



Board members present:

John Weir - Chair

Lee Barron

Cllr Tony Woods

Cllr Richard Church

Cllr Wendy Amos

Cllr Catherine Boardman

Cllr Alan Hills

In attendance:

Andrew Ryley – Planning
Officer

Eric Owens - Delivery Team
Leader

Adrian Arnold – Head of
Strategic Planning Projects

Rhea Keehn - Governance and
Policy Assistant

Daventry UDA Planning Committee Minutes

Agenda Item: 4

Minutes from Daventry UDA Planning Committee Meeting held at the
Council Chamber

Daventry District Council

Daventry, in public on the 14th April 2009

Approximately 12 members of the public were present.

The Chair opened the meeting at 6 pm.

Item 1: Apologies

Apologies were received from Cllr Sandra Barnes.

Item 2: Declarations of interest

Three councillors declared personal non-prejudicial interests on Agenda item 4; Cllr Tony Woods, Cllr Richard Church and Cllr Wendy Amos as members of the Joint Strategic Planning Committee. John Weir, Cllr Richard Church, Lee Barron and Cllr Tony Woods declared personal non-prejudicial interests as members of WNDC board.

Cllr Alan Hills and Cllr Catherine Barnes declared personal non-prejudicial interests as county and district councillors. Cllr Wendy Amos also declared an interest as district councillor for the ward of Norton and Flore.

All members remained for the duration of the meeting.

Daventry UDA Planning Committee Minutes

Item 3: Minutes of the meeting held 10th March 2009

IT WAS RESOLVED: That the Minutes of the meeting were agreed as a true and accurate record of the meeting construction.

Item 4: The Daventry Co-joined Appeals

Applicant: Croudace Homes Ltd

Application No: 07/0001/OUTWND and APP/M9570/A/08/2083327

Description: Comprehensive mixed-use urban extension comprising residential development (up to 4000 dwellings, including provision of affordable housing) provision of employment land, diversion of B4036, access, roads, drainage, footpaths and cycleways, open space (including extension to Daventry Country Park), playing fields, landscaping, provision of social and community infrastructure, including schools, District Centre (including supermarket) and local centres.

Address: Land At Churchfields, Long Buckby Road, Daventry, Northamptonshire

Ward: Hill/Norton

Applicants: The Danetree Village Consortium

Application No: 07/0096/OUTWND and APP/M9570/A/08/2071505

Description : Sustainable urban extension comprising 107.88ha of residential development (up to 5150 dwellings); 7.50 ha of village centres (of which 1.50 ha will be non-residential uses providing 1,561 sq.m of retail development (Class A1) and 1,561sqm of financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways (Classes A2, A3, A4 and A5); 10.98 ha of employment development, providing 40,600sq.m of knowledge based industries (Class B1(b)) and 1,848 sq.m of offices (Class B1(a)); 15.09 ha of educational facilities (Class D1) providing 3 primary schools and 1 secondary school; community and associated uses, 63.42 ha of public open space, new and realigned highways, landscaping and ancillary works.

Address : Danetree, Land to the East of Daventry and North of the A45 Road

Ward: Hill/ Flore/ Weedon/ Badby

Applicant : Capel House Property Trust Ltd

07/0161/OUTWND and APP/M9570/A/08/2082894

Description : Outline Planning Application for Comprehensive Development of Land to Provide a Sustainable Urban Extension Comprising 1,000 Dwellings with associated infrastructure including new Vehicular Access onto Welton Lane; Alterations to Welton Lane; New on-site Access and Distribution Road Networks; Cycleway and Footpath Network; Primary School; Public Open Space Facilities; Community Buildings including Community Hall and Local Medical Centre; Retail Accommodation and Local BI Employment Accommodation together with other supporting facilities.

Address: Land at Monksmoor Farm, Welton Lane, Daventry, Northamptonshire

Ward: Hill/Norton

4.1. Eric Owens updated the committee on the appeals and referred to the update sheet.

4.2 Eric Owens highlighted the legal advice received that recommended that the word 'power' be removed from page 2, paragraph 1.1(a). This be revised to read

'It is recommended that the Corporation as local planning authority:

(a) delegate to the Director of Planning and Development...'

