

PLANNING COMMITTEE: 9th May 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1050

LOCATION: 9 - 15 Gambrel Road

DESCRIPTION: Demolition of existing building and construction of a Lidl foodstore with associated landscaping, car parking and formation of new access

WARD: Old Duston Ward

APPLICANT: Lidl UK GmbH
AGENT: Bilfinger GVA

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

- i) The prior completion of a S106 Agreement to secure the cessation of the use of the existing store as a Limited Assortment Discounter at 25-29 Gambrel Road, permitted under Planning Permission N/2013/1016; and
- ii) The Conditions set out in section 9 below and for the following reason:

The proposed amendments would, subject to conditions and the legal agreement, have a neutral impact upon the viability and vitality of the hierarchy of allocated centres, visual amenity and the occupiers of neighbouring properties, whilst supporting additional employment opportunities. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S2, S8, S9 and S10 of the West Northamptonshire Joint Core Strategy and Polices B14 and 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 the National Planning Policy Framework and Policy S9 of the West Northamptonshire Joint Core Strategy.

2. THE PROPOSAL

- 2.1 The applicant has applied for planning permission to completely redevelop the site in order to construct a new supermarket, with 183 no. car parking spaces, including 12 for use by customers with disabilities and 8 spaces for use by customers with children. These would be accessed via a new junction on Weedon Road. A further 14 spaces are to be provided to the rear of the site with access from Gambrel Road, for use by staff members. The applicant proposes that their existing Gambrel Road store (opposite Sainsbury's) would close upon the opening of the currently proposed store.

3. SITE DESCRIPTION

- 3.1 The application site is a comparatively level site, located in a predominantly commercial area. The site has previously been used for industrial purposes, but has been vacant for some time, apart from being used for the storage of vehicles associated with the adjoining garage. The south west of the site contains a small existing commercial unit that is currently used for the display and sale of tiles. The wider area also contains a number of retail units. These are predominantly used for bulky goods retailing and there are two supermarkets within the vicinity. These are the Sainsbury's and Lidl stores in Gambrel Road. It should be noted that the Lidl store is restricted, through a planning condition, to be used as a Limited Assortment Discounter only. The site is also adjacent to the Sixfields Retail Park, which contains a Marks and Spencer food store.
- 3.2 Neither the application site nor the aforementioned retail units are in an allocated centre, as identified by the Northampton Local Plan, or the West Northamptonshire Joint Core Strategy. The nearest such centre is St James, which is located to the east of the application site.
- 3.3 The application site is located between Gambrel Road and Weedon Road. The latter serves as one of the main routes into the town from the west. As a consequence of this and the previously described commercial activities and other leisure facilities within the vicinity, Weedon Road is heavily trafficked.

4. PLANNING HISTORY

- 4.1.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document.

- 5.3 Paragraph 21 states that town centres should be the heart of communities and that there should be an appropriate level of retailing in the centre in order to meet the needs of the locality, whilst paragraph 24 of the NPPF requires that the consideration of applications for town centre uses (which includes retailing) should include a sequential assessment, covering available town centre and edge of centre sites.
- 5.4 Separate to the outcomes of the sequential assessment, the NPPF (in paragraph 26) requires that any retail development with an area in excess of 2,500 square metres should be accommodated by an impact assessment. This should include the impact of the proposal on existing, committed and planned in centre investment and the impact of a proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.
- 5.5 Paragraph 27 requires that town centre uses that do not pass the sequential assessment or would be likely to have a significant adverse impact upon centre viability and vitality should be refused.
- 5.6 In addition to the assessment of the above matters, the NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant developments on sites that are sustainable.
- 5.7 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layout are required which minimise conflicts between pedestrians, cyclists and traffic.

5.8 **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:

- 5.9 Policy S2 of the submitted JCS identifies Northampton as performing the role of a regional town centre and allocates Kingsthorpe and Weston Favell as being district centres. The same policy also allocates Far Cotton, Kettering Road, St James and Wellingborough Road as being local centres. The policy also requires that the viability and vitality of these centres should be maintained. Policy S9 of the JCS reiterates the sequential approach in the location of retail developments and requires that an impact assessment is carried out for developments with a floor space in excess of 1,000 square metres.
- 5.10 Policy S8 also sets out that majority of new jobs growth will be achieved through the renewal and regeneration of existing employment areas.
- 5.11 Policy S10 also emphasises the importance of good design within the development process.

