



Applicant:

Northamptonshire
Police Authority

Application No:
08/0283/FULWNN

Date Registered:
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24/02/2008

Grid Ref: 476515/258290

Ward: Nene Valley

Northampton UDA Planning Committee Paper

Report by Interim Director of Planning and
Development

Date of Committee Meeting: Tuesday 26th May 2009

Agenda Item: 4

Description: Criminal Justice Centre (Use Class C2a) with associated parking, landscaping and access (Full Application).

Address: Land at Pavilion Drive, Northampton, NN4 7YL

1. Recommendation

1.1. That delegated powers be given to the interim Director of Planning and Development (or other nominated officer) to **APPROVE** the application subject to the following;

- i. The submission of a satisfactory Travel Plan (to include the Detainee Release Policy);
- ii. The submission of a satisfactory Transport Statement;
- iii. S106 Legal Agreement; and
- iv. Conditions

Reason: By reason of its scale and use, the proposed Criminal Justice Centre would generate significant employment opportunities and community benefit and as such would comply with the requirements of policy B14 of the Northampton Local Plan.

2. Description of Site

2.1. The application site is located on the western edge of the Brackmills Business Park adjacent to the existing Barclaycard office building within an area of predominantly B1 office development.

2.2 The application site is vacant undeveloped land comprising 0.97ha allocated for Business use.

3. Description of Proposal

3.1 The application seeks permission for a Criminal Justice Centre (CJC) (Use Class C2a). The Centre will serve the Northampton West policing area forming part of a wider strategy for the replacement of the six existing police sites within Northamptonshire.

3.2 The proposed Centre will comprise two main elements; a 50 cell custody unit for the processing of detainees; and office space to accommodate staff associated with the investigation and prosecution of detainees from within the Centre including the Criminal Justice Unit; Identification Suite; and Prisoner Investigation Unit.

3.3 The application proposes two storey offices at the front of the building which would sit above the 50 cell custody suite and associated interview rooms which would be located within a single storey below.

3.4 The building has also been designed to ensure that the accommodation is flexible for future growth and has been designed to allow for an additional 10 cells to be accommodated if required in the future.

3.5 The custody suite is proposed to operate 24 hours a day seven days a week in order to process and investigate people who have been detained by the police on suspicion of committing a crime. The centre is designed for short term detainees (an average 9 hours).

4. Policy Considerations

WNDC Purpose

4.1 Under S136(1) of the Local Government Planning and Land Act 1980, WNDC as an Urban Development Corporation has a statutory “objective” to deliver the regeneration of the area. The Secretary of State has determined that WNDC should have development control powers for certain types of development in order to carry out its objective.

National Planning Policy

- 4.2 The following Planning Policy Statements/Notes should be taken into consideration in the determination of this application;

PPS1 – Sustainable Development;

PPS1 – Sustainable Development: Planning and Climate Change Supplement;

PPG4 – Industrial, Commercial Development and Small Firms;

PPS4 – Planning for Sustainable Economic Development (Consultation);

PPS9 – Biodiversity and Geological Conservation;

PPS10 – Planning for Sustainable Waste Management;

PPG13 – Transport;

PPS23 – Planning and Pollution Control;

PPG24 – Planning and Noise; and

PPS25 – Development and Flooding.

Regional Planning Policy

- 4.3 The East Midlands Regional Plan Policy 22 – Regional Priorities for Employment Land

Local Planning Policy

- 4.4 Northamptonshire Structure Plan Policy SDA1 – Strategic Development Area Proposals
- 4.5 Northampton Local Plan Policies B14 – Non-business use within business areas; E1 – Impact on character and structure of landscape; E14 – Corridors of travel; E20 – New development; E40 – Impacts on crime and vandalism.

