and will be largely screened by highway trees outside the site. Billing Brook School is located on the opposite side of Birds Hill Road and some considerable distance from the application site. It is not considered that there will be any undue overlooking of the school from the application site. Concerns about additional traffic are matters that have been considered by the Highway Authority and are addressed in the following section.

Highways

- 7.11 The development would be accessed via Billing Brook Road. A Transport Assessment was submitted with the application which has been reviewed by the Highway Authority. They have identified a need for highway improvements to mitigate the proposal on the southern approach to the junction. Further details of these will be submitted by the applicant and the works will be secured by way of a Section 106 Legal agreement.

- 7.12 The Highway Authority has also raised concerns regarding forward visibility for vehicles turning right into the site. It is agreed that the matter can be dealt with by way of a condition requiring amended plans for the junction design and a condition is recommended to secure this. The Highway Authority also recommend a condition to remove low hanging branches from nearby trees which may affect visibility. These trees are within the highway verge and not within the application site. As such, it is not considered that this is a condition that is reasonable or enforceable.
- 7.13 The development proposes two off street parking spaces per dwelling, with one off street parking space per flat, with visitor parking proposed on street. The width of the adoptable roads are 5.5 metres to accommodate this. Given the sustainable location of the site, it is considered the scheme represents an appropriate level of car parking and the Highway Authority are satisfied with the level of provision proposed.
- 7.14 Various amendments have been made to the scheme during the course of the application to comply with Highway comments and recommendations. The original proposal for the development was for houses facing onto Birds Hill Road, providing an active frontage, with car parking spaces located at the rear. However, both the Highway Authority and Crime Prevention Design Advisor raised concerns regarding the security of parking at the rear of the site. The applicant has stated that the adopted highway terminates at the junction between Birds Hill Road and Billing Brook Road and as such parking spaces cannot be provided at the front of the dwellings as they could not be legally accessed. Subsequently, the layout has been amended turning the houses round so that they now back onto Birds Hill Walk. The Highway Authority has confirmed that they now consider the layout to be acceptable. The Crime and Design Officer requires rear boundary treatment to deter crime. This can be dealt with as part of the landscaping scheme.

Travel Plan

- 7.15 As the development is located within a short distance from local shops, schools, amenities and public transport the site is in a highly sustainable location. A Travel Plan was submitted with the application however, further information is required to satisfy the Highway Authority's full requirement and a condition to that effect is recommended.

Drainage

- 7.16 A flood risk assessment has been submitted with the application together with further information requested by the Lead Local Flood Authority. The Environment Agency and the Lead Local Flood Authority have raised no objections, subject to the imposition of planning conditions.

Trees and Ecology

- 7.17 There are a number of trees on the site with the majority around the periphery of the site. The majority of trees on the west boundary are to be retained, maintaining an established buffer to the site and to Billing Brook Road. Several trees within the site and on the eastern and southern boundaries will have to be removed to accommodate the development with the exception of the south-east corner and north-east boundary. An Arboricultural Implication Assessment has been submitted which provides various assessments to show how the proposed development will impact the trees. The Council's Arboricultural Officer has been consulted and has no objections subject to the recommendations of the arboricultural assessment being complied with. A condition is therefore recommended to this effect and to protect the retained trees during development.
- 7.18 An Ecology and Phase 1 Habitat Survey has been submitted with the application. The Ecology Officer is satisfied that the potential impacts of the development have been satisfactorily

addressed. It identifies that the site is not of significance for most species but that mitigation measures for birds and bats would be appropriate. Conditions relating to site clearance and mitigation are recommended.

Air Quality

- 7.19 An Air Quality Assessment was submitted following comments received from Public Protection Officers. To comply with the requirements of the Council's Low Emission Strategy it is recommended that electrical vehicle charging points should be provided as mitigation for the impacts of the development. A condition is recommended to secure an appropriate scheme.

