



Applicants:

Lodge Park
Developments Ltd.

Application No:

09/0045/FULWNN

Date Registered:

24/04/2009

Expiry Date:

19/06/2009

Grid Ref:

471625 (E)

260887 (N)

Ward:

WESTHU

Northampton UDA Planning Committee Paper

Report by Director of Planning and
Development

Date of Committee Meeting: 07/07/09

Agenda Item: 4

Description: New Single Storey Convenience Store with associated Car parking and Additional Car parking for Adjacent Nursery Unit, as Part of St. Crispin's Local Centre Development.

Address: St. Crispin's Farm, Berrywood Road, Northampton, NN5 4XD.

1. Recommendation

That the application be **APPROVED** for the following reason:

The proposed development would form an integral part of a Local Centre to serve the residential development at the St. Crispin's Hospital site, enhancing local service provision and helping to create a sustainable community.

The proposed design respects the character and appearance of the St. Crispin's Conservation Area and, subject to the imposition of appropriate conditions, the layout will provide suitable access arrangements for vehicular and non vehicular forms of travel. Crime prevention measures will be incorporated into the design of the scheme and levels of residential amenity will be adequately protected. Following an assessment of the material planning issues it is considered that the proposal accords with Policies 1, 2, 27, 38 and 48 of the East

Midlands Regional Plan (2009); saved policies E17, E19, E20, E26, E40, T11 and R11 of the Northampton Local Plan; and the contents of PPS1, PPS6, PPG13, PPG15 and PPG24.

2. Description of Site

- 2.1 The application is made up of two parcels of land within and adjacent to St. Crispin's Farm – the now disused farm complex associated with St. Crispin's Hospital. The larger section of the application relates to an undeveloped piece of land to the east of the farm buildings. The northern side of this section of the site fronts onto Kent Road, opposite new residential properties, and the remaining three sides are bound by the farm buildings to the west and the Princess Marina site to the south and east. The land in question is currently overgrown but does not contain any significant trees or hedgerows. There are no significant gradients or contours crossing the site.
- 2.2 In addition, the application relates to a small area of land within the farm complex, to the west of the main buildings. This section would be used to form a staff car park for a new day nursery which was approved in 2006 (06/0059/FULWNN). A new access would be formed directly onto Kent Road to serve this part of the site.
- 2.3 Vehicular access to St. Crispin's Farm is from Kent Road and, effectively, the site is currently at the end of a cul-de-sac due to the closure of Kent Road in-between St. Crispin's and Princess Marina. The gates blocking off this access are a few metres to the east of the application site. An outline planning application for the redevelopment of the Princess Marina site has recently been approved and the indicative layout identifies that Kent Road will be reconnected to allow access between the St. Crispin's and Princess Marina sites. Effectively this would form a loop from Kent Road back onto St. Crispin's Drive and the access to Weedon Road. The 'Princess Marina Hospital Development Brief', which was adopted as an SPG by NBC in 2004, suggests that the overall design of the Princess Marina development will ensure that this remains as a secondary access to discourage inappropriate through traffic. The current approval for this site is in outline form and detailed consideration to these access arrangements will come forward through detailed planning applications, Masterplans and Design Codes. In addition to vehicular access, the site is well served by footpath links running

through the St. Crispin's development, including links to Southfield Road providing access through to Duston.

- 2.4 The site is within the St. Crispin's Conservation Area, which includes the buildings and grounds associated with the former County Asylum. St. Crispin's Farm was part of the institution and was tended by patients as part of an occupational therapy approach. It is believed to be the only remaining example of such a farm in the country.

3. Description of Proposal

- 3.1 The proposals are made up of two main elements – the erection of a convenience store with an internal floor area of just over 300m² and the creation of a private staff car park of 6 spaces associated with a children's day nursery. These proposals are essentially an amendment to an earlier scheme for the creation of a Local Centre to serve the St. Crispin's development through the conversion of former farm buildings and the erection of a number of new buildings for various uses including retail (including a pub/ restaurant), commercial and community buildings (WNDC ref: 06/0059/FULWNN). The former farm buildings were identified as the location for a local centre within the original planning application for residential development at St. Crispin's back in the late 1990's.
- 3.2 The current scheme does not affect the approved plans for the conversion of the existing farm buildings and that permission remains intact. Under the previous approval, a new office building and car park was planned for the open land to the east of the farm buildings. Instead of an office building, the new application seeks consent to erect a small convenience store, along with a car park to serve the whole development. Access to this element of the development would be from Kent Road, as agreed under the existing approval. In addition, a small private car park is proposed on the western edge of the site to be used by staff of the approved day nursery. Access to this car park would also come from Kent Road and this would involve the removal of a small section of the existing boundary wall.