Supplementary Planning Guidance/Documents

- 4.6 Parking SPG (2003)
- 4.7 Planning out Crime in Northamptonshire (2003)

Other non-statutory documents

- 4.8 WNDC Planning Principles (February 2009)

WNDC corporate objectives are threefold as follows;

1. To deliver development and infrastructure that enables regeneration and growth in Northampton, Daventry and Towcester.
2. To ensure that new development is supported by appropriate jobs, infrastructure and town centre regeneration.
3. To ensure that new development meets the Government's design quality and environmental standards and is integrated into existing communities.

5. Representations

Northamptonshire County Council (NCC)

- 5.1 The NCC Sustainable Transport team have requested further information to be submitted to ensure that the proposed development would not have any material impact on the local or strategic road networks. Further detail is also required in respect of the Travel Plan.

In addition, financial contributions are required to be secured through a S106 agreement for an additional bus journey at peak shift times and for improvements to cycle infrastructure.

Northampton Borough Council (NBC)

- 5.2 No formal objection has been raised. However, the following issues have been highlighted as specific concerns;
- Current access arrangements and impact upon traffic and congestion within the Brackmills area;
 - Inadequate Travel Plan;
 - Enforcement of Detainee Release Policy and negative impact to residents of Hardingstone and surrounding businesses;
 - Adjacent footpath would encourage detainees into Hardingstone; and
 - Proposed building would be too large in scale.
- 5.3 Should WNDC be minded to approve the application it is requested that the following be taken into account;

- Inclusion of the Detainee Release Policy within either 1)an agreed Travel Plan; 2)as part of a planning condition; or 3) as part of a S106 agreement;
- Submission of detail of the proposed wood chip boiler; and
- Imposition of a planning condition to require development be undertaken in accordance with the recommendations of the acoustic report;
- Imposition of a planning condition to require detail of window and ventilation systems.

Northamptonshire Police Crime Prevention Design Advisor (CPDA)

- 5.4 The CPDA has confirmed that they have had significant involvement with the proposal, giving advice on security standards for car parking, perimeter and hard and soft landscaping. The design has also been vetted by the Counter Terrorism Security Advisor. The CPDA has therefore confirmed that they have no comments to make.

Anglian Water (AW)

- 5.5 Standard Informative Statements have been set out which the applicant will need to be made aware of.

Environment Agency (EA)

- 5.6 The EA has no objection to the proposal. However, a condition is suggested to control surface water from the parking area to be intercepted prior to disposal to groundwater.

Highways Agency (HA)

- 5.7 The HA had initially submitted a Article 14 (holding direction) in respect of the application based on inadequacies in the submitted Travel Plan. Following further review of the submitted information in consultation with the HA, they are of the opinion that, the Travel Plan still fails to provide clear guidance as to how the set targets will be achieved.
- 5.8 The Travel Plan will need to be further revised to take account of the recent HA comments.

The Wildlife Trust

- 5.9 The Trust advises that a Great Crested Newt Survey be undertaken. It is also recommended that Natural England be consulted.

Natural England

- 5.10 Natural England initially objected to the application due to lack of survey information relating to Great Crested Newts and Bats. Further ecological surveys have been undertaken by the applicant and Natural England has confirmed that they have no objection to the application subject to the imposition of a condition to secure ecological enhancement of the site.

6. Notifications and Responses

- 6.1 Thirty two (32) letters have been received from residents of nearby Hardingstone and eleven (11) from neighbouring businesses and consultants representing them. The following concerns have been raised

- Location and proximity to Hardingstone village and the subsequent impact on safety and security of residents;
- Increase in crime;
- Inadequate access and car parking provision;
- Detainee release and transportation way from the area;
- Inadequate public transport
- Unsuitable location within a business park contrary to Local Plan policy B14;
- Loss of new job opportunities;
- Impact on safety and security of neighbouring businesses;
- Implications for status and image Pavillion Drive/Brackmills Estate;
- Implications for retention of businesses on the Brackmills Business Park;
- Implications for recruitment and retention of staff within the Business Park;
- Adverse impact on the appearance of the business park and surrounding area;

- Adverse impact on the amenity of neighbouring occupiers.

