



Applicants:

South  
Northamptonshire  
Council

Application No:

10/0102/OUTWNS

Date Registered:

02/07/2010

Grid Ref:

469309 (E)

248784 (N)

Ward:

Towcester Mill

# Towcester UDA Planning Committee Paper

Report by Director of Planning

Date of Committee Meeting: 15/09/2010

Agenda Item: 4

Description: Outline application for regeneration of Moat Lane/Northampton Road area including new build and change of use for shop, café, drinking, workshop uses; offices, council building; hotel; dwellings; new public realm works, decked car park. (All Matters Reserved)

Address: Moat Lane, Towcester, Northamptonshire.

## 1. Recommendation

- 1.1 For the reasons set out below, **APPROVAL** with authority being delegated to the Director of Planning and Development to grant planning permission subject to:
  - Confirmation that the Environmental Health Officer raises no objection to the development in relation to noise and air quality, following the submission of additional information.
  - Confirmation that the Highways Agency and Northamptonshire County Council have no objections to the development in a highway context, following the submission of additional information.
  - Further negotiations between officers and English Heritage to determine the indicative location of the proposed Civic Building in relation to Bury Mount and that they raise no objection.
  - No new significant material planning issues being raised following further consultation in relation to the submission of the above additional information and an updated environmental statement.
  - The completion of a s.106 agreement to secure the heads of terms set out in the report subject to ongoing discussions with the applicant and consultees.
  - The conditions attached to this report and any further conditions considered necessary relating to the outstanding matters subject to ongoing discussions with the applicant and consultees.

For the following reasons:

- 1.2 The proposed development will secure the regeneration of a prominent site within Towcester's historic core. The development will provide much needed retail, employment, leisure and community facilities and significantly enhance the civic and cultural function and identity of the town centre. Public realm, environmental and biodiversity benefits will be delivered and through sensitive and careful design, the development can enhance the historic environment and townscape, without detracting from residential amenity. Any adverse environmental impacts can be mitigated by the measures set out in the Environmental Statement.

The increased provision of B1 (Office) accommodation compared to that envisaged in the Planning Brief can be justified by the contents of PPS4 which seeks to locate office development in town centres to ensure sustainable economic growth and by the existence of office accommodation with the Towcester Mill which would cease as part of the development, thereby representing only a marginal net increase in office use.

The development complies with saved policies G3, H3, H7, E4, EV1, EV7, EV9, EV10, EV12, EV13, EV19, EV21, EV24, EV25, EV28, IMP1, TE2, TEV1, TT1, TT2, TR2, TRC2 and TRC4 of the South Northamptonshire Local Plan (1997), the adopted Moat Lane Planning Brief (2007) and the contents of PPS1, PPS3, PPS4, PPS5, PPS9, PPS10, PPS13, PPS17, PPS23, PPS24 and PPS25.

Further the development will ensure the delivery of regeneration to Towcester which is a statutory objective of the West Northamptonshire Development Corporation and ensure the delivery of a key site identified within the Corporations Business Plan.

## 2. Summary

- 2.1 The application is for outline planning permission to regenerate the Moat Lane area of Towcester and proposes a mix of uses including retail, office, residential, commercial and the erection of a new Civic Building to house a new library and community facilities.
- 2.2 The site includes a number of heritage assets including Bury Mount, which is a scheduled ancient monument, the historic part of Easton Neston and several listed buildings. In addition the entire site is located within a conservation area.

### Principle

- 2.3 The principle of the development has long been established in the South Northamptonshire Local Plan and the policies which relate to the Moat Lane area are still saved. In addition the site is subject to an adopted Planning Brief. The proposals are in broad accordance with both the development plan and the Planning Brief. The Planning Brief envisaged smaller 'incubator' office accommodation which was less extensive than the office uses currently proposed. However the brief did not provide floorspace figures and the illustrations within the brief show comparable massing to that illustrated in this current application. Notwithstanding this, the current office proposals comply with PPS4 and there will only be a small net increase in office development having regard to the existing B1 (Office) use of the mill buildings which will be converted into a hotel.

### Proposed Uses

- 2.4 The report assesses each of the proposed uses in turn and determines that the proposals are in broad accordance with the Planning Brief. A mixture of retail, food and drink uses will be located around the key nodes of activity within the site, creating activity and a more vibrant town centre. The residential uses will provide a mixture of accommodation, including town houses and some flats located above the retail uses. Affordable housing will be secured in line with SNC's supplementary planning guidance. The provision of a civic building and the possibility that SNC might occupy the adjacent office building, is supported by PPS4 which emphasises the importance of town centres as a location for civic activity.