5.12 **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:

- 5.13 Policy B14 requires that non-business uses (i.e. those which do not fall within the 'B' Use Classes should only be permitted in instances where the development would generate employment and

community benefits. Policy E20 states that ne development should not significantly impact upon the amenities of surrounding and be of an appropriate design.

- 5.14 **Supplementary Planning Documents**
Northamptonshire Parking Standards (September 2016)

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water** – Request conditions in respect of the provision of a suitable drainage system.
- 6.2 **Ecology Advisor (NCC)** – No objections in principle, but request conditions to ensure that the areas of work as identified in the submitted Ecology Assessment are carried out.
- 6.3 **Environment Agency** – Request conditions in respect of drainage and contamination.
- 6.4 **Environmental Health (NBC)** – Request conditions in respect of further contamination investigation and a Construction Environment Management Plan. Mitigation on the St James Air Quality Management Area is also requested.
- 6.5 **Highways England** – No objections.
- 6.6 **Highway Authority (NCC)** – Would request the securing of highway works in Gambrel Road (between the store entrance and the roundabout to the east) through a condition. In addition, an obligation should be secured preventing the proposed and existing stores from operating in tandem as this matter has not been assessed within the transport assessments.
- 6.7 **Northamptonshire Police Crime Prevention Design Advisor** – Recommend that details regarding CCTV and boundary treatments are secured.

7. APPRAISAL

Principle of the development

- 7.1 It is recognised that national and local planning policies require that retailing development be directed towards allocated centres. Within Northampton, the allocated centres are the town centre, St James, Wellingborough Road, Kingsthorpe and Weston Favell. As the application site falling outside of these locations, and given the scale of the development, the development needs to be subject to a sequential and impact assessment. The purpose of these assessments is to establish whether the development can be accommodated within an allocated centre and, if not, whether the proposed development would direct trade away from allocated centres to the detriment of their viability and vitality.
- 7.2 Given that there is a named applicant for the proposed store (Lidl), it is considered that Weston Favell can be discounted from the sequential assessment as the applicant already operates a store in that location. In respect of the other centres, it would appear that there are no currently available sites that are of sufficient size to accommodate the proposed store and requisite unloading area and car parking. Whilst it is appreciated that the former St James Bus Garage is currently vacant, it is understood that the current owner is progressing their own plans for a (non-retail) redevelopment. Therefore this site can also be discounted from the sequential assessment due to a lack of availability.
- 7.3 In respect of the town centre, it is noted that the CAAP allocated two potential sites for new supermarkets (being Abington Street East and the Drapery/College Street Area), although neither

is currently available and accordingly need to be discounted from the sequential assessment. The applicant has also considered the potential of locating the proposed store within the currently vacant former Primark unit at 84-86 Abington Street. Whilst this is available, it does not represent a sequentially preferable site as it is not of a sufficient size to accommodate the quantum of the proposed development.