6.2 A petition has also been received setting out total objection to the proposed CJC. The petition contains 217 signatures of local residents, the majority of which are from Hardingstone.

6.3 In addition, Barclaycard employed consultants to undertake an online survey of its staff to understand their views about the proposed CJC, the main findings of the survey are as follows;

- 1067 staff completed the survey (total number of staff 3,500);
- 60% of respondents mentioned a 'fear of crime' when asked for their initial views;
- 64% of respondents expressed a high level of concern and described themselves as being 'very concerned' (28%) and 'quite concerned' (36%) at the prospect of the CJC on Pavillion Drive.
- 36% of respondents expressed a low level of concern and described themselves as being 'not very concerned' (23%) and 'not at all concerned' (13%)
- 22% of respondents felt that if the CJC were to be located on Pavillion Drive, it would affect their view of working at Barclaycard House in Northampton.

6.4 The same consultants were also employed to undertake a similar online survey of the 1,200 staff of the 17 tenant companies within the Brackmills Business Park. The main findings of the survey are as follows;

- 450 members of staff completed the survey (38% response rate);
- 86% of respondents expressed some level of concern at the prospect of the Criminal Justice Centre at Pavillion Drive (58% were 'very concerned' and 28% were 'quite concerned');
- 82% of respondents said they would feel less safe coming to work (47% would feel much less safe and 35% would feel less safe).

- 6.5 One letter of support has been received from a Hardingstone resident stating that there would be no risk to the people of Hardingstone as a result of a much needed facility.
- 6.6 A letter has been received from the Delapre Abbey Preservation Trust requesting that a condition be imposed requiring a survey of the site using battlefield archaeology techniques should the Corporation be minded to grant planning permission.
- 6.7 Following the initial consultation and as a result of the concerns raised, the applicant submitted further supporting information by way of a Detainee Release Policy. Further consultations were sent out and the following comments were received;
- The Policy cannot ensure that detainees take up the offer of transportation;
 - The operation of the Policy cannot be secured through planning condition or planning obligation;
 - The Policy could not be monitored or enforced;
 - (as such) Inclusion within the Travel Plan would not overcome the problem;
 - The offer of transportation to released detainees is not a statutory requirement and is therefore not guaranteed in perpetuity;
 - The figures given within the policy may be misleading as they relate to current day figures and not the longer term potential capacity of the facility (60 holding cells);
 - The regular police presence will not enhance public confidence and reassurance in the area but will emphasise the incongruous nature of the Centre;
 - The fear of crime expressed by landlords, companies and employees within the Business Park will not be satisfactorily addressed by the Detainee Release Policy. The increase in Police presence would not be welcomed.

7. Site History

- 7.1 N/2001/660 – 650 Pavillion Drive: Two and Three Storey Office Development (Approved)

7.2 N/99/0386 – 106 bed; three storey hotel and two storey hotel (Refused)

8. Considerations

Principle of Development;
Visual and Landscape Impact;
Highway Matters;
Environmental Impact Assessment (EIA);
Crime and Safety;
Ecology;
Sustainability;
Section 106; and
Other matters

Principle of Development

- 8.1 The application site is situated within an area identified in the Northampton Borough Council Local Plan (1997) as an area of proposed business use. The proposed development would fall within Class C2 (a) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and outside of the business use classes (B1, B2 and B8). As such policy B14 of the Local Plan is applicable.
- 8.2 Policy B14 states that *'within existing and proposed business areas, planning permission will not be granted for development outside the business use classes of the Town and Country (Use Classes) Order 1987, unless such development would be of significant benefit to the local community and would lead to substantial employment opportunities'*.
- 8.3 Whilst the proposal would represent a technical departure from the Local Plan in that it proposes a non-business use within an area designated for proposed business use, policy B14 of the plan provides for flexibility in the consideration of applications in such cases by allowing for the accommodation of other uses provided that they would be of significant benefit to the local community and would lead to substantial employment opportunities.

