

**PLANNING COMMITTEE:** 19<sup>th</sup> February 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0879

**LOCATION:** Land Adjacent to Tithe Barn Way

**DESCRIPTION:** Outline Planning Application with all matters reserved except access for the development of a storage and distribution unit (Use Class B8)

**WARD:** Upton Ward

**APPLICANT:** Aviva Life & Pensions (UK) Limited  
**AGENT:** Montagu Evans LLP

**REFERRED BY:** Councillor B Sergeant  
**REASON:** Loss of existing farmhouse

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

#### **1 RECOMMENDATION**

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

The proposed development, subject to conditions, represents an appropriate land use and would not result in significant harm to the character and appearance of the surrounding area, neighbour amenity, the historic environment and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies BN2, BN3, BN5, S1, S8 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan.

#### **2 THE PROPOSAL**

2.1 The applicant has submitted an outline application, with all matters reserved apart from access (which would be from the roundabout located at the north of the site, via Tithe Barn Way). The quantum of warehousing would be either arranged as a singular building, or two, smaller units. Should outline planning permission be granted, the Reserved Matters application would finalise details pertaining to layout, scale, landscaping and appearance, including whether the development comprises one or two units.

#### **3 SITE DESCRIPTION**

- 3.1 The application site consists of a previously undeveloped site that also contains a number of trees, located adjacent to the commercial areas of Pineham and Swan Valley, albeit it does contain a former and disused farm house. The surrounding land uses are predominantly commercial in nature and many buildings are constructed to a more functional form of architecture. The site is also adjacent to the M1, which is located to the south of the site.
- 3.2 In addition, the site is in close proximity to the Grade II Listed Tithe Barns. These date from the 17<sup>th</sup> century and are constructed of squared rubble and also feature stone copings to the side elevation gables. These buildings have subsequently been converted to office accommodation.
- 3.3 Access to the site is via Tithe Barn Way, which is a relatively short cul-de-sac that runs to the north of the site from Swan Valley Way, which also serves as access to a significant number of other commercial units.

## **4 PLANNING HISTORY**

- 4.1 90/0732 – Development comprising a business park of mixed Class B1, B2 and B8 uses, hotel and business support centre and link road adjoining the M1 motorway near Rothersthorpe Service Station – Approved.  
97/0340 – Development consisting of B1, B2 and B8 uses at Swan Valley, Northampton – Approved.  
N/2000/1132 – Variation of Condition 2 of permission 97/0340 to extend the period for the submission of reserved matters until before 23<sup>rd</sup> September 2002 – Approved.  
N/2002/1296 – Variation of Condition 2 of permission 97/0340 to extend the period for the submission of reserved matters until 7<sup>th</sup> October 2005 – Approved.  
WN/2006/137 – Variation of Condition 2 of planning permission 97/0340 to extend the period for submission of reserved matters for five years – Approved.  
N/2012/0610 – To extend the time limit for the submission of reserved matters for a further five years in connection with extant planning permission N/1997/340 – Approved.

## **5 PLANNING POLICY**

### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies,

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

### **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.

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

Paragraph 127 - Create places with a high standard of amenity for existing and future users.  
Paragraph 163 - Ensuring development does not increase flood risk  
Paragraph 165 - Incorporating sustainable drainage systems in major developments  
Section 15 – Conserving and enhancing the natural 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 BN1 – Creation of green infrastructure  
Policy BN2 – Biodiversity  
Policy BN3 – Woodland enhancement and creation  
Policy BN5 – Historic environment and landscapes  
Policy E1 – Existing employment areas  
Policy S1 – Distribution of development  
Policy S7 – Provision of jobs  
Policy S8 – Distribution of jobs  
Policy S10 – Sustainable Development Principles

### 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 B5 – Development policies for commercial development

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Anglian Water** – Request conditions in respect of drainage matters.
- 6.2 **Arboricultural Officer** – A detailed assessment has been submitted with the application. However, to secure a good standard of development, details regarding method statements and protection plans should be submitted.
- 6.3 **Archaeological Advisor (NCC)** – A geophysical survey has been submitted, which has identified potential areas of interest, however, these are not a barrier to the site being developed. As a consequence, a condition is requested regarding the carrying out of the additional survey works prior to the commencement of development.
- 6.4 **Conservation** – The barns were both listed Grade II in January 1976. The listing produced at that time states that they are 17th century tithe barns, 5 bays with rubble walls, steeply pitched roofs covered by corrugated iron, with stone copings. The barns appear to be historically associated with Bickerton's Lodge but there is no mention of the existing farmhouse in the list descriptions. Based on the available evidence, the farmhouse - the living accommodation for the farm – would be unlikely to have been ancillary or subordinate, or within the curtilage, of the listed buildings at the date of listing, such that it would be not be covered by the listing. In respect of the impact on the setting of the barn, it is considered that owing to the change of use that has taken place, and the level of alterations that have been carried out, the harm arising from the proposed development would be less than substantial.
- 6.5 **Ecology Advisor (NCC)** – An updated bat emergence survey is required, however, this can be the subject of a planning condition.

