

PLANNING COMMITTEE: 25th September 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0710

LOCATION: Land off Mill Lane, Dallington

DESCRIPTION: Outline planning application for 14 residential dwellings with all matters reserved except access

WARD: Spencer Ward

APPLICANT: Trustees of the 8th Earl Family Settlement
AGENT: Mr Stephen Lucas

REFERRED BY: Councillor G Eales
REASON: Concerns about impact of development and wildlife

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The principle of residential development of the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5 year housing supply. Subject to the conditions below, the development would not lead to any undue impacts on the character of the area, adjacent residential amenity, ecology, trees, flood risk and highway conditions in accordance with the aims and objectives of the National Planning Policy Framework, Policies SA, S1, S3, H1, BN1, BN2, BN3, BN5, BN7 and RC2 of the West Northamptonshire Joint Core Strategy and Policies E20 and E26 of the Northampton Local Plan.

2 THE PROPOSAL

- 2.1 The application is for outline planning permission for a residential development of 14 dwellings with all matters reserved except for access.
- 2.2 Access to the site would be from Mill Lane. The junction would be improved with an additional right turn lane to be added.

3 SITE DESCRIPTION

- 3.1 The application site comprises a 1.2 hectare parcel of undeveloped land, located north west of Mill Lane. The majority of the site is situated within a Local Wildlife Site (LWS), Dallington old tennis courts and ponds. The boundary of the wildlife site extends northwards beyond the application site up to Dallington Brook. Beyond the pond is an area of woodland bordered by the brook, beyond which are the grounds of St Mary's Catholic School, with residential development to the north west. Dallington Brook Fields LWS is situated outside of the application site along the western boundary, with Dallington Cemetery situated on the south western boundary adjacent with a small flood control reservoir adjacent. The site is bound to the south by residential properties on Corran Close, situated at a slightly higher ground level. The site is bound to the east by trees lining Mill Lane, beyond which is Dallington Conservation Area.
- 3.2 The site is affected by a Tree Preservation Order (TPO014) comprising a number of individual trees, groups and an area TPO which predominantly covers the western part of the site and an area in between the discussed tennis courts, extending outside of the application site along the western boundary and along Dallington Brook to the north. The majority of the application site is situated within Flood Zone 1; the northern section, abutting the pond, is situated in Flood Zones 2 and 3. The land slopes towards the pond with an approximate variation in ground levels from the southern boundary to the middle of the site of approximately 2m and of 5-6m from the southern boundary to the pond edge.
- 3.3 Historically, the site lay within the grounds of Dallington Manor, but has since been severed by Mill Lane. The tennis courts are no longer in use, with provision now to the east beyond Mill Lane at Dallington Tennis Club. There is an existing access to the site from Mill Lane up to the site boundary, currently used to gain pedestrian access by the angling club who fish the pond.

4 PLANNING HISTORY

- 4.1 768/85 – Residential development for 7 houses and access road (outline application). Allowed at appeal 13/02/87. Permission has since lapsed.
- 4.2 The site has been put forward for consideration as part of the Local Plan Part 2 sites' consultation, the suitability of which for development is currently being reviewed as part of the Local Plan process.

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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:

Paragraphs 7-12 – Presumption in favour of sustainable development

Paragraph 60 – Housing needed for different groups in the community

Paragraph 127 – Creating places with a high standard of amenity for existing and future users

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Paragraph 109 – development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe.

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

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 H1: Housing Density and Mix and Type of Dwellings

Policy BN1: Green Infrastructure Connections

Policy BN2: Biodiversity

Policy BN3: Woodland Enhancement and Creation

Policy BN5: The Historic Environment and Landscape

Policy BN7: Flood Risk

Policy RC2: Community Needs

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:

E20 – design and adequate protection of amenity

E26 – preservation or enhancement of conservation area

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Biodiversity Supplementary Planning Document (August 2015)

Northampton Green Infrastructure Plan (May 2016)