- 8.4 The application was initially advertised as a departure from the Local Plan but is considered on reflection to accord with Policy B14 as follows;

Employment Opportunities

- 8.5 The proposed development would provide for the employment for 200 staff. The development would include 2,100sqm of office floor space and a significant number of the staff would be engaged in activities which would normally be carried out within an office (B1) environment, which would be in accordance with the Local Plan allocation in any case.
- 8.6 Whilst a number of representations have been received expressing concern relating to the provision of employment and potential loss of employment opportunities as a result of development outside of the business use classes and the fact that the majority of the employment provision would be relocated from existing centres within the Town, policy B14 does not seek to require a comparative assessment of the merits of a non-business use and neither does it state that the employment opportunities created should be 'new' opportunities. This is further supported by the emerging PPS 4 - Planning for Sustainable Economic Development which promotes the provision of a broad range of employment uses, limiting the designation of sites for single or restrictive uses.
- 8.7 It should be noted that, following the approval for office development at this location the site has remained undeveloped for a number of years. There would therefore be no loss of employment as a result of the proposed CJC.
- 8.8 It is also noted that the consolidation of police activity within the proposed CJC would result in the vacation of the existing facilities at the Campbell Square and Weston Favell providing the opportunity for redevelopment for further employment use within sustainable locations close to the town centre. This would be consistent with the objectives of policy 22 of the East Midlands Regional Plan; PPG 4 and PPS 4.

Benefit to Local Community

- 8.9 The proposed development is considered to be an essential component of the infrastructure requirements within Northampton and the surrounding area, taking into consideration the projected growth in population. The development of a specialised CJC would be in accordance with Home Office recommendations, guidance and

current best practice procedures and would provide a significant benefit to the local and wider community through more efficient use of Northamptonshire Police resources and maintained law and order.

- 8.10 PPS 1 – Delivering Sustainable Communities also requires that Local Planning Authorities should ensure that any projected growth in population is supported through the adequate provision of infrastructure and services.
- 8.11 The proposed development is considered to satisfy the criteria set out in Policy B14 and would therefore be acceptable in principle.

Visual and Landscape Impact

- 8.12 The proposed building would comprise the custody suite to the ground floor and the office accommodation over two storeys to the front of the building above. The building is proposed to be circular in form designed in a contemporary style to create a ‘dynamic architectural form’ and ‘a strong sense of security’.
- 8.13 The building is situated within the site to form a terminating feature at the end of Pavillion Drive on approach to the site with a strongly defined entrance at the front of the building.
- 8.14 The materials proposed for the building is predominantly facing brick piers with panels of curtain walling. The office accommodation to first and second floor benefits from vertical brise soleil to maximise solar gain. This also allows natural surveillance from within the building to the whole of the surrounding site. The flat roof of the single storey element of the custody suite on the ground floor would be broken up by a number of geometrically arranged roof lights which will allow natural light into the building below. The roof will also partially ‘green’ made up of sedum to improve the environmental and aesthetic quality of the building.
- 8.15 The current landscape value of the site is considered to be low, having been cleared for development. However, there are a number of existing mature trees and hedgerows which bound the site including a mature tree belt to the golf course to the west of the site and a landscape belt to the A45 to the north.
- 8.16 Additional landscaping is proposed within the site as part of the development to comprise trees and shrubs including a staff garden to the side/rear of the building

- 8.17 The proposed development is considered to make a positive visual contribution within the existing business park appropriate to its site and surroundings.