### Heritage Impact

- 2.5 Officers will continue to work with the applicant and English Heritage to ensure that they are satisfied with the development proposed. It should be noted however that this is an outline application and the submitted masterplan is therefore indicative at this time. The precise impacts of the development and its relationship with its context cannot be fully determined until the reserved matters stage.
- 2.6 There will be some impact on the setting of heritage assets within and in close proximity to the site. However it is considered that overall the proposals will enhance the historic environment, and, this is already evident through the restoration works carried out to Bury Mount and at the Watermeadows. The Environmental Statement (ES) considers that the site will improve the landscape character of the site and its immediate surroundings. The design of a number of the buildings, particularly the office buildings, the decked car park and the civic building, will require very careful consideration at the reserved matters stage to ensure a satisfactory relationship with their surroundings.

### Environmental Considerations

- 2.7 The ES carries out a comprehensive analysis of the environmental impacts of the development, proposing mitigation where necessary. These mitigation measures will be secured by condition. In summary the ES demonstrates an acceptable impact in relation to ecology, flood risk, drainage and ground conditions.
- 2.8 It is considered that the development, through the imposition of planning conditions and through further design, can result in a satisfactory impact on residential amenity.

### Highways

- 2.9 The Transport Assessment sets out that the scheme will only have a minimal impact on the highway network. However additional information is required in the form of a revised TA, a travel plan and an updated Environmental Statement, before the transport impacts and appropriate levels of car parking can be fully determined. There will be a slight adverse impact on air quality, however this can be mitigated by making improvements to the management of parking within the town, which is seen as a key contributor to the air quality in the town centre. SNC's Environmental Protection Team has requested a financial contribution towards a programme of works to improve parking management. Further discussions will be required with the Environmental Protection Team to fully determine the level and appropriateness of this contribution.

### Infrastructure Requirements

- 2.10 The report sets out the draft Section 106 Agreement heads of terms which are considered at this stage to be sufficient to mitigate the direct impacts of the development. Officers will continue to work with the applicant and local service providers to determine the precise details of the obligations which will be secured through the Section 106 agreement.

## **3. Background to this application**

- 3.1 The regeneration of the Moat Lane area has been identified as a fundamental element in the future development of Towcester, which can expect to grow significantly in the coming decades. The Draft Towcester Masterplan (2009) identifies Moat Lane as the first of the major regeneration projects for the town centre, which seeks to transform the area between the Market Square, the Mill Stream and the Easton Neston Water Meadows. The vision in this respect is to provide the town with enhanced community, social and economic infrastructure; restoring the public realm and Bury Mount and providing access to the Water Meadows as amenity space.
- 3.2 Phase 1 of the regeneration project - the restoration of Bury Mount, enhancement of the Mill Stream and use of the Water Meadows for public recreation was completed this year.

This current application relates to the second phase of the project. The project is being led by South Northamptonshire Council in partnership with WNDC and Northamptonshire County Council. To date the scheme has resulted in significant investment from the public sector.

3.3 The primary objectives of the regeneration project are to:

- preserve and enhance the historic assets in the centre of Towcester, with an emphasis placed on quality and the retention and restoration of buildings wherever possible;
- regenerate the town centre through appropriate new mixed development;
- provide improved facilities to support the planned residential growth of the town.

3.4 The application has been prepared by SNC with support from WNDC Regeneration and development control officers, the development partners and a team of consultants including urban regeneration specialists, transport consultants, environmental consultants, urban designers and solicitors. The project team has been working on the redevelopment scheme for in excess of 2 years in terms of masterplan development, land assembly and public and stakeholder consultation.

3.5 The application is submitted in outline form to secure the approval of the principle of the development and set the framework for a series of reserved matters and listed building applications, which will provide much more detail. WNDC will remain as the determining authority for reserved matters applications. SNC are the determining authority in respect of applications for listed building and conservation area consent.