- 3.3 In terms of size, the convenience store has a floor area of just over 300m². This scale is based around the requirements of major supermarket retailers for community ‘top-up’ style stores. The building would be single storey, with a double pitched roof and maximum ridge height of 8 metres. Proposed materials are red brick and blue slate to match the existing buildings. The store would be situated in the north-east corner of the site, with a set back of 6 metres from Kent Road. To the front of the site, adjacent to Kent Road, a red brick boundary wall would be erected to match the existing wall at the opposite end of the site. A bin storage area and service access would be located in-between the boundary wall and the building.
- 3.4 In total, 44 car parking spaces would be created adjacent to the store. A landscaped boundary would surround the car park, along the perimeter adjoining the Princess Marina site.

4. Policy Considerations

4.1 WNDC Purpose:

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.

4.2 National Policy:

The following Planning Policy Statements / Guidance should be taken into consideration in the determination of this application.

PPS1: Delivering Sustainable Development

PPS1: Delivering Sustainable Development: Planning and Climate Change

PPS6: Planning for Town Centres

PPG13: Transport

PPG15: Planning and the Historic Environment

PPG24: Planning and Noise

4.3 Development Plan:

East Midlands Regional Plan (2009): Policies 1, 2, 27, 38, and 48.

NBC Local Plan (1997): Saved Policies E17, E19, E20, E26, E40, T11, R11

4.4 Supplementary Planning Guidance:

Princess Marina Hospital Development Brief (2004): Sets out development principles for the adjacent site.

4.5 Other non statutory documents:

WNDC Planning Principles (2009): Set out in this document are WNDC's three corporate objectives: 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 (summarised below):

5.1 NCC Sustainable Transport: No objections to the principle of the scheme. Request that a further two disability spaces are provided and that the turning head at the southern end of the car park is 'squared off' to make reversing out of two particular spaces easier. Also request that cycle spaces are located close to the entrance of the store.

5.2 NBC: No comments received at the time of writing.

5.3 **Northants Bat Group:** No comments to make.

5.4 **Northamptonshire Police:** Concerned that an 'til late convenience store within the local centre will give rise to anti-social behaviour and incidences of disorder. In Northampton within the last 3 years, dispersal orders have had to be used to deal with these issues at a number of local centres throughout Northampton, including West Ridge (St. Davids), Standens Barn Shops, Churchill Avenue, Butts Road and the Aldi Store in St. James. This problem is not confined to the more challenging areas of Northampton but dispersal orders have also been needed in rural areas in Daventry and South Northants.

The presence of these stores acts as a magnet for young people. There are many complex reasons for this – often it is because the young people themselves feel safe, because of lighting and the presence of other people. Young people often argue that there is a lack of facilities for them to gather with friends. The presence of young people can make the area intimidating to older and vulnerable people meaning they will not come into the area at certain times of the day. There are also problems with under-age purchase of alcohol.

In the last 12 months, Kent Road has been the location of a number of incidents of youth nuisance, groups fighting and damage to empty property – this route is historically used as a route from New Duston to Sixfields.

In addition to anti-social behaviour, the ability of emergency service vehicles to negotiate the road needs to be maintained.

If you are minded to approve the application, a number of conditions are recommended:

- The space between the rear of the store and the boundary of the site is fenced off at a height of at least 2.4 metres to prevent graffiti or loitering
- The car park surface should be rough to prevent skate boarding
- There should be no planters, low walls or benches on which to sit

- There should be no overhang under which to congregate
- The ATM machine should be protected by bollards, with a privacy zone marked out on the floor.
- The external area should be covered by CCTV cameras, preferably connected to the NBC system
- The building will require an internal alarm system
- The car park should be lit with mast mounted lighting with a uniformity of between 0.25Uo and 0.4Uo
- The fire door should be certified LPS1175 SR2

5.5 **Brockwatch Badger Group:** Comments have been received regarding the activity of badgers within and adjacent to the application site (due to the sensitivity of this information, the exact details of these comments are not repeated here).