Section 106 and Community Infrastructure Levy (CIL)

- 7.20 The development of the site would be CIL liable and subject to the requirements of Northampton Borough Council's CIL Regulation 123 List which includes the following:
- Northampton Growth Management Strategy
 - Northampton North West Bypass Phase 2
 - Indoor sports facilities
 - Education (excluding primary schools)
- 7.21 By reason of the scale and type of the development, developer contributions are required to mitigate the relevant impacts, to be secured by way of a Section 106 Legal agreement. 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.
- 7.22 In line with policy requirements, 35% of the development would be provided as affordable housing and secured as part of the S106 Legal agreement. The tenure and mix are to be agreed to ensure that an appropriate mix is achieved 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.
- 7.23 In addition to the highway works as referenced in paragraph 7.11 the Legal agreement would secure financial contributions for the provision of primary education (secondary education being covered by CIL).
- 7.24 The County Council has also requested financial contributions for fire and rescue, libraries and broadband. There is no policy basis for such payments and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122. Such contributions are not therefore proposed to be requested.
- 7.25 Whilst an area of open space is provided on site, this is not sufficient to comply with the requirements of the Council's Supplementary Planning Document on Developer Contributions. As such it is recommended that a financial contribution is secured to facilitate enhancements to off-site areas of open space within the vicinity of the site.
- 7.26 The development will also make a payment and provide opportunities for the provision construction worker training, which would be secured by the legal agreement in accordance with adopted policy.

8. CONCLUSION

- 8.1 The principle of residential development has been established by the previous outline permission on the site. The detailed design and layout of the current proposal is considered to be acceptable and would make a positive contribution towards the Council's 5-year housing supply. The development would also be of an acceptable design and, subject to conditions would not adversely impact on highway conditions, drainage, ecology or trees, and would have a neutral impact upon the occupiers of neighbouring properties. Suitable mitigation would also be secured through the recommended conditions and the legal 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 above schedule of approved plans.

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

3. The development hereby permitted shall be carried out in accordance with the materials detailed on drawings 40947 032D, 409033A, 40947 035.

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 amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to agree such details in a timely manner.

5. Full details of the method of the treatment of the boundary of the SUDS site within the area of public open space 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 E20 of the Northampton Local Plan.

6. Full details of facilities for the secure and covered parking of bicycles to serve the flats hereby permitted 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 flats 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.

7. Prior to construction work commencing on site an intrusive site investigation shall be carried out in accordance with the recommendations of the Geo-matters Consulting Engineers Report Ref:GML17186/1/1 dated July 2017 and the results shall be used to produce a remediation scheme which shall be submitted to the Local Planning Authority for approval. Construction work shall not commence on site until confirmation of the full implementation of the approved remediation scheme has been confirmed by means of a validation report that has been submitted to and approved by 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. This condition is required in order to agree such details in a timely manner.

8. 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 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.

9. 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, where present, the location and species of any 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 E20 of the Northampton Local Plan. This condition is required in order to agree such details in a timely manner.

10. 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.

11. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy. This condition is required in order to agree such details in a timely manner.

12. 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.

13. 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 buildings and thereafter retained.

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

14. The development hereby permitted shall be carried out in accordance with the boundary plan detailed on drawing number 40947 028D.

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

15. Full details of the security measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures, which shall be in place before the occupation of the residential accommodation.

Reason: To ensure a satisfactory standard of accommodation is provided in the interests of the amenity of occupants in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

16. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to agree such details in a timely manner.

17. No development shall commence until a detailed 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 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 first occupied and shall be retained thereafter.

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

18. 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 and the maintenance plan shall be carried in full thereafter.

Reason: To ensure the future maintenance of drainage systems associated with the development in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure the agreement of such details in a timely manner.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the residential development hereby permitted, shall take place without the prior written consent of the Local Planning Authority.

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

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or any means of enclosure or similar structures other than approved under this consent shall be erected or constructed in front of the main wall of any dwelling or of any other principal building of the estate nor in front of the line of any flank wall of any dwelling where the flank boundary of the curtilage abuts a highway.

Reason: To ensure that the open character of this residential development is maintained in the interests of visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

21. Prior to the first occupation of any unit of the proposed development the applicant shall provide a 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 National Planning Policy Framework.

22. Site clearance should only be undertaken in accordance with the Site Preparation Mitigation Statement prepared by Urban Wildlife Ltd. (Mit1/WP/BB/NN3) dated 16 November 2017.

Reason: In the interests of wildlife and nature conservation and promote biodiversity in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy

23. Prior to the commencement of any work other than site preparation a strategy which provides full details of measures for mitigation of the ecological impacts of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of wildlife and nature conservation and promote biodiversity in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

24. Notwithstanding the details submitted, prior to commencement of development full details of pedestrian and vehicular visibility splays into and out of the development shall be submitted and agreed by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted.