- 7.4 As a result of these conclusions, it can be considered that the proposed store could not be accommodated within any allocated centre.
- 7.5 National and local planning policies seek to maintain the viability and vitality of allocated centres. This is of particular importance as supermarkets often serve as the main attraction to such centres, with patrons also visiting other smaller stores within the vicinity. In assessing the impact of the development, it is necessary to include the impacts of other supermarkets, including those that have planning permission, but are not yet been implemented. Of particular relevance to this application, it should be recognised that there is an extant permission for a supermarket (submitted by Aldi) on the former Chronicle and Echo site. In addition, a Lidl store has recently been constructed in Towcester Road, whilst a further Aldi will shortly open within part of the B&Q unit, also in Towcester Road. The issue of retail impact also needs to consider the fact that the applicant operates a store elsewhere in Gambrel Road, which would close in the event that the proposed store is given planning permission.
- 7.6 As a result of this scenario, the cumulative impact of the proposed development is markedly less than if an entirely new store were to be constructed, rather than a replacement one. Given the location of the application site, the primary area of concern is the impact on St James, which has already seen some trade diversion as a result of the new stores as referenced previously. The reason for such concern is that supermarkets often act as anchors to centres and therefore encourage linked trips to other businesses, thereby promoting the overall viability and vitality of the centre as a whole.
- 7.7 Given the comparatively marginal increase in trade diversion as a result of the proposed development away from St James to the proposed store, it is considered unlikely that the currently proposed development adversely impact upon the viability and vitality of the wider hierarchy of centres to an unacceptable degree.
- 7.8 This conclusion has been reached on the basis of the current Gambrel Road Lidl store closing in advance of the currently proposed store opening, which, from discussions, is also understood to be the intention of the applicant. Therefore, in order to provide certainty of this matter, it is recommended that a legal agreement be entered into that would require this to take place. The effect of this would mean that the approval of the Council would be required for any future use of the existing site and as a result would ensure that any future redevelopment does not impact upon centre viability and vitality.
- 7.9 In order to provide further certainty regarding the impacts of the development, conditions are recommended to ensure that the building is only occupied as a Limited Assortment Discounter, that there are controls regarding the overall total level of floor space within the building that can be used for retailing and the proportions of this space that can be used for the display and sale of convenience and comparison goods. Given that the store would be predominantly used for convenience goods retailing, it is considered that the development would be less likely to compete against the town centre and the allocated centre of St James.
- 7.10 It is appreciated that the development also represents a departure from the Local Plan, given that the development site is currently allocated for business purposes. However, it is noted that the site has been vacant for a significant period of time. As a consequence, it is appropriate to consider alternative uses, particularly due to its prominence on a key route into Northampton and

the fact that the development would generate new jobs means that it is concluded that the harm arising from this breach of planning policy is less than significant.

- 7.11 It is also understood that the property was last used for uses falling within the B uses classes (either industrial purposes or storage) over eight years ago, in the intervening period – despite marketing – there has been little interest from potential from occupiers for planning policy compliant uses. In addition, the site is vacant and has been cleared, no additional economic activity would be displaced by the proposed development. It can also be reasonably anticipated that, in time, a further application will come forward for a new use of the applicant's existing site within Gambrel Road. It can be reasonably expected that an appropriate land use would generate further employment benefits.
- 7.12 The applicant has submitted a contamination report, which outlines the need for further remediation. Given the previously developed nature of the site, and in line with the advice of the Council's Environmental Health section, a condition is recommended that would ensure that such works are carried out. Additional conditions are recommended, in accordance with the advice of consultees in respect drainage matters.

Design, appearance and impact on neighbouring properties

- 7.13 The design of the proposed store is of a similar height to the surrounding buildings and given the separation distances, there would be a neutral impact upon the amenities of the occupiers of surrounding properties in terms of considerations such as light, outlook and privacy. In design terms, the building would be orientated towards Weedon Road. This ensures that a substantial section of glazing would be visible on this most prominent elevation, which adds interest to the building and the streetscene. In addition, the layout of the site places the loading bay to the rear of the site. Given the comparatively lower activity that takes place within Gambrel Road, it is considered that this particular layout is acceptable.
- 7.14 Whilst it is appreciated that the form and layout of the building is, to a degree, informed by the operational needs of the occupier, it is considered that due to the predominantly commercial and functional style of the surrounding buildings, the development would not be detrimental to the visual amenity of the locality. Furthermore, the proposed development would result in an enhancement in the current appearance of the site, which is adjacent to a key route into the town.
- 7.15 In order to secure a satisfactory standard of development, a condition is recommended that would ensure that the Council approves details of the final building materials and hard and soft landscaping.
- 7.16 The positioning of the customer car park to the front and side of the store would ensure that it benefits from a good level of natural surveillance, particularly from Weedon Road, which would ensure that the car parking is reasonably safe and secure. In order to promote security, conditions are recommended that would ensure the provision of (prior to the first occupation of the store) and retention of lighting and CCTV systems.
- 7.17 The predominance of commercial activity within the surrounding area means that the comings and goings associated with the operation of a supermarket and the operation of plant and equipment, such as chiller units, would not cause any undue detriment to the amenities of surrounding properties as a result of noise and disturbance.
- 7.18 It is noted that the applicant has not proposed any particular opening times for the proposed store. Whilst this could potentially result in the store being opened on an unrestricted basis, it is considered that this scenario is not unacceptable. The reasons for this is that the predominant characteristic of the surrounding area being predominantly commercial properties, with the

nearest residential property being in excess of 200m away (and separated from the application site by other commercial properties). As a consequence, it is considered that the operation of the store during later evening/early morning periods would not cause any undue harm or disturbance.