Highway Matters

- 8.18 Given the nature of the proposed development on previously undeveloped land, this application has the potential to create additional traffic flows in the area; as such the application is accompanied by a Transport Assessment and draft Travel Plan.
- 8.19 The Highways Agency (HA) has issued an Article 14 (holding direction) on the application which prevents WNDP from granting planning permission for this development. However, the essence of the concerns raised by the HA are solely based on the Travel Plan that has been submitted with the application as opposed to any in principle objection to the proposed development.
- 8.20 The applicant has sought to overcome the concerns by liaising directly with the HA during the course of the application. However, whilst some progress has been made with the HA, it is still considered that the Travel Plan is too generic and fails to provide clear guidance as to how the set targets will be achieved. The applicant is continuing to liaise with the HA to resolve the remaining issues and it is likely that the TR110 holding objection will be withdrawn shortly.
- 8.21 The County Council Sustainable Transport Team have also confirmed, while they have no objection to the application in principle, that further additional detail is required in respect of the Transport Statement and Travel Plan submitted with the application. The applicant is also aware of these issues and has submitted further information to NCC. It is likely that these issues will be also be resolved shortly along with the HA matters.
- 8.22 The County Council has indicated that a contribution was sought, through the previous planning permission for the site, towards improvements to cycle infrastructure including the provision of a toucan crossing in the vicinity. This was a phased contribution which has been partially met by the previous land owner. The remainder of the contribution is still outstanding, equating to £19,000. NCC has indicated that a similar contribution may need to be secured through a S106 agreement in respect of the proposed development to meet the outstanding amount.

- 8.23 Given the circumstances involving a previous S106 agreement, planning permission and landowner, further legal advice will need to be sought to ascertain where the responsibility for the contribution now lies following the purchase of the site by the applicant. The required infrastructure works have already been undertaken, the deficit in S106 funding being met by alternative County Council funding.
- 8.24 In addition, further funding is sought for an additional bus journey at any of the peak shift times where more than 50 staff are arriving and leaving other than at standard officer hours. A figure for this requirement is not yet known. The applicant has indicated that the profile of arrivals and departures at the Criminal Justice Centre shows that outside the normal peak hours the situation of more than 50 staff arriving or departing at the same time does not occur. It may therefore be unlikely that the contribution is not required. A further response is being sought from the County Council to confirm their position in this respect.
- 8.25 Through the revision of the Travel Plan, the applicant is promoting a joint approach involving existing businesses on Brackmills and the County Council to promote additional services as part of the Brackmills Improvement District initiative which would provide a forum in which to try to improve the overall level of public transport service.

Environmental Impact Assessment (EIA)

- 8.26 The applicant submitted a request under regulation 5(6) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations (as amended) to the Secretary of State for a screening opinion as to whether an EIA would be required to accompany the application.
- 8.27 The Secretary of State has confirmed that the proposed development is not EIA development.

Crime and Safety

- 8.28 Policy E40 of the Local Plan requires that new development pay due regard to deterring crime and vandalism through appropriate design, layout and landscaping. Whilst the submitted application is considered to be acceptable in these matters, a number of concerns have been raised with regards to the nature of the use of the

proposed centre and the potential for increased crime and disorder within the surrounding area particularly following the release of anyone who may have been detained at the centre.

- 8.29 The average number of persons per day taken to the existing facilities (to be replaced by the proposed CJC) is currently 27; a monthly average of 828 persons. Whilst a number of those people arrested would not be released from the Centre and would be detained for Court, detainees could also be released with no further action against them or on bail.
- 8.30 The applicant has confirmed that all detainees would be subject to a full risk assessment prior to their release and would be offered transport away by dedicated drivers employed by the Police from the Centre to a convenient location. A Detainee Release Policy has been submitted by the applicant which clearly sets out the factors which would determine the risk to the individual as well as any risk to the public.
- 8.31 In assessing the risk to the individual the following factors are assessed; previous history; financial status; time of release; circumstances of arrest; nature of offence; travelling distance to onward destination; physical capability; mental vulnerability; available transport; language capability; nationality; ethnicity; any other matter which causes the Custody Officer to consider the detainee vulnerable; bail conditions.
- 8.32 In assessing the risk to the public the Custody Officer will consider refusing bail on the following grounds; name and address cannot be ascertained; failure to surrender; likelihood of an offence being committed; necessary to prevent injury/loss/damage; risk of interference with witness/obstruction of justice; necessary for own protection.
- 8.33 The process of risk assessment as set out is considered to be adequate. The assessment of risk to the public takes into consideration the likelihood of an offence being committed following release and bail could be denied if the risk is considered to be high. In addition, the Custody Officer would also be required to consider the nature and seriousness of the offence and the probable penalty; the detainee's character, antecedents, associates and community ties; their record in regard to any previous grant of bail, the strength of evidence and any other relevant considerations. The detainee's intentions, disposition and previous record are also taken into account.