3.6 Members should note that this report seeks the authority of the committee to allow the Director of Planning to address outstanding matters in relation to transport/highway impact, air quality, noise and recent concerns expressed by English Heritage, prior to planning permission being granted. Should members be minded to agree to this recommendation, any new significant material planning considerations which arise through this process, or through subsequent reconsultation will be reported at a future meeting of the committee. Similarly, further discussions will need to take place between officers, the applicant and consultees to determine the appropriate conditions and final heads of terms within the Section 106 Agreement. This is permitted under the Corporations Scheme of Delegation.

#### 4. Description of Site

4.1 The application site comprises 2.74 hectares of land located to the north east of Towcester town centre. The south western site boundary includes commercial properties fronting onto Watling Street, the main thoroughfare and historic core of the town. The Grade I listed St Lawrence Church and Chantry Lane form the sites south eastern boundary. To the north east the site is bounded by the Mill Stream, separating the site from the Easton Neston Park, a Grade II\* registered historic parkland and the River Tove beyond this. The sites north western boundary is located around Northampton Road, which includes a surface level public car park and the Wayside Garage which forms a prominent corner with Watling Street, located directly opposite the Saracens Head, an important coaching inn and landmark building in the town centre. The broad location of the application site within the context of the town and Easton Neston Park is shown below. A detailed site location plan is attached to the appendix of this report.



### Site Location

- 4.2 Within the application site there are a number of different land uses including retail, professional services, health care, offices, public houses, warehousing, dwellings, car parking, motor vehicles sales and repair and public leisure uses. A plan detailing the existing land uses within the site is submitted at page 27 of the Design & Access Statement. In addition and having regard to the sites location within the historic core of the town, the site includes a number of heritage assets. The most notable of these is the recently restored Bury Mount, which is a scheduled Norman motte of national importance, located within the centre of the site and adjacent to Moat Lane. The Grade II Listed Towcester Mill complex is located within the site directly to the south of Bury Mount, in addition to a number of other listed buildings fronting onto Watling Street. The entire application site is located within a conservation area.
- 4.3 Moat Lane itself extends from Chantry Lane providing access to the rear of properties located along the northern side of Watling Street. This area is characterised by the historic development pattern of long, narrow burghage plots fronting onto Watling Street, with the long plots including various outbuildings backing onto Moat Lane, which is used to service many of these properties. Bakers Lane continues to connect right through to the area behind the burghage plots, while Whittons Lane leads into a private yard.
- 4.4 Along Moat Lane there are a number of single or two storey buildings constructed in stone or red brick, some older outbuildings relating to the town burghage plots and others of 19th or 20th century origin, housing a mixture of residential and commercial uses. The pattern is not fully developed into a continuous built frontage, but the rhythm of the burghage plots is still evident and important to the character of the lane.
- 4.5 Watling Street comprises a long terrace of two and three storey buildings of predominantly 19<sup>th</sup> and 20<sup>th</sup> century origin, although there are some earlier examples. A large number of the buildings within this frontage are Grade II Listed and exhibit architectural interest and quality. The Town Hall encloses the Market Place at the southern end of the built frontage and

terminates a key vista along Watling Street, extending from the Saracens Head. In contrast to the quality of the built form fronting onto Watling Street and the Market Place, the Northampton Road area lacks scale and distinctiveness. Its character derives from its former status as a trunk road, dominated by highway engineering and the former garage and showroom, which occupy a prominent position. This area appears somewhat rundown and currently detracts from the historic core of the town.

- 4.6 The Towcester Mill complex contains a distinctive grouping of ironstone buildings including the former Water Mill, of which the Art Deco style 20<sup>th</sup> century extension is the tallest building within the site and the Grade II Listed Mill House. The Mill buildings have most recently been used for office purposes by the County Council. The Mill buildings are separated from the remainder of the site by the narrowing of Chantry Lane where it passes between a high boundary wall and the churchyard wall.



Bury Mount seen from the Watermeadows

- 4.7 Bury Mount (shown above) is an earthwork Norman motte castle, situated in what would have historically been a key strategic position overlooking the Northampton Road. Bury Mount is of national importance, being a well-preserved example of a small round motte castle in an urban location. Prior to the purchase of the mount by South Northamptonshire Council (SNC), the motte was falling into decay with only very limited views to the east and especially to the north. The current view was always going to be a temporary as it was part of a wider plan for the development of the area. Concern was expressed that the periodic decay and falling of the trees which were planted on the motte was leading to accelerated loss of archaeological remains, and this was being exacerbated by casual access to the site by members of the public. As a consequence the Mount was placed on English Heritage's 'at risk' register. A full archaeological investigation of the site was undertaken for the first time in summer 2007, to enable proposals to be developed for the preservation, management and interpretation of the motte. In 2008 following a landscape design competition, plans were prepared for the restoration of the mount to facilitate public access and enjoyment of it. The scheme was granted planning permission by SNC, with the works completed in April 2010. The Mount is now open to the public and provides fine views over the surrounding area. The renovated Bury Mount together with the recently constructed bridge over the Mill Stream to the Watermeadows, provides opportunities for informal recreation, leisure and tourism, as well as access to high quality amenity space in very close proximity to the town centre.