4.3 Eric Owens stated that the inquiry had been sitting for 7 weeks from 20th January 2009. It adjourned on 24th March 2009 and will convene again on 25th June 2009 until 24th July 2009 to hear the remaining evidence on transportation and highways (including accessibility), that outstanding from third parties, Section 106 (should this be required) and conditions (should this be required),

4.4 Cllr. Wendy Amos spoke and made the following points:

- a) She noted that it is high time that the Flore Weedon Bypass was delivered and was pleased that WNDC support it.
- b) She raised concerns relating to the trigger point before a Bypass was provided and how the current crossroads might be amended to accommodate development

c) She would not support major alterations to the existing Flore Weedon Crossroads before the Bypass as such alterations will have no benefit to residents of Flore or Weedon Road and any such alterations should not prejudice the bypass coming forward

d) Page 7, paragraph 3.12 states that little work has been undertaken, but actually 'little current work' would be more accurate as work as been done over many years.

4.5 Cllr Catherine Lomax spoke as a member of the public against the recommendation and made the following points:

a) urban extensions should be sustainable and she expressed a concern that the infrastructure is not there to support Church Fields and the scheme as proposed will not aid integration

b) She expressed concerns regarding rural roads and stated that rural communities had raised concerns over the rural road network already being at capacity and the level of HGVs using these roads. She stated to the committee that 60% of road accidents happen on rural roads and felt that this issue was not being addressed properly.

d) The housing growth proposed on Church Fields is not matched by the employment opportunities created from the development and there is a need for better quality jobs.

4.6 Cllr Woods identified that the officers had said that the road network is adequate and Cllr Lomax had said that it is not. Cllr Woods asked if Cllr Lomax had any evidence to support her assertion.

4.7 Cllr Lomax said that Kilsby Parish Council had conducted a survey on the A361 which found a high level of heavy goods vehicles and cars. Monksmoor and Church Fields would increase that traffic as it was currently unclear where their residents would work. As well, she had made her own observations on traffic, particularly on rural roads in the area.

4.8 Eric Owens advised that modelling on the Local Highway Network by the County Council as local highway authority had concluded that the roads were capable of accommodating the growth proposed by the appealed proposals with alterations. He confirmed that this was a technical assessment which had not taken account of highway safety but that in any event the Corporation would rely on evidence on this matter from Northamptonshire County Council as the local highway authority responsible for these routes.

4.9 Eric Owens went on to comment on how much development could be accommodated at the A5/A45 crossroads before the bypass was delivered. He confirmed that the County Council and Highways Agency did not support the suggested short term solution known as “building a roundabout in the field” at Weedon, as the completion of this would potentially take almost as long as the bypass and divert section 106 monies from the wider delivery of infrastructure. Minor alterations to the existing junction are however proposed and confirmation of these are awaited from the HA and NCC. .

4.10 Discussion took place regarding traffic going through Flore and the effect on residents of the village. Cllr Amos also noted that a good road to Daventry would prevent people using the rural road network.

4.11 Cllr Woods queried whether there were any proposals to realign the A5 to provide relief to Weedon, and Eric Owens confirmed that the modelling work carried out by the highway authorities had not shown that this was necessary.

4.12 Cllr Church remarked that Danetree was a series of linked settlements separated from Daventry by Borough Hill and hence that it was not a sustainable development. Whatever solution was found to the highways issues the Corporation’s fundamental objection to this scheme should be maintained.

4.13 Cllr Hills noted that it was a pity that the three applications were appealed as it had the effect of taking decision making responsibility away from the committee who represent the local people.

4.14 Cllr Woods commented that it was clear from the previous committee site visit that the Danetree site was unsuitable for an urban extension. It is outside the Daventry bowl and, being located on the other side of Borough Hill, it does not feel part of Daventry.

4.15 John Weir summarised the views of the Committee that:

- (a) there was broad support for the developments at Monksmoor, Church Fields
- (b) the Committee maintained its objection to Danetree.
- (c) the delivery of the Flore/Weedon Bypass is supported although it is not clear yet when the need for it will be triggered
- (d) The committee is pro-sustainable development and will be seeking to secure high levels of funding from developments in Daventry to improve infrastructure.