- 8.34 Once the decision to release a detainee is made, the Police will seek to ensure that all detainees have transport arrangements from the site. It is proposed to fund a vehicle and employ drivers to provide transportation for detainees who have no alternative means of transport. Drivers will be employed 365 days a year. In addition, transportation in the form of Police Officers travelling to and from the Centre will also be available. Detainees are also given the opportunity to make a phone call for the purpose of making arrangements for collection and in some cases detainees will be transported away by other agencies such the Probation Service or by social workers.
- 8.35 Whilst it is accepted that the transportation offered by the Police is not compulsory and that detainees may wish to make their own arrangements following release, given the remote location of the site relative to the Town Centre and the nature of the surrounding area, the option of making their own way back is unlikely to appeal.
- 8.36 The 'fear of crime' resulting from the presence of the Centre and risk of detainees re-offending following release (and refusal of transportation offer) has been considered by the applicant in the Planning Statement supporting the application. Details of a review of the number of detainees who have re-offended within 24 hours of release and the distance to the custody suite when the re-offence occurred has been undertaken by the Police Authority.
- 8.37 The data suggests that detainees who are released would be extremely unlikely to re-offend in the vicinity of the CJC. Over a six month period the number of re-offences within 24 hours for the four existing Northamptonshire Custody Suites was 0.004% of the total number of arrests. The data also revealed that the re-offence rate was higher the further away the offender was from the custody suite due to the enhanced security within the vicinity of the sites.
- 8.38 The information submitted by the applicant to demonstrate their commitment to responsible release of detainees and the supporting information relating to re-offence rates is considered to address the issues which have been raised around crime and safety within the surrounding area. Whilst there may still initially be a perceived 'fear of crime' within the area, the risk of re-offence of detainees is considered to be minor based on the information submitted.
- 8.39 The Detainee Release Policy, with specific reference to transport arrangements away from the site, should be incorporated within a revised Travel Plan to be submitted

prior to the approval of the application. Compliance with the agreed Travel Plan to include the commitment by the applicant to maintain the offer of transport for detainees in perpetuity will be secured through S106 in order to the secure transport arrangements offered.

Ecology

- 8.40 The Wildlife Trust and Natural England have confirmed that a Great Crested Newt (GCN) Survey would be required to establish the presence/absence of the species prior to the determination of the application. In addition an assessment of the value of the site for foraging/commuting for bats was also required.
- 8.41 Further information has been submitted by the applicant to the satisfaction of Natural England. The findings of the GCN survey confirm that there are no GCN on the site. Given that the mature hedgerows to the site are proposed to be retained and protected, a bat survey was not deemed necessary. A number of recommendations have been made with regards to hedgerow protection which will be secured through condition.
- 8.42 Natural England has confirmed that they now have no objection to the application subject to further ecological enhancement of the site to be secured through condition.

Sustainability

- 8.43 The proposed building would achieve a BREEAM rating of 'very good' which would be secured through condition.
- 8.44 The building façade has sought to reduce energy consumption by achieving a high level of air tightness and the inclusion of solar shading to limit summer cooling. A large amount of light is also provided to the custody suite through the inclusion of secure roof lights.
- 8.45 A wood chip boiler is proposed in addition to a passive cooling system to provide energy savings within the building. A gravity fed rainwater harvesting system is also proposed to be included.

- 8.46 The design of the building has taken account of modern methods of sustainable energy measures which would be built into the construction of the building to ensure maximum benefits.
- 8.47 A Site Waste Management Plan (SWMP) has been submitted with the application. In addition, a brief outline of the Police Authority's own Waste Management Strategy has been set out in the Planning Statement. NCC has confirmed that they are happy with the information submitted.