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health (NBC)** - no objection, subject to conditions regarding contamination, a scheme for the installation of electric vehicle charging points, the provision of low NOx boilers and refuse storage.
- 6.2 **Conservation (NBC)** - no objection. The land was previously within the grounds of Dallington Manor, but the historic relationship was severed by the construction of Mill Lane. Due to the physical separation from Dallington Conservation Area, the development would not be apparent in views from the Conservation Area and would have a neutral impact on the historic character and appearance.
- 6.3 **Arboricultural Officer (NBC)** - no in principle objection. An Arboricultural Method Statement and Tree Protection Plan will be required to demonstrate how the development will proceed whilst causing the least avoidable harm to the retained trees.
- 6.4 **Highway Authority (NCC)** – no objection.
- 6.5 **Ecology (NCC)** – much of the site is within the Dallington Old Tennis Courts and Ponds Local Wildlife (LWS). The primary interest in the wildlife site is in the pond and woodland which should not be directly impacted by the development, however some of the grassland and supporting habitats will be impacted and/or lost which needs to be mitigated against. Due to the site's proximity to a designated wildlife site measures are recommended to contribute to the wider LWS. Recommend conditions in relation to the submission of a Construction and Environmental Management Plan, a Landscape and Environmental Management Plan, compliance with the recommendations of the submitted Ecology Appraisal, and the containment, removal and disposal of Himalayan balsam.
- 6.6 **Archaeology (NCC)** - No objection. Should ensure sufficient information to assess impact on historic park and setting of the pond.
- 6.7 **Lead Local Flood Authority (NCC)** - no objection, subject to condition requiring the submission of a surface water drainage scheme.
- 6.8 **Development Management (NCC)** - request contributions towards primary education, fire hydrants, and libraries. Secondary education would be covered by CIL.
- 6.9 **Crime Prevention Officer** – no objection, recommends security measures for the proposed plots, and that the roadway should have mast mounted lighting capable of providing a uniform level of light.
- 6.10 **Environment Agency** – no objection. Request condition regarding foul sewage infrastructure.
- 6.11 **Anglian Water** – no objection.
- 6.12 **Wildlife Trust** – object. The overall scope and content of the submitted Ecological Appraisal is acceptable and the recommendations of the report should be conditioned, particularly in respect of badgers, reptiles, ecological enhancement and the eradication of the invasive plant species Himalayan Balsam. Object on the basis that there are no satisfactory and acceptable recommendations for the future enhancement and management of the northern two-thirds of the existing Local Wildlife Site and request further information in the form of an Ecological Management Plan.
- 6.13 **Councillor G Eales** – objects. The concerns are summarised as follows:
- Impacts on wildlife.
 - No consideration for current Angling Club and parking for club.
 - Lake would not be secure and then a haven for anti-social behaviour.
 - Risk of flood.
 - Detrimental impact on nearby residents, noise, disturbance, loss of privacy.

- Loss of security to Corran Close.
- Inadequate level of street lighting on Mill Lane, so residential area would be unsafe without the road being 30mph.
- Mill Lane suffers from serious traffic safety issues now, to add an extra junction on Mill Lane is an accident waiting to happen.

6.14 **Campaign to Protect Rural England (CPRE)** - although this is an urban site, CPRE is always concerned when green space within an urban context is to be lost or significantly altered by development. Urban Brook Corridors in the context of Dallington Brook, Green Infrastructure Network and the Dallington Ponds have a historical significance and should be taken into account as a non-designated heritage asset. Given the various contexts, consider development is inappropriate for this site.

6.15 21 letters of objection from 12 residents have been received, the comments of whom are summarised as follows:

- Dominating impact on right to quiet enjoyment of property.
- Detrimental impact on local environment.
- Adverse visual impact.
- Significant impact on both residents and environment enjoyed by wildlife and protected species.
- Traffic Survey was conducted at time when Harlestone Road was subject to extensive road works and is therefore inaccurate.
- Access will be at bottom of gardens, which are not large.
- Noise, pollution, street lighting and impact on security of adjacent properties.
- Submitted Ecology Report insufficient.
- Loss of view.
- Risk of anti-social behaviour due to access to site from Dallington Cemetery from Kings Heath and surrounding areas.
- Increased traffic on Mill Lane.
- Loss of amenity, overlooking and loss of privacy.
- Overall speed of traffic along Mill Lane, especially at access point will make situation dangerous to road users.
- Human Rights Act, states a person has a right to peaceful enjoyment of all their possessions which includes their home and land.
- Impacts on flooding and foul drainage should be considered.
- A LEMP should be produced prior to determination to explain the impact on the Local Wildlife Site.
- The new houses would be down a new road, invisible from the road but with back fences onto pond/land. Consideration of active Police cameras just a little distance away in Dallington Cemetery may need consideration.
- DoE data shows flood risk on Mill Lane at the point where the new access would be created.
- Incorrect statements made as to housing requirements in Northampton.
- Lake will pose a risk to children.
- Presence of newts, grass snake, deer, foxes, swans, frogs, toads, badgers, herons and plenty of other wildlife.
- The grass snake population is greater than projected in the documentation.