IT WAS RESOLVED: that the report be APPROVED as per the officer's report and update sheet.

Item 5: iCon

Applicant: ICON EM

Application No: 09/0013/FULWND

Description: Erection of a mixed use building (the iCon) consisting of offices (B1(a)), conference/exhibition facility and concert hall (D1/D2) and Restaurant/Café (A3) with associated infrastructure, parking and servicing and landscaping.

Address: Land off Eastern way and Northern way, Daventry, Northamptonshire

Ward: Abbey North Ward

5.1 Andrew Ryley presented the paper and updates to the committee.

5.2 Cllr Chris Over speaking as a member of the public and Daventry District Council Portfolio Holder for Economic Regeneration and Employment spoke in favour of the proposal and made the following points:

- a) The proposal will secure future prosperity and attract inward investment to Daventry
- b) Daventry is best placed for growth with the learning quarter and canal
- c) The proposal is an exemplar development in both materials and design
- d) He emphasised that it is a critical development at this time in terms of the current economic climate
- e) He raised concerns over disabled access, connection to the fibre optic network and potential links with the PRT (Personal Rapid Transit) Network.
- f) He raised concern over the quantity and quality of landscaping of the development and its ongoing care and maintenance

5.3 The applicant's representative, Liam Grady, spoke in favour of the development and noted the following:

- a) It was a green building at the heart of Daventry and the Country
- b) Sustainable construction is an emerging market in which Britain will become a leader
- c) It is a flexible space that can be used by new start up businesses, the community, for conferences and private and public use
- d) It is designed to BREEAM excellent standard. It would incorporate numerous environmental credentials, for example it will only need its boilers on for 3 months a year

5.4 In response to Cllr Over's comments, Mr Grady confirmed that the land transaction with Daventry District Council, who own part of the site, would secure sufficient space for the delivery of PRT if required. He also confirmed that landscaping and connections to the fibre optic network would be investigated.

5.5 Cllr Hills questioned the storage within the building and the provision of parking spaces for the disabled. The three designated storage facilities were identified, as were the 6 disabled spaces within the 32 spaces provided below the building. It was noted that the building will be DDA (Disability Discrimination Act) compliant and provides adequate access into the building for disabled people via a lift from the disabled parking area and a level toucan crossing outside the building.

5.6 Cllr Woods questioned whether the underpass would be retained in relation to its comprising part of the national cycle network. It was confirmed that the underpass would be retained with additional security cameras and lighting provided. In addition cyclists could use the toucan crossing and it was noted that bicycle storage will be available as are lockers and showers. He also questioned the proposed pedestrian route utilising the proposed Toucan crossing. He was concerned that the gradients involved would be difficult for wheelchair users and the carers of wheelchair users who could often be quite old and frail themselves. It was confirmed that further work would be undertaken on the detailed routing and design of the footpath.

5.7 Cllr Amos welcomed the proposal as a good development for Daventry.

5.8 Mr Grady advised that, if planning approval was granted, a contractor would be appointed in May 2009, work would begin in July 2009 and be complete by November 2010.

5.9 Concerns were raised over traffic and safety of Eastern Way but it was agreed that this was outside of the application and could not be the responsibility of the applicant.

5.10 Discussion was had regarding jobs during construction. It was noted that pursuant to the Construction Futures schemes 7 trainee places would be provided in conjunction with Moulton College and WNDC and that jobs would be created through the construction of the development as well as after the completion of the building.

5.11 The Committee requested that the applicant look as far forward as possible in terms of use of next generation technology in the construction of the building.

5.12 Cllr Boardman stated that Daventry was very lucky to have such an exemplar and cutting edge building.

5.13 Cllr Hills echoed Cllr Boardman's comments and added it was a tremendous coup for Daventry and a benefit for the community both in terms of the jobs to be created and facilities to be provided. He highlighted that the committee had approved several hundred highly technical jobs for the area and not just warehouse jobs.

5.14 Cllr Church welcomed the scheme and stated that the committee must treat this application the same as any other application examining all relevant issues in light of WNDC's interest in the proposal. He also raised concern over the sewage infrastructure and the potential for the subway to spoil the building.