S106

- 8.48 Policy GN3 of the Local Plan seeks to ensure that development proposals make adequate provision for both infrastructure and community facilities that directly relate to the development. Developers will be expected to meet the full cost of facilities required as a consequence of development and to contribute to resolving deficiencies where these would be made worse by development.
- 8.50 The WNDP Planning Obligations Strategy was published in January 2008 setting out the Corporation's approach to planning obligations and the arrangements for a 'standard charge' to be applied to development to ensure that development contributes appropriately towards infrastructure need across the Corporation's area. The 'standard charge' approach will not be adopted for all types of development and in the case of this application it is advised that the proposed development would not be applicable to the 'standard charge' approach given that the development would be for a non-commercial use.
- 8.51 As such any S106 should be sought and negotiated taking into account the specific site circumstances and the impact of the proposed development.
- 8.52 The S106 requirements in respect of this site are as follows;
- Transport

This will be based on the requirements for transport infrastructure provision and improvements as set out by the County Council. Further negotiation is required with NCC and the applicant to reach an agreed approach. Legal advice will also need to be sought in terms the existing S106 situation on the site.
 - Travel Plan and Monitoring

Compliance with the agreed Travel Plan to include the commitment by the applicant to maintain the offer of transport for detainees in perpetuity will be secured through S106. In addition funding for a Travel Plan co-ordinator will be sought.

- Construction Futures

A contribution will also be sought towards the Construction Futures skills and training programme.

- Monitoring

An undertaking will also be required to pay reasonable costs associated with enforcing the terms of the agreement.

- 8.53 The negotiation and preparation of a Section 106 agreement will need to be delegated to the interim Director of Planning and Development or an Appointed Officer such that these negotiations can be resolved and an appropriate Section 106 Agreement can be realised.

Other Matters

Flood Risk

- 8.54 A Flood Risk Assessment has been submitted to the satisfaction of the EA. There is therefore no objection on Flood Risk grounds. However, a condition will be imposed to control surface water from the car parking and manoeuvring areas.

Archaeology

- 8.55 An Archaeological Assessment has been submitted which concludes that whilst there are no statutorily protected sites within the development area nor any known archaeological sites or finds, there may be some remains of archaeological evidence in the form of a medieval road which ran along the western boundary of the site.
- 8.56 Delapre Abbey Preservation Trust have also made a representation in respect of an Options Appraisal which is to be undertaken of the parkland surrounding Delapre Abbey to include all land designated as Registered Battlefields by English Heritage. Given the proximity of the site to the boundary of the land it is the opinion of the Delapre Abbey Preservation Trust that a survey will be required of the site using battlefield archaeology techniques prior to construction commencing on site.

- 8.57 In light of the information highlighted in the submitted assessment and the local knowledge of the Preservation Trust it is considered appropriate to impose a condition to require further archaeological survey work to take place.

Noise

- 8.58 NBC has advised that a planning condition should be imposed to ensure that development is carried out in accordance with the submitted acoustic report (Environmental Noise Assessment Report). Due to the nature and use of the proposed building, this should include details of the ventilation system and the windows to be installed.

Ground Conditions

- 8.59 NBC Environmental Health Officers are satisfied that the submitted Ground Investigation Report is satisfactory and does not identify any potential issues regarding the control of contaminants. No further information is required.

Air Quality

- 8.60 In order to ensure that there are no adverse impacts on the amenities of surrounding residents, details of the proposed Wood Chip Boiler are required through condition to include the scale of the stacks; dimensions of surrounding buildings; details regarding the combustion device and maximum rates of emissions.

9. Conclusion

- 9.1 The proposed Criminal Justice Centre is considered to be a required function to maintain and enhance the service provided by Northamptonshire Police Authority in light of its currently inadequate facilities and the planned growth for Northamptonshire.
- 9.2 It has been demonstrated through the submission of the application and information supporting it that the development would be in accordance with National and Regional Planning policy and more specifically Policy B14 of the Northampton Local Plan by providing a substantial employment opportunity within the town as well as local and town wide community benefit.