5.6 **Upton Parish Council:** Register a strong objection on grounds of the following: Access to the site is difficult and the surrounding road infrastructure is very unsuitable for large delivery and waste removal vehicles. The surrounding roads are often heavily congested and this will make matters worse and make emergency access difficult.

5.7 **Cllr. Varnsverry:** Has raised concerns previously on behalf of residents, particularly with regard to the narrow width of roads and traffic problems in the area. Notes his intention to speak regarding this matter at the WNDC Northampton Planning Committee.

6. Notifications and Responses

6.1 Two site notices were erected within the vicinity of the site, a press notice was published and neighbour notification letters were sent out to residents of surrounding properties.

6.2 In total, comments have been received from residents of 21 properties within the surrounding area, either by letter, e-mail, or on a comments form that was distributed between residents.

The main comments can be summarised as follows:

- The access arrangements are inadequate to handle the proposed development. Kent Road is narrow and residents currently park their vehicles on the road outside their homes. This will make it very difficult for large delivery vehicles, waste collection vehicles and the emergency services to access the site. Kent Road was designed to serve the Princess Marina Hospital and was never intended to serve an entire estate.
- The problems associated with St. Luke's School in the St. Crispin's development give an indication of the extent of the problem. The roads are not wide enough to accommodate extra development. Existing problems on the estate should be resolved before bringing in more traffic.
- Extra traffic using the development will put children at risk. There doesn't appear to be a coherent strategy for allowing pedestrians to enter and leave the site on foot.
- Delivery times should be restricted in terms of safety and amenity and limits should be placed upon the size of delivery vehicles using the site.
- The café/ bar will create a nuisance and disturbance so close to residential properties and is unacceptable.
- The shop will become a magnet for anti-social behaviour, especially if it sells alcohol late at night. There have already been problems with anti-social behaviour in the area and this will make matters worse. No licence should be allowed.

- The noise associated with this development late at night will reduce residential amenity and lower the quality of life for residents.

- Concern that this is not the appropriate place for a local centre – something more central within the estate would be better.

- Why was no-one told of this development when purchasing houses, even though an approval was granted in 2006? People were told that there would be a shop, doctor's surgery and community building but not a pub/ bar.

- A number of letters support the general idea of a local centre, with facilities, except the proposed café/ bar and subject to traffic issues being resolved.

- Property prices will be adversely affected by this development.

- There are concerns that crime and vandalism will increase and that no measures have been put in place to counter act this. Why hasn't CCTV been considered?

- Residents to the rear have questioned what type of perimeter fencing will be erected around the site.

7. Site History

- 7.1 97/0566 – Outline residential development with local shopping, community and employment facilities and provision of highway infrastructure. Approved.

06/0059/FULWNN - Demolition of two farm buildings and conversion of remaining buildings to provide café, restaurant, offices (Class B1), community hall and meeting rooms (Class D1), 5 retail units (Class A1), together with the erection of two buildings to provide children's nursery (Class D1), and associated car parking and landscaping. Approved 13th September 2006.

8. Considerations

- 8.1 The key considerations with regard to the proposed development are considered to be those relating to the principle of the use and the impact in terms of; traffic and highway safety; noise and disturbance; crime and anti-social behaviour; affect upon the character of the St. Crispin's Conservation Area; and the impact upon protected species. A number of residents have mentioned the potential impact upon property prices within the area but this is not a material planning consideration. Each of these issues is addressed below.

Principle

- 8.2 The principle of a local centre on this site is long established, dating back to the original planning consent to develop the St. Crispin's Hospital site. In fact, the section 106 agreement attached to the original permission places a legal obligation on the developers to provide a local centre to serve the development. The site of St. Crispin's Farm was identified as the location of this centre. This section 106 specifies that the local centre shall include retail uses, a medical centre, a children's nursery and car parking, with residential accommodation at first floor level. The agreement states that no retail unit shall exceed 380m² in floor area and the overall retail floorspace shall not exceed 1000m² in area.
- 8.3 In addition, saved policy R11 of the Local Plan identifies the need for a local centre with shopping facilities to serve the new residential development in this area. The current proposals are considered to be of a scale that would meet this local need, without impacting upon, or competing against, other established shopping centres. Therefore, in planning policy terms, the principle of a small convenience store on this site is accepted.