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. This condition is required in order to agree such details in a timely manner

25. All vehicle parking spaces, access roads, circulation space and footways shall be fully implemented prior to the first use of the residential development hereby permitted and retained for their designated use 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.

26. Prior to occupation of the development hereby permitted, a scheme for the installation of electric vehicle charging points within the site 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.

Reason: In the interest of reducing carbon emissions and securing a sustainable development in accordance with Policy S11 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

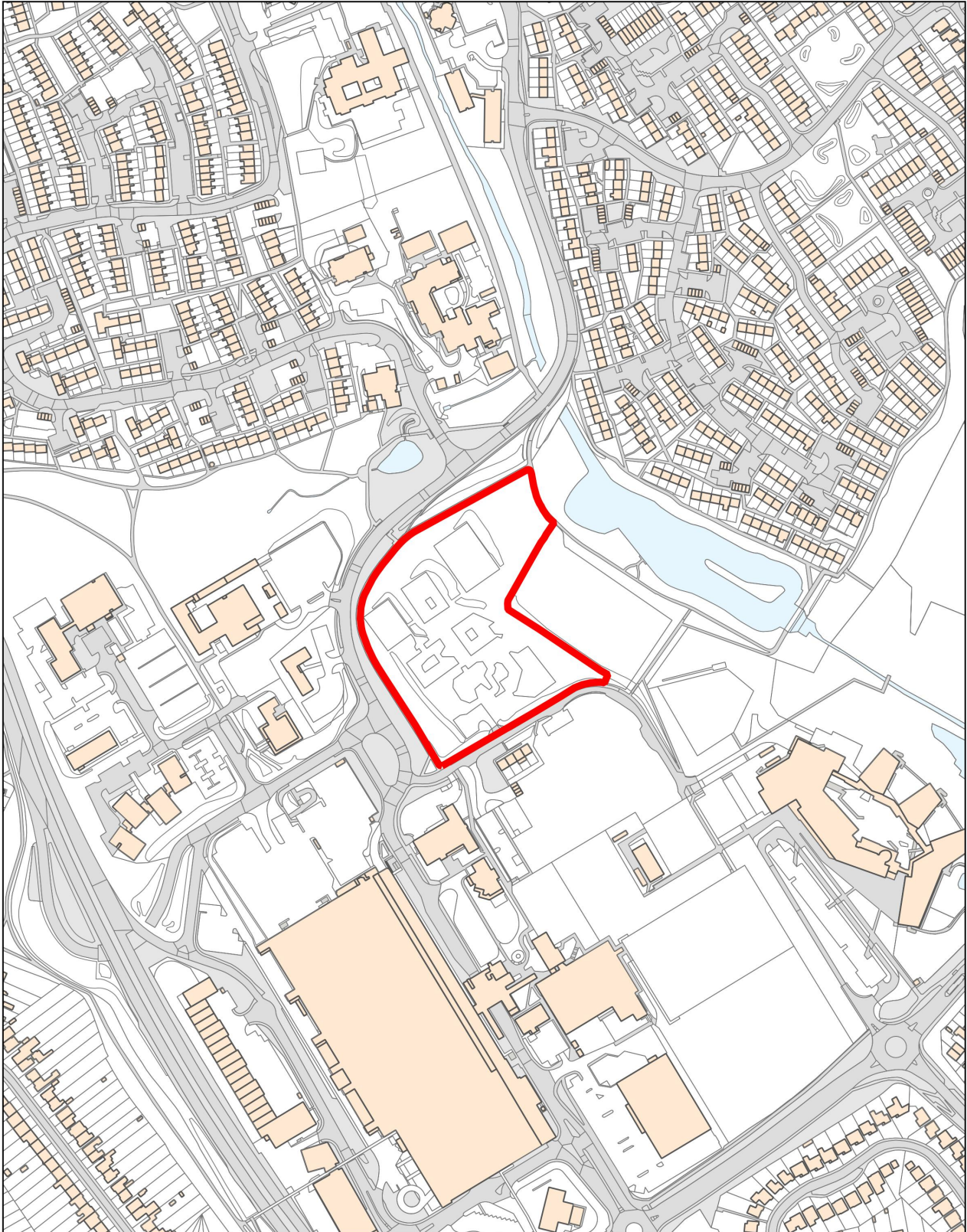
10.1 N/2011/1263

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: **Birds Hill Walk - Emmanuel Church**

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Date: 02-02-2018

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