- 7.19 There are a number of supermarkets within the wider environs of the application site. In summary, the Sainsbury's store is permitted to be open between 7am and 11pm on Mondays-Fridays and Public Holidays, 7am - 10pm on Saturdays and 10am to 4pm on Sundays and Bank Holidays, with no restrictions on delivery times. The existing Lidl store can operate between 8am and 9pm on Mondays-Saturdays and 10am - 4pm Sundays, with no restriction on delivery times. The Marks and Spencer Food unit does not have any restrictions on opening and delivery times. Whilst it is accepted that the proposed store would be open longer than the existing Lidl and Sainsbury's stores, it is considered acceptable due to the greater distances from residential properties and intervening unrestricted commercial properties.
- 7.20 In addition, by reason of the commercial character of the immediate surroundings, it is not considered necessary or reasonable to impose conditions restricting the times in which deliveries can be made to the store.
- 7.21 It is appreciated that the development process can generate some noise and disturbance and as a result, it is recommended that this be subject to a condition requiring the submission and agreement of a Construction Environment Management Plan (CEMP). This would include, but not be limited to, strategies to minimise dust and noise, the hours in which construction works would take place, wheel washing facilities and the routing of construction traffic.

Highways

- 7.22 As discussed previously, the site's main entrance would be from Weedon Road, which is a heavily trafficked road. Following discussions with the applicant and the Highway Authority, the access has been revised so that the proposed main vehicular exist would be designed in a 'left out' arrangement. This particular design reduces the need for vehicles leaving the site to cross a line of traffic and therefore results in a safer layout and also reduces the risk for the creation of additional congestion within Weedon Road, which would not be desirable given its status as one of the key routes into and out of the town centre.
- 7.23 In addition to this factor, it is considered that the proposed access would have appropriate visibility to ensure that the ingress and egress of vehicles would not impinge upon the safety of other motorists or pedestrians.
- 7.24 It is noted that Weedon Road is a heavily trafficked route given that it serves as one of the main routes into the town centre. Some uncertainty has been raised regarding the conclusions of the applicant's transport assessment given this nature and the fact that the proposed development is of a larger scale than the existing store operated by the applicant, and particular concerns have been raised with regards to the impacts on the eastern carriageway of Weedon Road from the proposed site entrance to the roundabout at the junction of Weedon Road, Gambrel Road and Tweed Road.
- 7.25 These concerns have been discussed with the applicant and the Highways Authority. In order to provide appropriate mitigation, the applicant has agreed to undertake improvements to Weedon Road. These would comprise the creation of an additional lane that would be sited to the east of the proposed access point, leading to the previously described roundabout. This would be facilitated through utilising some of the land in front of the existing van dealership that is outside of the current highways boundary.

- 7.26 This proposed mitigation would be secured via a condition, which would also require the provision of these works prior to the first occupation of the store and to be retained thereafter.
- 7.27 It is noted that the Highway Authority have requested that the proposed and existing stores do not operate in tandem, which would be secured through the Section 106 Agreement, as discussed in paragraph 7.8 of this report.
- 7.28 The development includes an appropriate provision of car parking spaces and room for commercial vehicles to manoeuvre safely. This is of particular importance as due to the character of the surrounding area and the nature of the nearby road network, a significant increase in on-street car parking would not be desirable. As a result, it is considered necessary to recommend a condition that would ensure that these areas are provided in full prior to the first occupation of the store and retained in that form thereafter.
- 7.29 The development includes appropriate pedestrian routes across the site, which would result in a safe layout of the development. A condition is recommended that would ensure that the surface treatments are agreed by the Council prior to implementation. This would assist in the creation of a legible form of development.
- 7.30 It is recognised that the Council's Environmental Health section have requested that mitigation to the St James Air Quality Management Area be secured. In response, it is considered that this development would replace an existing store in Gambrel Road (and the two stores would not operate in tandem), which already attracts a number of journeys. Given that this scheme is deemed acceptable on the grounds the additional trade would not be significantly greater than the existing stores. As a consequence, it is concluded that the impact on St James would not be significantly harmful to warrant the securing of mitigation through a Section 106 Legal Agreement. Notwithstanding this conclusion, conditions are proposed that would secure the submission and implementation of a travel plan to highlight sustainable transport choices and cycle storage.