- 6.6 **Environment Agency** – No observations.
- 6.7 **Environmental Health** – Request conditions regarding the investigation of contamination and noise. Consideration should also be given regarding the potential impacts of the development upon air quality. A Construction Environment Management Plan should also be secured.
- 6.8 **Development Management (NCC)** – Request the securing of obligations in respect of fire hydrants and broadband provision.
- 6.9 **Highway Authority (NCC)** – No objections.
- 6.10 **Highways England** – Request conditions pertaining to drainage, lighting and boundary treatments.
- 6.11 **Historic England** – No observations.
- 6.12 **Lead Local Flood Authority** – The impacts of surface water drainage will have been adequately addressed at this stage. Recommended conditions regarding surface water drainage.
- 6.13 **Northamptonshire Police Crime Prevention Design Advisor** – No objections in principle, but request details of boundary treatments and CCTV.
- 6.14 **Councillor B. Sergeant** – Object to the application owing to the loss of the farm house and the impact on the adjacent Tithe Barn, which has been constructed from local stone. The site also features a number of trees that would be lost through the development. Accordingly, it is requested that the application be determined by the Planning Committee.
- 6.15 **Hunsbury Meadows Parish Council** – The site is one of the heritage assets of the parish and, as a consequence, the loss of the farm house and potential impact on the barns is not acceptable.
- 6.16 32 letters of representation have been received. Comments can be summarised as:
- It is considered that the farm house is a listed building and, as a consequence, should not be demolished.
  - The proposal would also have a negative impact upon the setting of the Listed barns.
  - When Swan Valley was originally planned, it was not envisaged that this section would be developed for warehousing
  - The development would result in the loss of some good quality open space that contains a number of trees
  - Concerns are raised regarding the impact upon the highway system
  - The development would have an adverse impact upon flood risk
  - The development would result in increased noise and disturbance to the detriment of the surrounding properties.

## **7 APPRAISAL**

### **Principle of the development**

- 7.1 Whilst it is appreciated that the site is, in part, currently undeveloped, it has been identified for commercial development within the Northampton Local Plan. As a consequence, it is considered that the bringing forward of this site for commercial purposes would be of some benefit in contributing to the delivery of the aims and objectives of the local plan. In addition, it is considered that the proposed development would, by providing an additional warehouse unit(s) support the continued growth of Northampton's economy through the provision of a greater array of potential business premises and therefore additional employment opportunities.
- 7.2 It is noted that the proposed development would result in the loss of a former farmhouse which appears to date from the Victorian period. This building does not benefit from any form of statutory

protection and, as a consequence, its potential retention is not a matter that can be given a significant amount of weight in this instance. In assessing the merits of the application, consideration has been given to the matter of whether the former farmhouse is curtilage listed owing to the proximity of the farmhouse to the Grade II Listed former barns as described previously.