- 8.4 Following the original planning application, detailed plans for the local centre were submitted and approved in 2006. This approval included a range of uses. A number of letters received during the course of consultation have raised concerns regarding the mix of uses within the centre, particularly the café bar/ restaurant. It should be noted that this permission is still extant and the current proposal does not offer the opportunity to revisit the principle of the approved uses. The current proposal relates to the erection of a convenience store and the creation of a staff car park for the previously approved nursery. The application should therefore be considered in terms of the impact of these particular uses, in conjunction with the uses established by the previous consent.
- 8.5 Given the planning history of the site and the planning policy background in support of a local centre, the presumption must be in favour of approving the proposed development, unless any local material considerations are sufficient to outweigh the principles established through previous planning permissions and Local Plan policy. These issues are considered below.

Highway Issues & Parking

- 8.6 The consultation exercise undertaken for the planning application has highlighted the strength of local concerns regarding access, traffic congestion and highway safety. In summary, local residents are concerned that Kent Road is of insufficient width to accommodate extra traffic associated with this development, particularly when residents are parked along both sides of the carriageway. The example of St. Luke's school on St. Crispin's Drive is cited as an indication of likely traffic problems.
- 8.7 The NCC Sustainable Transport team (highways) have raised no objections to the scheme subject to some minor alterations to the car park layout and the addition of two extra disabled parking spaces. As a result of the level of local concern, the planning case officer has spoken to the NCC Sustainable Transport team to confirm that they are satisfied with the ability of Kent Road to accommodate the level of traffic and size of vehicles likely to use this part of the network. Verbally, they have confirmed that the road is designed to adoptable standards and that they are satisfied with the scheme in terms of highway safety, and the level of off street car parking. It may be that there will be a need for a TRO (double yellow lines) to

prevent parking on either side of the main entrance to the site in order to allow access for goods vehicles delivering to the store. Further written comments are expected on this issue prior to the date of committee.

- 8.8 The applicants have also been contacted to seek further information regarding the likely frequency and size of delivery vehicles for a store of the format proposed. The potential operator has confirmed that the likely arrangement would be for a daily delivery using a small rigid vehicle at approximately 7.00am and a delivery three days a week at off peak times (2.00pm was suggested) using a 37ft articulated vehicle. Clearly, these figures can only be used as an indication of the likely delivery arrangements but it is apparent that a store of this size is unlikely to generate large numbers of deliveries on a daily basis that would add significant pressure on the local road network. Furthermore, there is sufficient room within the site to allow delivery vehicles to turn in order to enter and leave the highway in forward gear. In this respect, the proposal accords with Policies T11 and T12 of the Northampton Local Plan, which require developments to provide adequate access and turning arrangements for commercial premises.
- 8.9 The size and alignment of Kent Road were accepted by the highway authority when the approval for the redevelopment of St. Crispin's Hospital was granted and they remain satisfied that the road can accommodate the level of traffic proposed, possibly with the addition of parking restrictions on the roadside adjacent to the entrance of the store and car park.
- 8.10 The general level of traffic visiting the store is expected to be spread out throughout the day, with the inclusion of linked trips to other services within the local centre, such as the doctor's surgery or day nursery. Across the whole of the local centre 62 off street car parking spaces are provided, in addition to the 6 spaces proposed for nursery staff. A pick up/ drop off zone is also marked out for the day nursery. Given the nature of the uses proposed across the site, this level of car parking is considered to be acceptable and should ensure that the situation at St. Luke's School does not arise in this location. In other words, visits are more likely to be spread out across the day and there is the opportunity to park/ wait off the main carriageway when using facilities.

- 8.11 It should also be noted that the centre is designed and located to be used as a local facility, within walking and cycling distance of residents of the new estate. There are good pedestrian links to the site and it is therefore hoped that this will encourage more sustainable forms of travel, in line with central government guidance in the form of PPS1 and PPG13.
- 8.12 Therefore, despite the genuine concerns of local residents, it is considered that the highway at Kent Road can safely and adequately accommodate the development. The proposal is therefore considered to be acceptable in terms of highway safety.