8. CONCLUSION

- 8.1 It is considered that, subject to conditions and a legal agreement that would require the existing store to be closed prior to the proposed development opening, that the proposal would have a neutral impact on the viability and vitality of the existing hierarchy of centres. In addition, there would be a neutral impact on visual and neighbour amenity, whilst bringing a vacant and previously developed site back into use.

9. CONDITIONS

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

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

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

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

(4) Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building 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.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of information.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(7) Notwithstanding the information submitted, full details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the store hereby permitted and retained thereafter.

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

(8) Notwithstanding the details submitted, full details of CCTV covering the application site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall be carried out in accordance with the approved details, shall be fully implemented prior to the building hereby permitted being first brought into use and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in line with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

(9) The retail unit hereby permitted shall only be occupied as a Limited Assortment Discounter.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

(10) The floor space of the development hereby permitted that can be used for the display and sale of goods and products to the public shall not exceed 1,690 square metres. No more than 20% of this figure (338 square metres) shall be used for the display and sale of comparison goods.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

(11) Notwithstanding the details submitted, the retail unit hereby permitted shall not include any specialist counters comprising butchers, fishmongers, delicatessen or chemists.

Reason: In the interests of maintaining the viability of the hierarchy of allocated centres in accordance with the requirements of the National Planning Policy Framework.

(12) The retail unit hereby permitted shall not be divided to form more than one retail unit.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

(13) The car parking, vehicular access and manoeuvring spaces as shown on drawing (PL) 002 Rev. K shall be fully implemented prior to the first occupation of the store hereby permitted and retained thereafter.

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

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

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

(15) Notwithstanding the details submitted, full details of the surface treatments to the car parking and access road shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, fully implemented prior to the development hereby permitted being first brought into use and retained thereafter.

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

(16) Prior to commencement of development a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for agreement in writing, The CEMP should include (but not be limited to):

- i) Hours in which construction work would take place;
- ii) Methods for the suppression of dust;
- iii) Details of the proposed construction access to the site;
- iv) Details of routing to/from the site of construction traffic;
- v) Details of hours delivery times; and
- vi) Details of any wheel washing and other measures to prevent the discharge of dust and other materials on to the public highway.

Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a neutral impact upon amenity and 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.

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

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

(18) No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority: 1) A preliminary risk assessment which has identified:

- i) all previous uses
- ii) potential contaminants associated with those uses
- iii) a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To assess the potential risk posed to controlled waters 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.

(19) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure any remedial work is undertaken with regard to contamination in accordance with the requirements of the National Planning Policy Framework.

(20) 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.

(21) No drainage system for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure if soakaways are proposed to be used, they should not be located in land affected by contamination unless the potential risk posed to groundwater is adequately mitigated in accordance with the National Planning Policy Framework.

(22) The development hereby permitted shall be implemented in accordance with the recommendation of sections 6.1.3 and 6.4 of the submitted Preliminary Ecology Report (dated July 2016)

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

(23) The two existing vehicular accesses to the site from Weedon Road as shown on drawing no.(PL)002K shall be permanently closed and footway reinstated prior to the first occupation of the store hereby permitted. Full details of the alteration works shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

(24) No development shall take place until full details of the engineering and construction details of highway improvements, as shown indicatively on drawing 160603/07, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, which shall be fully implemented prior to the first occupation of the retail unit hereby permitted and retained thereafter

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

Informatives:

1. A Limited Assortment Discounter is a retailer as defined in Part 1 of The Groceries Market Investigation (Controlled Land) Order 2010 and for the avoidance of doubt includes a Convenience Goods Retailer, which sells a limited ranged of Convenience Goods at a low price.
2. Convenience Goods are defined as goods that include foods, pet food, drinks, cleaning products, toiletries, newspapers and magazines and non-durable household goods
3. Comparison Goods are defined as goods that include, but shall not be limited to, clothing, shoes and other footwear, DIY products, furniture and furnishings, carpets and other floor coverings, household textiles, major household appliances (whether electrical or not), small electric household appliances, tools and other miscellaneous accessories, glassware, tableware,

household utensils, non-prescription medical goods and other pharmaceutical products, therapeutic appliances and equipment, perfumes, bicycles, recording media, games, toys, hobbies and craft materials, tools and equipment, musical instruments, plants and flowers, pets and pet related products, books and stationary, greetings cards, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches and clocks, petrol, tobacco and tobacco products and financial services