- 7.3 Certain buildings are deemed to be 'curtilage listed' (and therefore have the same protection as a listed building) should they meet certain criteria. In essence, for a building to be curtilage listed it would need to have been ancillary to the function of the main listed building, be in the same ownership and not physically separated through boundary treatments.
- 7.4 In assessing this matter, it would appear that the ownership of the two buildings has been severed for a significant period of time, which reduces the significance of any potential former operational relationship that may have previously existed. In addition, it is noted that the farmhouse is considerably newer than the nearby barns, which further reduces the historical connection between the listed former barns and the farmhouse. Leaving aside these matters, it is questionable whether the existence of the newer farmhouse is dependent upon being located in close proximity to the older barns as it is possible for a barn to be operational, yet be located some distance away from the controlling farmhouse. Indeed there are a number of examples within the wider area where this occurs.
- 7.5 Therefore, for the foregoing reasons, it is concluded that the development, whilst resulting in the loss of the former farmhouse, would not result in the loss of a curtilage listed building, and therefore the application could not be reasonably resisted on this basis.
- 7.6 Notwithstanding this conclusion, it is necessary to consider the impacts of the development upon the setting of the nearby Listed Building. Whilst it is appreciated that there would be some erosion of the setting's character due to the loss of hitherto undeveloped land, it is also recognised that some impact was allowed for as part of the plan making process through the allocation of the site within the Northampton Local Plan. Furthermore, some erosion of the Listed Building's character has also taken place through the general development of the Swan Valley and Pineham areas. As a consequence, it is concluded that any harm would be less than substantial.
- 7.7 In line with the requirements of the NPPF, any less than substantial harm needs to be weighed against the public benefits of the scheme. In this case, it is concluded that the harm is outweighed owing to the delivery of a long allocated centre and the potential benefit to the economy of Northampton.
- 7.8 Over the course of the application, the applicant has amended the drainage system in order to respond to the observation of the Lead Local Flood Authority. As a consequence of these amendments, and subject to conditions, it is considered that the scheme would not have a significant adverse impact on flood risk either on site or elsewhere. These conditions would also include mechanisms for the ongoing maintenance of the site's drainage systems.
- 7.9 It is realised that the site is in close proximity to the M1 Air Quality Management Area and that the use of the surrounding road network is likely to increase. As a result, and to prevent there from being a notable adverse impact upon air quality, conditions are recommended that would secure the implementation, and retention, of electric car charging points and cycle storage. These measures are likely to encourage more environmentally sustainable forms of transport.

### **Design, appearance and impact upon surrounding properties**

- 7.10 Given that this is an outline planning application, the design of the building would be reserved for future consideration. However, given that the general provision of similar warehouse uses within the vicinity (in addition to other buildings of a generally functional design), it is considered that the development of this site for a warehouse building(s) is unlikely to result in significant harm to the character and appearance of the wider area.

- 7.11 In addition, the submitted indicative parameters demonstrate that the quantum of proposed development can be accommodated on the site without significant harm to the amenities of the surrounding properties in terms of matters such as light, outlook and privacy. Going forward, and to provide certainty in respect of this matter, it is considered necessary to impose conditions regarding the maximum level of development that could be constructed within the site.
- 7.12 Owing to the prevailing commercial character of the site's environs, it is considered that the operation of the site for warehousing would not cause any undue harm to the amenities of surrounding properties in terms of the generation of noise. Notwithstanding this conclusion, a condition is recommended that would require the submission, and agreement by the Council, of a Construction Environment Management Plan (CEMP). This CEMP would include details regarding the hours in which construction activity would take place, strategies for the suppression of noise and dust, the routing of construction traffic, and wheel washing facilities.
- 7.13 In order to maintain neighbour amenity levels, a condition is recommended that would ensure that the Council approves details of external lighting. The implementation, and retention, of such lighting would also contribute to the creation of a safe and secure form of development. The proposal can also be made more secure through the installation of appropriate boundary treatments, which is in accordance with the representations of Northamptonshire Police's Crime Prevention Design Advisor.
- 7.14 Whilst it is appreciated that the development would take place on land that is generally undeveloped, any new development would be viewed against a backdrop of the sizeable commercial developments that have taken place within Swan Valley and Pineham. As a consequence, it is considered that the development would be in keeping with the prevailing vernacular and would not lead to a significant adverse impact upon the quality of the landscape within the surrounding area.

### **Highways**

- 7.15 Given that the application has been submitted in outline form, the general layout of the development would be submitted, and considered, as part of the Reserved Matters process. As a consequence, the primary matter for consideration within the current application is the impact of the development upon the existing highways system.
- 7.16 As access is not a reserved matter, at the request of the Local Highway Authority, the access arrangements into the site have been amended to ensure that there is a layout which is appropriately sized and unambiguous to other road users. Furthermore, the access has sufficient forward visibility to ensure that the movement of vehicles onto and away from the site would not impact upon the safety of other road users and pedestrians.
- 7.17 Given that the proposal would result in the bringing forward of a site that has been allocated for commercial development, it is considered that the proposal would not cause any undue delays or congestion within the surrounding road network. No objections have been received from the Highway Authority within this regard.
- 7.18 Whilst it is appreciated that the site is located on the periphery of the Borough, it is noted that the environs of the site do feature some public transport routes and, as a consequence, it is considered that the potential workers at the site would have suitable access to alternative means of travel. In addition, a condition is recommended that would ensure the provision of appropriate cycle storage. This is necessary in order to create a development that is not overly car dominated.
- 7.19 It is noted that, in submitting their representation, Highways England have requested a number of conditions pertaining to drainage matters. In order to ensure that the development does not pose a significant adverse impact upon the movement of traffic on the wider strategic road infrastructure or highway safety, it is recommended that these conditions are imposed on any permission.