Noise and Residential Amenity

- 8.13 A number of comments have been received regarding the potential level of noise and disturbance resulting from the late night operation of the store. In response to consultation on the application, a larger proportion of residents were concerned with the operation of the café/ bar approved under the previous consent with opening hours of up to midnight. The proposed hours of the convenience store are 7.00am until 10.00pm, Monday to Saturday and 8.00am until 7.00pm on Sundays and Bank Holidays.
- 8.14 The greatest level of noise and disturbance is likely to be generated by the uses associated with the store, particularly delivery vehicles and customers congregating outside or leaving the store. It is considered that conditions are necessary to restrict opening hours and to limit the hours of delivery. There is clearly a fine balance between protecting residential amenity and allowing the operator of the convenience store sufficient flexibility to provide the level of service they require. In the opinion of officers, the proposed opening hours of the store are acceptable and would not unduly impinge upon the amenity of nearby residents.
- 8.15 There are concerns regarding the hours of delivery, particularly due to the proximity of the service access to the residential properties on the opposite side of Kent Road. In this respect, it is considered that a daily delivery at 7.00am could cause disturbance at a time when people may reasonable expect a greater degree of peace and quiet. Whilst the normal operation of

the store at this time should not create an unacceptable level of noise, the activity associated with loading and unloading is likely to disturb residents in bedrooms directly opposite the site. A restriction preventing deliveries before 8.00am and after 9.00pm is therefore recommended. On Sundays and Bank Holidays residents may reasonably expect a greater degree of peace and quiet and no deliveries are recommended outside the hours of 10.00am and 6.00pm. This is considered to provide a reasonable balance. It must be noted that the site has always been allocated as a local centre and a general level of activity will be generated by uses previously approved, for example by visits to the children's day nursery or doctor's surgery. This will create a higher level of activity than would be the case for a purely residential street but not to an unacceptable degree. The aim is to create a vibrant, well used, local centre whilst maintaining a suitable level of amenity for residents.

8.16 Subject to conditions regarding opening hours and delivery times, it is considered that the operation of the store will have an acceptable impact in terms of noise and disturbance.

8.17 In association with comments regarding noise and disturbance, a number of residents, and Northamptonshire Police have raised concerns regarding anti-social behaviour and disorder connected with convenience stores. These issues are considered below.

Crime and Disorder and Anti-Social Behaviour

8.18 Northamptonshire Police have raised concerns about the proposed store and consider that such a use in this location will give rise to an increase in anti-social behaviour, becoming a point of congregation for young people, with possibilities for under-age drinking and associated disturbance. Dispersal Orders, under section 30 of the Anti-Social Behaviour Act 2003, have had to be used to deal with these issues for a number of local centres across the town in the last three years. The Police report that Kent Road has been the location of a number of incidents of anti-social behaviour and damage to vacant property within the last 12 months. These concerns are re-iterated by a number of residents within the area.

8.19 Section 17 of the Crime and Disorder Act 1998 places a statutory duty on Local Authorities to consider the implications of day to day decisions on crime and disorder within their area. These aims apply to Local Planning Authorities, as identified within *Safer Places: The Planning System and Crime Prevention*, planning guidance issued jointly by DCLG and the Home Office. The concerns of the Police and local residents with regard to potential anti-social behaviour provide an example of an individual planning decision being set against a wider social problem. Essentially, the Police are suggesting that small convenience stores with evening opening hours should not be permitted to open within local centres across Northampton due to concerns over anti-social behaviour. In the view of officers, a blanket objection to such stores could not be justified in planning terms – effectively, the majority of the local population would be deprived of a local convenience due to fears over the behaviour of a minority.