10. BACKGROUND PAPERS

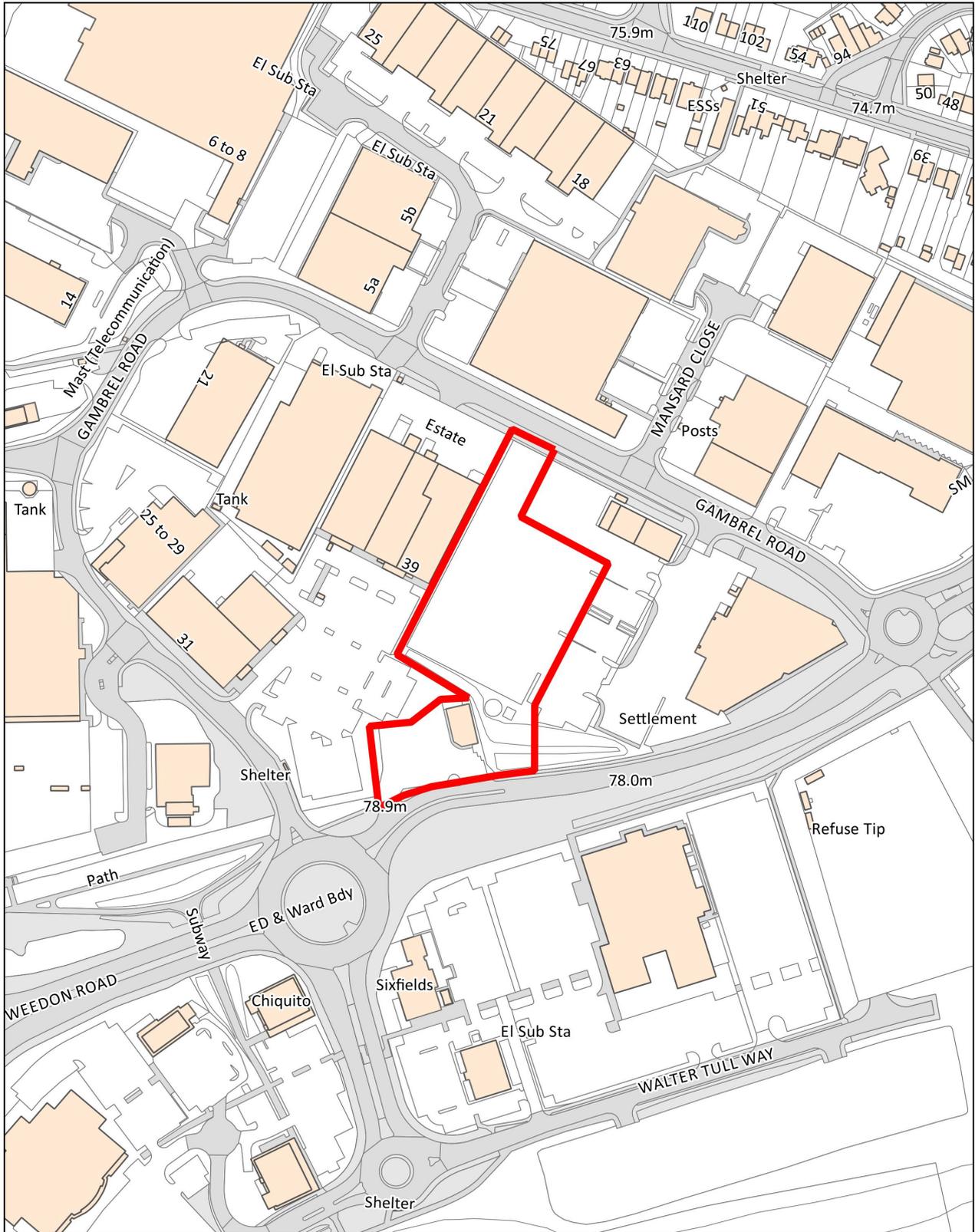
10.1 None.

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: **9-15 Gambrel Road**

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Date: 20-04-2017

Scale: 1:2,500

Drawn by: -----