7 APPRAISAL

Principle of development

7.1 The Northampton Local Plan designates the site as 'greenspace' and a 'site of acknowledged nature conservation value' and is identified as natural/ semi natural space in the Council's Open Space Audit and Needs Assessment, although the site is not exclusively an area of semi natural

land, as it includes two disused tennis courts which have fallen into disrepair. The site is not managed as publically accessible recreational space, although it does provide a function to wildlife and is designated as the Dallington Old Tennis Courts and Ponds Local Wildlife Site.

- 7.2 The Northampton Green Infrastructure Plan (2016) (GIP) has been prepared as part of the evidence base for the emerging Local Plan Part 2, and is therefore a material consideration in the determination of planning applications. The site is identified in the GIP as being located in the Component of the Local Level Green Infrastructure Network, and as a corridor of High Sensitivity in the Northampton Landscape Sensitivity and Green Infrastructure Study (2009).
- 7.3 The residential development of the site would result in the loss of an area of open space, however this in itself does not preclude development. Policy RC2 of the JCS resists the loss of open space unless it can be demonstrated that the proposal will bring about community benefits that outweigh the loss; or, having regard to the open space study, the space is surplus or little used.
- 7.4 Based on the Open Space, Sport and Recreation Needs Assessment and Audit (2009) there is an identified surplus of natural/ semi natural space within the area, although there is an overall deficit of open space. The site is within range of a variety of open space and, in addition, the site is under private ownership and the open space is not readily accessible to the general public, other than to the angling club who have access to the site to fish the pond. The value of the site as an area of open space therefore has to be weighed against the potential community benefits of providing additional housing to meet an identified housing need.
- 7.5 A key objective of the NPPF and the JCS, both of which have a presumption in favour of sustainable development, is to provide a wide range of housing. Policy S3 of the JCS sets the requirement for the provision of 18,870 dwellings during the plan period 2011-2029. Policy S1 seeks to ensure new development is primarily located in and adjoining the urban area of Northampton.
- 7.6 The site is located within the urban area and, in addition, the Council cannot currently demonstrate a five year housing supply. Therefore, in accordance with the presumption in favour of sustainable development in paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site would contribute towards the Council's social and economic benefits and this, therefore, weighs in favour of the proposal.
- 7.7 Issues of ecology and nature conservation are considered in more detail below.

Design and Impact on Amenity

- 7.8 The application is in outline only with access for consideration. The submitted layout plan is indicative only and details of layout, scale, appearance and landscaping would be considered at reserved matters stage. Details of access are considered later in this report.
- 7.9 Paragraph 127 of the NPPF seeks to ensure a high standard of amenity for existing and future users. This is reflected in Policy H1 of the JCS which seeks to ensure due regard is paid to the impact of proposed development on the amenity of occupiers of neighbouring.
- 7.10 Residential properties on Corran Close are situated to the immediate south of the site and set at higher ground level, on average at approximately 1m higher ground level with some gardens rising gradually from the boundary with the application site. The majority of properties on Corran Close are 2-storeys with rear elevations facing towards the application site, with some bungalows situated towards the western end. An indicative site layout has been submitted showing a layout of 14 detached dwellings with on-site parking provision and detached garages. Whilst it is acknowledged that development of the site would result in an element of overlooking to these existing properties which is currently non-existent due to the open nature of the site, the submitted layout indicates that there is potential to accommodate the number of dwellings proposed on site and, notwithstanding the variation in levels, achieve an appropriate distance from the existing

dwellings on Corran Close such that it would not lead to any undue impact in respect of overlooking or overshadowing. The precise details of layout, scale, appearance and landscaping would be considered at reserved matters stage, and would be required to demonstrate that there is no adverse impact on neighbouring amenity.