8.20 In this case, the proposal would bring benefits to the local community in terms of the services on offer and would represent a sustainable form of local top-up shopping, reducing the need to travel further afield and increasing the likelihood of non car based journeys. In addition, it could be argued that the introduction of the store will bring activity to the area at night, complementing the adjacent uses within the rest of the local centre, thus enhancing surveillance and security for the site as a whole. The site is well overlooked by adjacent residential properties and the design of the store complies with suggested guidance of the Police – the unit is of robust design and does not create concealed congregation points. These attributes can be enhanced through appropriate conditions to secure appropriate boundary fencing and a suitable lighting scheme for the public areas. The site is within an area of primarily family housing and it is not considered that there are specific reasons for excluding a convenience store from this location, providing that design and security issues are properly considered and integrated into the development.

8.21 The applicants have also been contacted to discuss the use of CCTV in and around the store. In principle, they accept the use of CCTV for the site but would need to draw up a detailed scheme with the end user of the unit. This could be covered by way of a planning condition securing a scheme for CCTV cameras. Subject to these conditions, it is considered that opportunities for crime and disorder would not be increased through the design and layout of the store and car parking area.

- 8.22 The issues highlighted of under-age drinking, with groups of young people putting pressure on assistants to sell alcohol, and associated anti-social behaviour, are considered to be outside the scope of the planning system. It would be the responsibility of any store operator to sell alcohol within the limits set by law and a planning decision cannot be based upon an assumption that this will be abused.
- 8.23 Therefore, whilst societal problems associated with anti-social behaviour are acknowledged, along with the concerns of local residents, it is not considered that there is an intrinsic problem with the design or location of the current proposal. The unit is well located adjacent a mix of adjacent uses and is well overlooked. As such, it will provide a useful local service that should attract custom and activity throughout the day and evening. In the opinion of officers the concerns regarding anti-social behaviour are not considered to be of sufficient weight to justify the refusal of the application.

Impact Upon The Character and Appearance of the Conservation Area

- 8.24 The site is within the St. Crispin's Conservation Area and directly affects the disused farm buildings which are of historic interest. The scheme of conversion approved under the previous application remains unaffected.
- 8.25 In the opinion of officers the layout and design of the current scheme respects the scale and appearance of the existing buildings and represents an improvement upon the existing approval in a number of respects. The building itself has been designed with a double pitched roof to break up the mass of the structure and provide a steeper roof pitch to mirror the existing farm buildings. This approach is similar to the new nursery building that will be constructed on the opposite side of the site. The materials and finishing details are also reflective of the surrounding structures.
- 8.26 The previous scheme included an office building on the site of the current application but this was situated to the rear of the site, with the car parking area running right up to the edge of

Kent Road. The current proposal would see the convenience store brought closer to the Kent Road elevation and a new boundary wall erected along this frontage, to match the existing wall fronting Kent Road at the western end of the site. This will bring a greater sense of enclosure and a stronger street frontage that is more reflective of the surrounding buildings. In addition, it will lessen the visual impact of the car parking from Kent Road, providing a more aesthetically pleasing and less 'highway engineered' solution. Conditions would also need to be attached to secure appropriate surface treatments and landscaping.

8.27 The other element of the scheme relates to the proposed car parking area for the children's day nursery. This will involve the removal of a section of the boundary wall fronting Kent Road. This wall does form a strong part of the character of the area and is worthy of protection. However, the proposal would involve the removal of a small section in-between two existing piers, indicating that this has been used as an entrance at some point in the past. In terms of character there is no objection to re-opening this entrance, providing that a condition to secure appropriate entrance gates is attached.

8.28 In view of the above, officers feel that the impact of the scheme upon the character and appearance of the conservation area will be acceptable subject to conditions relating to materials, landscaping and the design of entrance gates to the nursery car park.

Impact Upon Wildlife

8.29 A survey has been received with the application regarding the impact of the proposals upon established badger setts in the surrounding area. Comments upon the application have also been received from the local Brockwatch group. The exact details and location of setts of protected species are withheld from this report due to the sensitivity of this information. However, in summary, the Badger survey identified a number of setts within and adjacent to the site but concluded that these are not continuously inhabited but used as a 'subsidiary sett' to the main sett which is located elsewhere. The report defines a subsidiary sett as a 'lesser used sett comprising a few holes and without well-used paths. Subsidiary setts are not continuously occupied'.