5.15 The concerns were addressed by Andrew Ryley who stated that this development would be served by Whilton Sewage Treatment Works (STW). Whilst at present Anglian Water and the Environment Agency (EA) had raised concern over Whilton STW's capacity to accommodate new developments outside of allocated sites, it is understood that improvements to sewage capacity will be outlined in WNDC's Water Cycle Strategy, which is due to be published on the 6th May. He added that this is a small scale commercial development not a residential one and a planning condition would be imposed to require a drainage scheme to be submitted before occupation of the building.

5.16 Adrian Arnold responded to Cllr Church's concerns over WNDC's treatment of the application by confirming that all meetings had been minuted and logged and the same procedures had been followed as with any other application. He also added that in his years of experience he had never seen a development that was as cutting edge as this.

5.17 Mr Grady responded to Cllr Church's concerns over the subway and stated that external cameras would be put in place. He also confirmed that DDC have objected to the redevelopment of the subway and so an alternative access has been provided by way of a Toucan crossing and a ramp.

5.18 Andrew Ryley summarised the application and made the following comments:

- a) The applicant is looking for BREEAM excellence, which many schemes do not seek to achieve
- B) There will be soft and hard landscaping, appropriate to each part of the building within the applicant site, although not the roundabout which is outside the application site. The details are yet to be resolved
- c) The building would be used for business use for future technology, and would bring high quality jobs to the town
- d) The negative issues relating to the Underpass would be addressed

IT WAS RESOLVED: that the application be **APPROVED** as per the officer's report and update sheet.

5.19 John Weir thanked those who had worked on this project for their hard work and said that this town is going somewhere. It will become an exemplar of a market town. DAPC had approved nearly 1,000 jobs and an exemplar building. Now is the time for people to get on board.

Item 6: Prospect Way

Applicant: Daventry District Council

Application No: 09-0010/FULWND

Description: Redevelopment of 6 small industrial units to form one unit with industrial and ancillary office usage

Address: Units 6,8,10 and 12 Prospect Way, 6 Prospect Way, Royal Oak Industrial Estate, Daventry, Northamptonshire, NN11 8PL

Ward: Drayton Ward

6.1 Adrian Arnold introduced the paper and updated the report relating to condition 2, 3 and 4.

6.2 Cllr Woods welcomed the opportunity to consolidate 66 jobs in one place, in a purpose built facility which is fit for its purpose. He confirmed the Committee's desire to help businesses grow.

6.3 Cllr Hills noted that the proposed design was an improvement on the building's surroundings. Cllr Boardman welcomed the applicant's commitment to BREEAM very good standard.

IT WAS RESOLVED: that the application be **APPROVED** as per the officer's report and update sheet.

7. Future meeting dates

- 12th May 2009
- 9th June 2009
- 14th July 2009
- 8th September

8. AOB- none received

John Weir announced that it was Stephen Kelly's last DAPC meeting as he was leaving WNDC. He thanked Stephen for all of his work and stated that he was leaving WNDC in a good position to move forward.

There being no further business the meeting closed at 7.35pm.

Rhea Keehn

Policy and Governance assistant

Signed by the Chairman

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Dated

COMMITTEE UPDATE

Daventry UDA Planning Committee

14th April 2009

Agenda Item 4:

Application number: 07/0001/OUTWND and APP/M9570/A/08/2083327 / 07/0096/OUTWND and APP/M9570/A/08/2071505 / 07/0161/OUTWND and APP/M9570/A/08/2082894

Applicant/appellant: Croudace Homes Ltd, The House Trustees Ltd & Lower Thrupp Ltd / The Danetree Consortium / Capel House Property Trust Ltd

Address: Land at Church Fields, Long Buckby Road, Daventry / Land to the east of Daventry and north of the A45 road / Land at Monksmoor Farm, Welton Lane, Daventry

Description: 07/0001/OUTWND and APP/M9570/A/08/2083327

Comprehensive mixed-use urban extension comprising residential development (up to 4000 dwellings, including provision of affordable housing) provision of employment land, diversion of B4036, access, roads, drainage, footpaths and cycleways, open space (including extension to Daventry Country Park), playing fields, landscaping, provision of social and community infrastructure, including schools, District Centre (including supermarket) and local centres.