- 7.11 Concern has been raised regarding the impact in terms of security on existing properties on Corran Close, in respect of the development of the site resulting in open access from Mill Lane onto the site which currently does not exist. Whilst details of layout would be considered at reserved matters stage, the indicative layout indicates the potential for a gated access to the site, and indicates dwellings positioned overlooking the rear boundary of properties on Corran Close providing surveillance that does not currently exist. The Crime Prevention Officer has raised no objection and recommends security measures for the proposed plots and the provision of lighting along the roadway. As the application is for outline permission, these detailed matters would be for consideration at reserved matters stage.

Ecology

- 7.12 Both the NPPF and Policy BN2 of the JCS seek to ensure that where new development has the potential to impact on biodiversity, existing designated ecological sites are safeguarded and, where possible enhanced.
- 7.13 The application is supported by an Ecological Appraisal which recognises the presence of grass snake on site, and the need for appropriate mitigation to ensure protection during construction. Passive displacement is therefore proposed to move grass snake into a receptor site to be created within an area of green space retained towards the northern site boundary.
- 7.14 The report also recognises the presence of badger, Turkish Crayfish, potential for nesting birds, foraging for bats and suitable habitat for amphibians, including Great Crested Newts, although no newts have been found on site.
- 7.15 The report recommends a number of mitigation/ enhancement measures including the buffering of the pond and woodland areas particularly along the northern boundary of the site with the incorporation of species rich grassland, and bat and bird boxes.
- 7.16 Whilst the proposed mitigation measures within the ecology report in respect of the application site are accepted, both the County Ecologist and the Wildlife Trust have raised concerns regarding the impact of development on the wider Local Wildlife Site (LWS) which extends beyond the application site towards Dallington Brook and is within the ownership of the applicant. Therefore, in addition to a condition to ensure the implementation of mitigation measures detailed in the submitted ecological report, a condition is therefore recommended for the submission and approval of a Landscape and Ecological Management Plan (LEMP) which covers the LWS as a whole and sets out conservation objectives and management for the protection and preservation of habitats and species to ensure appropriate mitigation.

Trees

- 7.17 The majority of protected trees on the site would be retained. The Council's Arboricultural Officer has assessed the submitted indicative plan and raises no objection in principle to the development of the site. Detailed layout would be a matter for consideration at reserved matters stage and a condition is recommended for the submission of an Arboricultural Method Statement and a Tree Protection Plan at reserved matters stage to ensure appropriate mitigation for retained trees.

Heritage Assets

- 7.18 Whilst the site previously lay within grounds of Dallington Manor, the historic context has since been severed by Mill Lane. Due to the presence of the road and mature roadside vegetation, the development would not be apparent in views from the Conservation Area and is therefore considered to have a neutral impact on the historic character and appearance.

Flood Risk and Drainage

- 7.19 The majority of the site lies within Flood Zone 1, with the northern edge adjacent to the pond situated within Flood Zones 2 and 3. The pond provides attenuation for water from Dallington Brook. Subject to conditions for the submission of a detailed surface water strategy and foul drainage, the Environment Agency and Lead Local Flood Authority have no objection.

Highways

- 7.20 The application is supported by details of a Traffic Survey carried out at two points on Mill Lane which has been subject to consultation with the Highway Authority.
- 7.21 A new vehicular and pedestrian access into the site is proposed in the position of the existing turning head into the site from Mill Lane, with alterations to Mill Lane to provide a right turn lane into the site. The submitted details demonstrate appropriate visibility and tracking of vehicles can be achieved and the Highway Authority has no objection. Details of internal road layouts and parking provision, which would be required meet the Northamptonshire Parking Standards, would be considered at reserved matters stage.

Other Matters

- 7.22 Conditions are recommended regarding appropriate assessment of the site for contamination, and for the submission and approval of a scheme for the provision of Electric Vehicle charging points within the development. Details of refuse storage would be conditioned at reserved matters stage subject to outline approval. There is no policy requirement for the provision of low NOx boilers.
- 7.23 In respect of the County Council's request for contributions towards primary education, fire hydrants, and libraries, as the application is for less than 15 dwellings, the Council is not in a position to request S106 contributions in this regard, as defined by the adopted Planning Obligations Supplementary Planning Document (2013). Secondary education would be covered by CIL and the development would be CIL chargeable.
- 7.24 It is understood that the pond on site is currently actively used by a private angling club. The indicative site layout show an element of parking provision for the club indicating an intention that this proposed use would continue. The application site, pond and associated land to the north used by the anglers is privately owned, and the use is carried out by private arrangement with the land owner and is not a material consideration in the determination of this application.