- 8.30 The report concludes that it is not necessary to retain these setts in-situ and that the loss of the setts will not lead to a significant loss of foraging habitat. However, it concludes that mitigation should ensure that badgers suffer no unnecessary harm or stress during the development process.
- 8.31 On the basis of the report, the applicants have been granted a licence by Natural England to close the badger setts within and adjacent to the site. This work will involve the placing of one way gates to direct badgers through the setts and onto other areas. Continuous monitoring must be carried out over a specified period to ensure the effectiveness of the work and to prevent any harm or distress to the badger population. A number of conditions are attached to the licence to ensure that this work is done properly.
- 8.32 On the basis of the survey submitted with the application, and the licence to close badger setts granted by Natural England, the impact upon protected species is considered to be acceptable.

Waste Management

- 8.33 The applicants have submitted a Waste Minimisation Strategy to comply with the requirements of the Waste management Supplementary Planning Document (SPD) produced by NCC. This document includes proposals for reducing waste, increasing recycling and sets out the principles to be applied by contractors developing the site. This methodology is considered to be acceptable.

Other Matters

- 8.34 A number of residents have questioned why the existing planning permission for the local centre did not show up on legal searches undertaken in the process of purchasing their properties, a situation which has resulted in them being unaware of the intentions for the old farm buildings. WNDC officers are not in a position to comment on individual searches but

would stress that the approved scheme was advertised in accordance with regulations and the decision placed on the planning register as a public document. The approved plans have been available to inspect since this time.

9. Conclusion

9.1 On balance, it is considered that the proposal will provide a useful facility to enhance the level of provision within the Local Centre for the St. Crispin's development. A number of concerns have been raised by residents within the surrounding area but, with the imposition of suitable conditions, the impact of the scheme in terms of highway safety and neighbouring residential amenity will be acceptable and would not warrant the refusal of the application. In addition, it is considered that the design and appearance of the current proposal is an improvement upon the existing approval for the site dating back to 2006. For the reasons set out within this report, it is therefore recommended that the application is approved.

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. Prior to the commencement of construction work on site, a scheme showing details of CCTV to be installed at the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location and design of all CCTV cameras and the measures to ensure continued management and maintenance of the system. Thereafter, the convenience store shall not be occupied until the approved CCTV system has been carried out as approved.

Reason: To provide an appropriate level of security at the site, in the interests of crime prevention, in accordance with Policy E40 of the Northampton Local Plan.

5. 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, in the interests of visual amenity and site security.

6. Prior to the commencement of work on the development, details of a lighting scheme for the external areas of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the position and design of any lighting columns,

together with specifications indicating the level of illumination across the site and hours of operation for any lighting.

Reason: To ensure a satisfactory level of illumination in the interests of crime prevention.

7. The retail unit hereby approved shall not be open to customers outside the hours of 7.00am and 10.00pm, Monday to Saturday, and 08.00am and 7.00pm on Sundays and Bank Holidays.

Reason: In the interests of residential amenity.

8. Notwithstanding any indication given in the application, no deliveries shall be made to the retail unit outside the hours of 8.00am and 9.00pm, Monday to Saturday, and 10.00am and 6.00pm on Sundays and Bank Holidays.

Reason: To protect the amenity of adjacent residents.

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. 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.

11. 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 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.

12. 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.

13. Prior to the commencement of work on the development, full details of facilities for bicycle parking shall be submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall be implemented prior to the retail unit opening for business and retained thereafter for such time as the unit exists.

Reason: To ensure a satisfactory level of cycle parking provision in the interests of encouraging more sustainable forms of travel, in compliance with PPS1 and PPG13.

14. The car parking area adjacent to the proposed convenience store shall be open for use during the normal opening times of the store. The use of the car park shall not be restricted to customers/ employees of the convenience store but shall also be available to customers/ visitors to the facilities within the adjacent Local Centre (as marked in blue on the approved site plan numbered 3817/003 rev. P6).

Reason: To ensure that adequate levels of car parking are provided to serve the whole of the Local Centre in the interests of highway safety.

15. Details of access gates to secure the entrance to the car park proposed for the children's day nursery shall be submitted to and approved by the Local Planning Authority. These details shall be agreed, and the gates shall be installed, prior to the car park being brought into use and the gates shall be retained thereafter.

Reason: To ensure that appropriate gates are installed to the car park in the interests of security and to preserve the character and appearance of the Conservation Area.



Site Location Plan.