07/0096/OUTWND and APP/M9570/A/08/2071505

Sustainable urban extension comprising 107.88ha of residential development (up to 5150 dwellings); 7.50 ha of village centres (of which 1.50 ha will be non-residential uses providing 1,561 sq.m of retail development (Class A1) and 1,561sqm of financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways (Classes A2, A3, A4 and A5); 10.98 ha of employment development, providing 40,600sq.m of knowledge based industries (Class B1(b)) and 1,848 sq.m of offices (Class B1(a)); 15.09 ha of educational facilities (Class D1) providing 3 primary schools and 1 secondary school; community and associated uses, 63.42 ha of public open space, new and realigned highways, landscaping and ancillary works.

07/0161/OUTWND and APP/M9570/A/08/2082894

Outline Planning Application for Comprehensive Development of Land to Provide a Sustainable Urban Extension Comprising 1,000 Dwellings with associated infrastructure including new Vehicular Access onto Welton Lane; Alterations to Welton Lane; New on-site Access and Distribution Road Networks; Cycleway and Footpath Network; Primary School; Public Open Space Facilities; Community Buildings including Community Hall and Local Medical Centre; Retail Accommodation and Local B1 Employment Accommodation together with other supporting facilities.

Update

Subsequent to legal advice being received Officers are advising that the word 'power' is removed from the recommendation on page 2 paragraph 1.1(a). The revised recommendation now reads as follows:

- 1.1. It is recommended that the Corporation as local planning authority:
- (a) delegate to the Director of Planning and Development and the Special Projects Manager in relation to each of the developments at Church Fields, Danetree and Monksmoor, to
 - (i) assess and review the evolving transport and highways information, including the modelling work and other technical work generated by the highway authorities in relation to the capacity of the highway network to accommodate development at Daventry and the phasing of development before the Flore Weedon and Upper Heyford bypass as required,
 - (ii) respond to any evidence and information submitted to the Inquiry by the appellants or highway authorities or others for the same purpose, and.
 - (iii) present such evidence to the Inquiry on transportation, accessibility and highway issues as is considered necessary to reflect WNDC's concluded case on these issues as determined by the Director of Planning and Development/Special Projects Manager, its wider case and its role as a delivery authority.
 - (iv) present such evidence as is necessary to the Inquiry on any identified deficiencies in any Section 106 Agreement concluded with each of the Appellants or in the absence of a concluded Section 106 Agreement in the then latest draft as submitted by the appellant at the time evidence is required to be presented.
 - (v) present such evidence as is necessary to the Inquiry in the event that outstanding requests for information in relation to Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 are not submitted in a satisfactory form.

Agenda Item 5:

Application number: 09/0013/FULWND

Applicant: ICON EM

Address: Land Off Eastern Way And Northern Way, Daventry, Northamptonshire

Description: Erection of a mixed use building (the iCon) consisting of offices (B1(a)), conference/exhibition facility and concert hall (D1/D2) and Restaurant/Café (A3) with associated infrastructure, parking and servicing and landscaping.

Daventry District Council

A further comment from DDC that was not reported in the main committee report is that DDC stated:

“That WNDC secure the “community aspect” of the brief and ensure that community use of the “The Public Showcase Suite and The Central Enclosed Street” (as described in section 4.2 of the Stage D- Planning Statement submitted with the application) is guaranteed for perpetuity.”

Officer comment: The comments of the Council are noted. The planning application is for a mix of uses: A3, B1(a), D1 and D2. The building must be used in connection with these uses (it should be noted that both D1 and D2 do cover a wide variety of uses to reflect the applicants aspirations for a number of end users) and should the applicant wish for any other use outside of those allowed they would need to apply for a further planning permission.

Ecology

During the course of the application the applicant has commissioned an Ecological Consultant to assess the site for evidence of roosting bats and evening emergence, foraging and commuting surveys of trees and hedgerows located within the site. The applicant has advised that this assessment was undertaken on 30th March 2009 by a Natural England licensed bat worker (John Knight, Knight Ecology). Evening activity surveys were undertaken on 31 March 2009 and 02 April 2009 by two experienced bat surveyors including one Natural England licensed bat worker (John Knight, Knight Ecology).