- 4.8 The main part of the site is served by Moat Lane, which is accessible by vehicles from Watling Street via Chantry Lane. The access is narrow and provides no through route, so that vehicles have to turn and exit again via Chantry Lane. Bakers Lane provides an additional pedestrian access to Moat Lane from Watling Street. These are areas of adopted highway. North west of Bakers Lane, Whittons Lane provides pedestrian and very constricted vehicle access to yards at the northern end of the site; it is unadopted. There is vehicular access onto the site via the former Wayside Garage from Northampton Road.
- 4.9 The site has an attractive landscape setting, including a number of mature trees which are protected by preservation orders. The most valuable landscape features are located outside of the application site around St Lawrence Church and to the northern bank of the Mill Stream, either side of Northampton Road. The presence of these trees helps to form the edge of the town and aids the transition from rural to urban. The trees prevent much of the Moat Lane area from being prominent when approaching Towcester from Northampton Road. However gaps in the tree belt provide a valuable vista of the Easton Neston Park from within the site. Currently this view of the Park and watermeadows can also be appreciated from Northampton Road. There are two protected trees within the site, a sycamore close to Whittons Lane and a maple in the rear yard of 130 Watling Street.
- 4.10 To summarise the above, the following planning constraints are known to apply to the site.
- The site lies within the Towcester Conservation Area.
  - Bury Mount is a scheduled ancient monument and located within the site.
  - The following properties within the site are Grade II listed – No's 136a, 136b and 136 Watling Street, Towcester Mill and Mill House. Outside, but adjacent to the site No's 88, The Post Office, 94, 96, 98, 98a, 104 -106, 112, 114, 116, 118, 122, 124 and 126 are all Grade II listed. To the south of the site, St Lawrence Church is Grade I listed and the Vicarage and Town Hall are Grade II Listed.
  - The site lies within an area of known archaeological interest.
  - The site lies adjacent to the Easton Neston Park, a Grade II\* Registered Historic Parkland.
  - The site lies within the Town Centre as defined in the Local Plan.
  - There are two trees which are the subject of a preservation order within the site.
  - The Northampton Road car park partially lies within an area known to flood.

## 5. Description of Proposal

- 5.1 The proposal is an application for the regeneration of the Moat Lane area. The application is submitted in outline with all matters reserved, consequently the reserved matters of layout, scale, appearance, access and landscaping are reserved for future consideration. The application includes information in the form of three dimensional plans and images, which at this stage are illustrative only. Specifically the application includes the following:
- 5.2 Up to 1,300 m<sup>2</sup> of retail, restaurant and café uses (A1, A3 and A4), including change of use of public conveniences in Bakers Lane, rear of 108 Watling Street on Bakers Lane from storage,

15 Moat Lane (ground floor) from storage/workshop, and the building north west of Mill Cottage (a.k.a. Buckland's Warehouse) from storage.