8 CONCLUSION

- 8.1 The existing open space is not readily available to the public for recreational use and whilst the development would lead to some ecological impact, it is considered that appropriate mitigation, as required by conditions, could be achieved to ensure there is no undue adverse impact. On balance, the principle of residential development of the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5 year housing supply, and is in accordance with policy requirements.

9 CONDITIONS

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

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

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

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

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

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

4. The residential development of the site hereby permitted shall be for a maximum of 14 dwellings only.

Reason: To accord with the terms of the planning application and to ensure a satisfactory standard of development and in the interests of the amenity of the occupiers of adjacent residential properties in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

5. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 17 28555/50 rev P1.

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

6. No development on site shall take place until the proposed access and highway works as detailed on drawing no. 17 28555/50 rev P1 have been implemented and laid out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition to ensure that safe access has been provided in a timely manner.

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

Reason: In the interests of residential and visual amenity in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

8. A site specific Arboricultural Impact Assessment and Arboricultural Method Statement, in accordance with the recommendations of BS: 5837:2012 Trees in relation to design, demolition and construction', shall be submitted alongside the submission of reserved matters details for 'layout' which shall include details of proposed construction methods within the Root Protection Areas of the trees along the south-eastern boundary of the site subject to a Tree Preservation Order and tree protection measures during the course of construction for all trees to be retained on site. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring a satisfactory standard of development and to ensure appropriate protection of existing trees on site in accordance with Policies S10 and BN3 of the West Northamptonshire Joint Core Strategy.

9. The development shall be carried out in accordance with the recommendations of the Ecological Appraisal by FCPR dated February 2018 and the Reptile Survey Report, Mitigation Strategy and Method Statement dated March 2018 by FPCR.

Reason: In the interests of biodiversity in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. Prior to any works being carried out on site that involve the disturbance of Himalayan Balsam, a method statement shall be submitted for approval in writing by the Local Planning Authority for an invasive non-native species protocol to address the containment, removal and disposal of Himalayan balsam within the application site. Development shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

11. Prior to commencement of development on site, a Landscape and Ecological Management Plan (LEMP) for the application site and land to the north as outlined in blue on the submitted Location Plan (ref: KE), shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should comply with the requirements of BS42020: 2013 and shall contain as a minimum a set of Management Prescriptions together with a linked/ associated Monitoring Programme in respect of relevant conservation objectives for both habitats and species on the site as identified in the submitted . The development shall be carried out in accordance with the approved details.

Reason: The site comprises Dallington Old Tennis Courts and Ponds Local Wildlife Site. The condition is required to ensure impacts on biodiversity are appropriately mitigated and, where possible enhanced, in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework. Pre-commencement condition to ensure impacts on biodiversity are appropriately assessed and dealt with in a timely manner.

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

- i. Traffic management and signage during construction
- ii. Parking for site operatives and visitors
- iii. Storage areas for plant and materials
- iv. The erection and maintenance of security fencing/hoardings and lighting
- iv. Welfare and other site facilities
- v. Working hours and delivery times
- vi. Measures to control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- vii. Measures to prevent mud and other debris being deposited on the surrounding highway.
- viii. Ecological mitigation measures

Reason: To minimise the impact of the development during the construction phase in accordance with Policies S10 and BN9 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. 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. This is a pre-commencement condition to ensure timely submission of details.

14. 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 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 13, 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 13.

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.

15. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding and pollution in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. Before construction commences, 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, shall be submitted to the Local Planning Authority for approval in writing. 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, attenuation basins and soakaways.
- b) Cross referenced calculations.
- c) Details of BRE 365 infiltration testing.
- d) Assessment of risk to the development from groundwater.

Reason: To ensure a satisfactory standard of development and in the interests of flood prevention in accordance with the requirements of 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.

17. 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 out in full thereafter.

Reason: To ensure a satisfactory standard of development and in the interests of flood prevention in accordance with the requirements of 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.