### **Archaeology**

- 7.20 The applicant has submitted a geophysical survey of the site, which whilst this has identified some areas of archaeological interest and further work, it would appear that there are no particular constraints that would prevent the development of the site. In order to ensure appropriate investigation to the outstanding areas of interest, a condition is recommended that would require that these works are carried out prior to the commencement of development.

### **Ecology**

- 7.21 The applicant has submitted an ecological assessment as part of the application. Whilst this does not identify any overarching ecological reasons why the development should not be approved, it does identify that the further survey works will need to be carried out prior to the first implementation of the development due to the potential for bat roosts to be present within the building that is to be demolished.
- 7.22 This approach has been agreed in consultation with the County Council Ecological Advisor and would be secured via appropriate conditions. For these reasons, it is considered that the development would not result in significant harm to the site's ecology.

### **Trees**

- 7.23 The application has been supported by an appropriate arboricultural assessment. Whilst this identifies that some trees would most likely need to be removed in order to facilitate the implementation of the development. However, it would appear that the trees that are to be removed would not be of such sufficient quality, type or condition to act as a barrier to bringing forward this allocated development. In order to secure a satisfactory standard of development, conditions are recommended to ensure that the development is implemented without harm to the retained trees.
- 7.24 In addition to this matter, the redevelopment of the site would include replacement landscaping, and indicative parameters have been submitted regarding how this might be achieved. Furthermore, replacement landscaping would be thoroughly assessed as part of the Reserved Matters process. For these reasons, it is considered that the development would not create any significant adverse impacts upon trees.

### **Other matters**

- 7.25 It is acknowledged that the County Council Development Management have requested the securing, through a Section 106 Agreement, of contributions to fund broadband and fire hydrant provision. In response to these matters, it is considered that there is an insufficient planning policy basis to make such a request and, as a consequence, it is considered that the securing of such matters would fail to comply with the requirements of national and local planning policies.

## **8 CONCLUSION**

- 8.1 In conclusion, it is considered that the development would represent an appropriate land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity, the historic environment, flood risk and the highway system. Accordingly, the proposal is compliant with the requirements of national and local planning policies.

## **9 CONDITIONS**

- 9.1 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 access arrangements as shown on drawings 42349/5502/001 A or 42349/5502/002 A shall be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

5. The footprint of any warehouse building(s) shall not exceed 11,731 square metres in total.

Reason: For the avoidance doubt and to secure a satisfactory standard of amenity in accordance with the requirements of the National Planning Policy Framework.

6. No development shall take place until the applicant, or their successors in title or agents, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement in order to ensure the timely investigation of such occurrences prior to building works taking place.

7. Notwithstanding the details submitted, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the building(s) 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. Notwithstanding the details submitted, full details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

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

9. Notwithstanding the details submitted, full details CCTV (including a timetable for implementation) shall be submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the development. Development shall be carried out in accordance with the approved details, and be retained thereafter.

Reason: In the interest of creating a safe and secure form of development, in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy

10. Notwithstanding the details submitted, full details of a scheme of external lighting shall be submitted to, and agreed in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details, be implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

11. Notwithstanding the details submitted, full details of cycle storage (including a timetable for implementation) shall be submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the development. Development shall be carried out in accordance with the approved details, and be retained thereafter.

Reason: In the interest of promoting sustainable transport in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

12. Notwithstanding the details submitted, full details of a scheme for electric car charging points (including a timetable for implementation) shall be submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the development. Development shall be carried out in accordance with the approved details, and be retained thereafter.

Reason: In the interests of creating a sustainable form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

13. A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

14. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement to ensure the agreement of such details in a timely manner.

15. 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 condition is required to ensure the agreement of such details in a timely manner.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared 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.

17. Notwithstanding the details submitted, prior to the commencement of the development an updated bat emergence survey shall be submitted to, and approved in writing by the Local Planning Authority. The updated survey shall include details of any mitigation and, if required, copies of licences issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations 2017. Development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy. This condition is required in order to agree appropriate details in a timely manner.

18. Prior to any construction commencing 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 details of the scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
- b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- c) BRE 365 Infiltration test results.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained thereafter.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

19. 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. Details are required of which organisation or body will be the main

maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used, site plan including 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 arisings generated from the site and details of expected design life of all assets with a schedule of when replacement assets may be required.

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 to ensure that such details are agreed in a timely manner.

20. All subsequent reserved matters applications for the development plots shall make reference to the original approved Flood Risk Assessment, Document ref. no.70039665 FRA041 Rv2, dated April 2018 Prepared by WSP and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of the National Planning Policy Framework.

21. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, Document ref. no.70039665 FRA041 Rv2, dated April 2018 Prepared by WSP has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority. The report 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.
- e) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in accordance with the requirements of the National Planning Policy Framework.

22. Notwithstanding the details submitted, and prior to the commencement of development, an arboricultural impact assessment and arboricultural method statement (including a tree protection plan) shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure the agreement of such details in a timely manner.

## **10 BACKGROUND PAPERS**

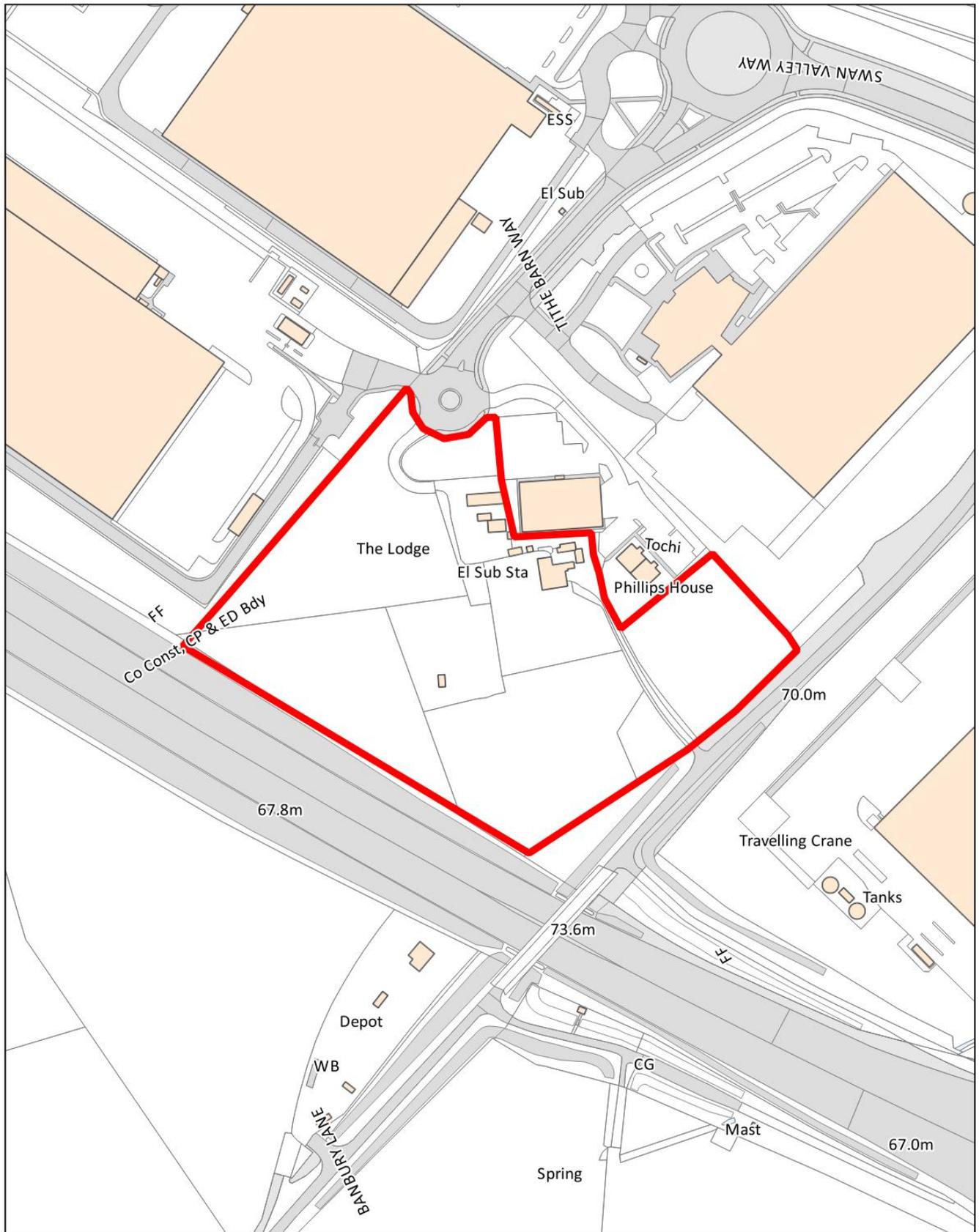
10.1 None.

## **11 LEGAL IMPLICATIONS**

11.1 The development is not 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: **Land adjacent to Tithe Barn Way**

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Date: 07-02-2019

Scale: 1:2,500

Drawn by: -----