A draft report into these matters has been submitted to WNDC. The report concludes that:

“Only one bat species was recorded during the evening surveys, this being Common Pipistrelle. The maximum number of bats recorded at any one time was one. No bats were recorded emerging from any of the trees on or immediately adjacent to the Site. All on-site recordings were of commuting bats with no evidence of feeding. The majority of recordings were of bats commuting close to vegetation marking the southern boundary of the site. Taking into account the size of the site, its location and the habitat present, it was considered that overall the amount of bat activity recorded during the two surveys was low.

In accordance with the IEEM guidelines the overall ecological value of the site for roosting and foraging bats was considered to be within the zone of influence only, whilst for commuting bats it was considered to be Local.

It is considered unlikely that the proposal would have a significant negative impact on roosting, foraging or commuting bats currently utilizing the site. With suitable design and management, the proposal could increase the site’s potential to support foraging and commuting bats, and increase both the number and species of bat utilising the site.

Mitigation and enhancement for bats includes the incorporation of bat roosting features into the building design, erection of artificial roost structures on retained trees, incorporation of a

bio-diverse living roof (and possibly a living wall), inclusion of night-scented species into the landscape design to attract insect prey and the creation of a closed-canopy tree line along the new access road for commuting bats.”

Furthermore, the applicant has submitted a draft ecological mitigation statement identifying what measures would be taken to prevent the accidental killing and injury of common reptiles during the construction of the site access road.

Officer comment: it is considered that on the basis of the draft report submitted that the concerns raised by Natural England in respect for adequate survey's to take place prior to granting planning permission have been addressed. Whilst the report has only been submitted in draft form it is understood that the final report is due imminently. As noted above the report identifies the low likelihood of protected species being affected during the construction of the development. Upon receipt of the final version of these reports Officers would liaise with Natural England to ensure they are satisfied that they are acceptable.

In relation to enhancing biodiversity in the site the report identifies the use of a number of measures and officers can advise that these can be appropriately secured through planning condition 12 as set out in the main report.

Agenda Item 6:

Application number: 09/0010/FULWND

Applicant: Daventry District Council

Address: Units 6,8,10 And 12 Prospect Way, 6 Prospect Way, Royal Oak Industrial Estate, Daventry, Northamptonshire, NN11 8PL

Description: Redevelopment of 6 small industrial units to form one unit with industrial and ancillary office usage

Additional comments: Applicant 03/04/09

We write with respect to the proposed conditions included in your report.

Condition 2

We have submitted details of our proposals for BREEAM and Site Renewable Energy with our planning application we do not anticipate these changing prior to commencement of works on site. Assuming that these do not change before commencement of works on site, and at this stage we can see no reason not to achieve our stated aims, we do not feel that we should have to submit the same information again with an additional £80 charge. We would be happy to provide information that confirms that we shall achieve these aims but do not feel that this should prevent works commencing.

The final part of this condition relates to post construction and prevents occupation of the building whilst it's achievements in sustainability are assessed. We feel that part of this assessment requires use of the building to properly demonstrate that it does indeed meet the

targets set. Again we would welcome the opportunity to submit this information to you once it is complete but we intend to continue working with the Tenant in a "soft landings" approach for a minimum of 2 years post completion to ensure that they achieve the energy performance expected from the building.

We have attached the work stages for our independent BREEAM assessors which show the works they are contracted to carry out on our behalf, copies of the reports will be submitted to you once they are available. We would ask that this condition be revised so that the submission of the reports does not delay the commencement of site work or occupation.

Condition 3

We have responded to the Crime Prevention officer on the items that he has raised, together with details of the proposed Intruder Alarm and CCTV systems to be installed.

Condition 4

A Full Geotechnical report and disposal reports have been submitted to DDC environmental department (Lynda Johnson) on 11 March; this should provide ample time for comment or to request further information. We feel it is not appropriate to have to re-submit information as a planning condition if this is down to an inadequate response time from a consultee. We are by law required to have in place a Site Waste Management Plan which will cover all the risks associated with any site contamination.