- 9.3 WND C officers have sought to work with the applicant and consultees to secure additional information and appropriate revisions particularly in respect of the Travel Plan and Transport Statement submitted with the application. Whilst these matters remain unresolved at this stage, significant progress has been made and a positive resolution is expected shortly.
- 9.4 The S106 heads of terms associated with the planning permission have been set out and it is recommended that any contributions be negotiated on a site specific basis.
- 9.5 All other matters, including representations received, have been fully considered and, subject to the planning conditions listed below and the resolution of Section 106 negotiations, are considered acceptable in the context of the current application. On balance therefore and for the reasons set out above it is recommended that planning permission be granted.

10. Conditions

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development, details of the external facing materials to be used shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in keeping with the surrounding area and in accordance with policy E20 of the Local Plan.

3. Full details of the proposed surface treatment of all access, parking areas and footpaths shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site.

Reason: To secure a satisfactory standard of development in keeping with the surrounding area and in accordance with policy E20 of the Local Plan.

4. Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted. The approved storage solution

shall be provided prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of secure adequate facilities for the parking of cycles to cater for those cycling to the facility.

5. Prior to the commencement of development technical detail and specification of the Wood Chip Boiler shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall include the height of the stack; diameter of the stack; dimensions of buildings within a distance of five times the stack height above ground; descriptions of the combustion appliance; and maximum rates of emission of Particulate matter (PM10 & PM2.5) and oxides of nitrogen (NOX) when operating at capacity.

Reason: To ensure that there would be no adverse impact by way of air quality as a result of the installation of a Wood Chip Boiler in accordance with PPS23 (Planning and Pollution Control).

Note: The site lies within a Smoke Control Area and as such any appliance chosen should be an exempted appliance suitable for smoke control.

6. Before the development hereby permitted is occupied a Sustainability Strategy, detailing the method of achievement of BREEAM 'very good' (or successor), the provision of on-site renewable energy to meet 10% of the developments overall energy needs (or other level to be agreed with the Local Planning Authority), and mechanisms for independent post-construction assessment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the delivery of a sustainable development in accordance with PPS1 (Sustainable Development) and its supplement Planning and Climate Change.

7. Prior to the commencement of development, a detailed and comprehensive scheme of Ecological Enhancement of the site, including an Ecological Management Plan where appropriate, shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To increase biodiversity within the application site and to ensure that ecological issues are fully considered and promoted.

8. An Archaeological Survey of the site shall be undertaken using battlefield archaeology techniques. Details of the Survey findings shall be submitted to the Local Planning Authority for approval prior to the commencement of development.
9. All surface water from parking and manoeuvring areas shall be passed through a petrol interceptor prior to disposal to groundwater, watercourse or surface water sewer and the interceptor shall be maintained in accordance with manufacturer's guidelines.

Reason: To prevent pollution to the water environment.

10. The conclusions of the Environmental Noise Assessment Report submitted with the application shall be implemented to the satisfaction of the Local Planning Authority. Further detail shall also be submitted and approved by the Local Planning Authority prior to the commencement of development to detail the specification of windows and the ventilation system.

Reason: To secure a satisfactory standard of development in accordance with PPG 24 (Planning and Noise).

11. Notwithstanding the submitted drawings, 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 prior to the commencement of development. The approved detail shall be 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.

12. Notwithstanding the submitted drawings, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed landscaping scheme 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.

13. All trees and hedgerows shown to be retained in the approved plans shall be protected for the duration of the development. Detail of the method of protection shall be submitted to and approved in writing by the Local Planning prior to the

commencement of development. The approved protection measures shall be implemented prior to the commencement of development and retained thereafter until the development is complete. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees and hedgerows on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality and the existing wildlife habitat which exists.

14. 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.