18. No occupation of the development hereby approved shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment and Sustainable Drainage Strategy document reference number 2049-FRA & Ds dated April 2018 prepared by MTC Engineering. These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required/ necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure a satisfactory standard of development and in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

19. 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 S10 of the West Northamptonshire Joint Core Strategy.

20. Details of a scheme for the provision of Electric Vehicle Charging points for the development hereby approved shall be submitted with reserved matters details for 'layout'. The development shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable development in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

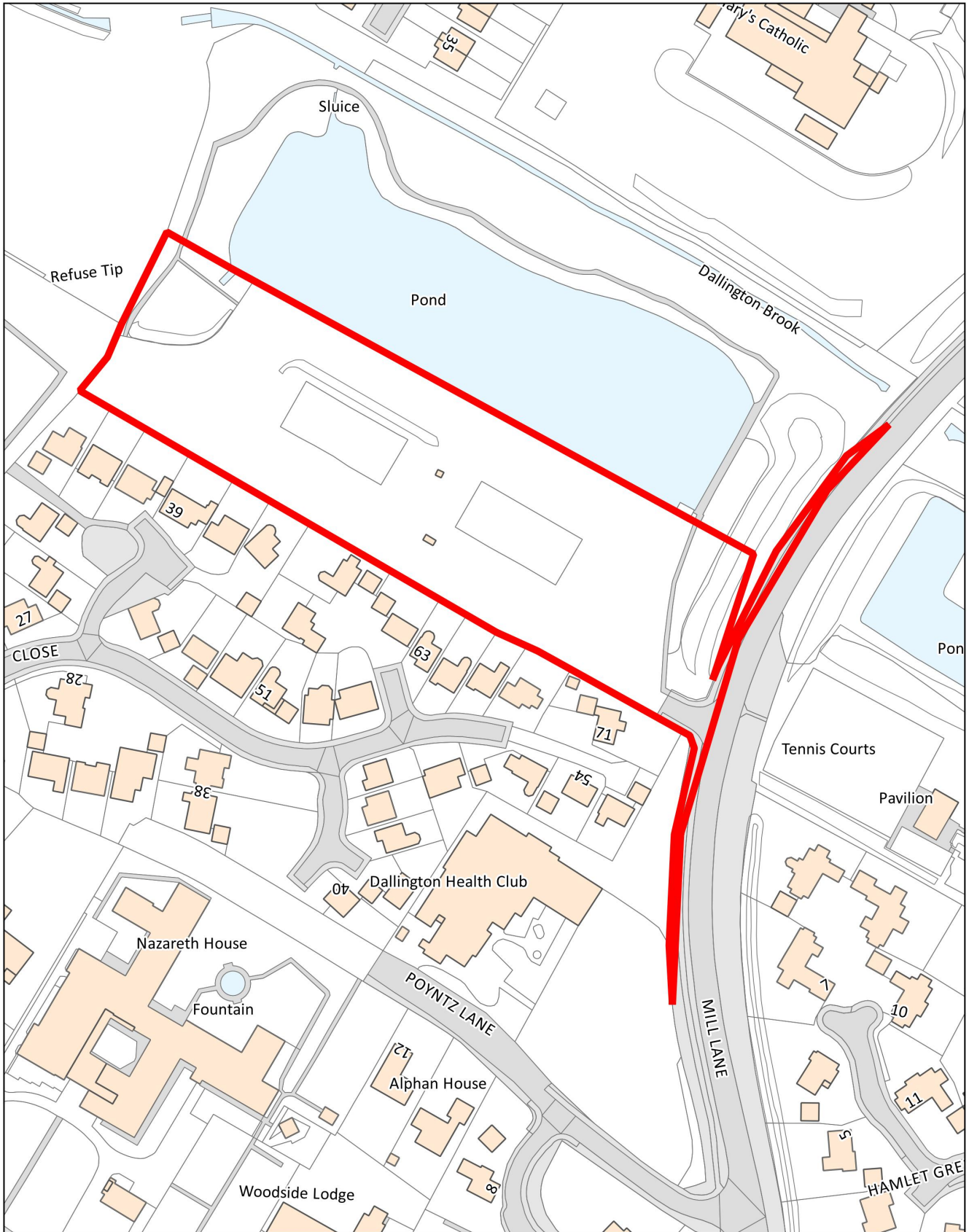
- 10.1 N/2018/0710

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Land off Mill Lane. Dallington**

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