We would ask that this condition be removed.

Additional comments: Northamptonshire Police 06/04/2009

Condition 3

In light of the further submitted details, Northamptonshire Police are content that all is in order. It would be reasonable to remove Condition 3 from the report

Officers Response

Condition 2

It is indeed acknowledged that the applicant has submitted substantial information as regards the methods of achievement of a BREEAM 'Very Good' rating and the details of how at least 10% of the building's energy requirement will be met through the use of renewable technologies (Ground Source Heat Pumps and Solar Thermal Collectors).

The wording of the condition was intended to offer flexibility to the applicant in regard to the precise sustainability measures to be installed. But, in light of the applicant's comments, it is considered acceptable to revise the condition to:

'Prior to the first occupation of the development an independent post-construction assessment detailing the measures installed to achieve BREEAM 'Very Good' (or successor) and

the provision of on-site renewable energy to meet 10% of the development's overall energy needs (or other level to be agreed with the Local Planning Authority) 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 and its supplement Planning and Climate Change and DDC Energy and Development SPD (2007).'

Condition 3

Northamptonshire Police have stated their satisfaction as regards the additional information submitted. Therefore this condition relating to CCTV can be removed.

Condition 3 Removed

Condition 4

The condition was attached in light of a request from the DDC Environmental Health department to deal with the risks associated with contamination of the site. It is acknowledged that comprehensive information has been submitted by the applicant to DDC's Environmental Health department. However, without confirmation being received that the information acceptably tackles the risks it is not considered appropriate to remove the condition. Condition 4 to be retained.

Additional Comments: Applicant 06/04/09

Efforts will be made to address the points made by DDC Landscaping. Tree guards are to be provided while tree bases are to be sprayed to protect against potential damage from grass machinery. The Hornbeam hedges will be formally clipped and maintained so as not to compromise visibility and surveillance.

Officers Response

It is positive that the Landscaping Officer's comments have been taken on board; the measures are not covered by condition.

Additional comments: Applicant 09/04/09

We are still concerned about Condition 2 stating "Prior to the first occupation of the development an independent post-construction assessment". We consider it unreasonable to expect a £3.0 million building to stand empty following construction whilst an independent assessment is carried out and then has to be approved in writing by the Local Planning Authority. Commercially, the Council could not afford the lost rent whilst that took place. There would also be costs to the Council for keeping an unoccupied building secure. In order to allow occupation upon completion, we would prefer it if the Condition could accept the initial position that, subject to the Committee decision, the BREEAM assessment currently

submitted will be approved and, should that position change, this would be notified and verified to the LPA. We think it more reasonable if the Condition could state something like "Any material alterations to the measures stated in the BREEAM report and those specified to achieve the 10% renewable energy that were submitted to the LPA as part of the the planning application shall be notified in writing to the LPA and verified by the independent BREEAM assessor and renewable energy designer." Thus, if no alterations are made to the currently submitted proposals, it will not be necessary to notify the LPA and it will know that all of the measures have been implemented, this will also be re-affirmed by the post completion BREEAM assessment that we will be having carried out anyway. If alterations are made, then this would allow ongoing and valid assessments to be made as construction work is progressing, thus providing the LPA with a verified updated position including at the completion of contract.

Officers response

The approach of notifying the Local Planning Authority of any changes to the BREEAM measures to be installed appears sensible and pragmatic. A revised condition can be put together that still clearly specifies and ensures that high sustainability standards are achieved.

Revised Condition 2

The development shall achieve a rating of BREEAM 'Very Good' and shall achieve the provision of on-site renewable energy to meet 10% of the development's overall energy needs (or other level to be agreed with the Local Planning Authority). Following the completion of the development the applicant shall notify the Local Planning Authority in writing of any material alterations to the measures stated within the approved BREEAM assessment (Ref: E048) dated 28/01/09 and those specified in the approved Energy and Sustainability statement, any changes shall be approved in writing by the Local Planning Authority in association with the independent BREEAM assessor.

Reason: To ensure the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change and DDC Energy and Development SPD (2007)