- 5.3 Up to 2,400 m<sup>2</sup> of B1 office use provision of private or council offices in two new three-storey buildings; including approximately 550 m<sup>2</sup> of semi basement car parking.
- 5.4 Up to 300 m<sup>2</sup> of light and general industrial use including the change of use from motor vehicle workshop to small scale manufacturing use with ancillary sales.
- 5.5 Up to 2,400 m<sup>2</sup> of hotel space including new and existing buildings; including change of use of Towcester Mill and Mill House from offices and change of use Mill Cottage from a residential dwelling.
- 5.6 41 dwellings in the form of new town houses, cottages and flats; including division of The Coach House to two dwellings, addition of two dwellings above 15 Moat Lane (storage use), change of use of Anchor House from office use, change of use of building (formerly Tove Engineering) north of 1 Moat Lane from business use and change of use of building to the rear of 100 Watling Street from workshop/storage use.
- 5.7 A new multi purpose civic building (Class D1) of up to 2200 m<sup>2</sup> that will overlook the Bury Mount which can provide a wide range of functions which may include the following:
  - A new library, replacing the one in Richmond Road.
  - Studio space for dramatic performance
  - Gallery space for visual arts and displays
  - Café
  - Public information point and public toilets
  - SNC information office
  - Public sector 'one stop shop'
  - Community offices
- 5.8 Up to 4,000 m<sup>2</sup> decked parking structure; including vehicular and pedestrian access and circulation on land to the north west of Northampton Road on what is currently a public surface level car park. The decked car park will hold about 130 car parking spaces, and additional parking spaces will be created within the Moat Lane area and some parking space retained to create a total of 268 parking spaces for the development.
- 5.9 The infrastructure to serve the above development including the provision of access roads, service areas and car parking.
- 5.10 The application also proposes the removal of the following buildings:
  - 140 Watling Street, Wayside Garage showroom;
  - Northampton Road, Wayside Garage filling station canopy;
  - 6 – 8 Whittons Lane (workshops);
  - Outbuilding to Mill House (disused air-raid shelter).

The application also includes the removal and/or alterations to the following boundary walls:

- Rear of 138 Watling Street including remnants of a former outbuilding;

- Rear of 126 - 132 Watling Street at the end of Moat Lane;
- Between 106 and 108 Watling Street;
- Between 100 and 102 Watling Street;
- Rear of 96 Watling Street;
- Rear of 92 Watling Street.

5.11 The application proposes the redesign of the surfaces of the adopted highway in Chantry Lane and Moat Lane to facilitate pedestrian priority use. The application also proposes that Moat Lane will link right through to Northampton Road, however this will be a shared surface, with pedestrians given priority over cyclists and motorists.

5.12 The scheme includes a mixture of uses to ensure variety, vitality and viability. Generally the proposed retail and café uses are located around the key nodes and public spaces that have the highest potential for footfall. The majority of these units are proposed to have residential uses on the upper floors. The proposed office uses would be located on either side of the Northampton Road. The residential uses are primarily located around Moat Lane and Northampton Road.

5.13 The proposed hotel would utilise the retained buildings currently forming the Mill Complex, together with the warehouse fronting onto the mount and the buildings on the north eastern side of Moat Lane adjacent to the Church. This proposal makes use of the existing buildings which are already found in this location and their views over the Water Meadows, Church and the mount.

5.14 In terms of scale, the details submitted are all indicative at this outline stage. A submitted 'Building Heights Plan' shows that the tallest building within the site would be the existing extension to the mill building which could have another storey giving it a height 4.5 to 5 storeys. There are also three other landmark 3.5 to 4 storey buildings, being the proposed corner building on Watling Street and Northampton Road, the proposed town houses and office building on the south east side of Northampton Road, the south western element of the civic building and the remainder of the existing mill building.

5.15 The remainder of the scheme is proposed to be two and three storey development with the three storey elements facing onto Watling Street, Moat Lane and Northampton Road. It should also be taken into account that the scale of the development proposed is indicative at this time. However these indicative details are necessary to set the parameters within which the development is assessed in the Environmental Statement and Transport Assessment.

5.16 The application is supported by an Environmental Impact Assessment, pursuant to the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999. The Environmental Statement includes the following:

- An air quality study
- An assessment of planning policy
- An archaeological assessment
- A ground conditions report
- An ecological report
- A visual impact assessment
- A water quality assessment
- A flood risk assessment
- A noise and vibration assessment

- A transport assessment
- A waste assessment

5.17 In addition the application includes a comprehensive design and access statement and a preliminary Building for Life Assessment.

5.18 A number of other drawings also comprise the application and include the following:

- Proposed Land Use Plan – Ground Floor
- Proposed Land Use Plan – Upper Floors
- Movement Plan
- Proposed Public Realm and Landscape Plan
- Proposed Building Heights Plan
- Application Boundaries (Aerial Photograph)
- Buildings & Structures to be Demolished
- Change of Use Plan
- Car Parking
- Site Location Plan
- Development Area and Public Realm Boundaries
- Topographic Survey
- Existing Trees
- Illustrative Masterplan

## 6. Policy Considerations

### 6.1 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.

### 6.2 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
PPS3:	Housing
PPS4:	Planning for Sustainable Economic Growth
PPS5:	Planning for the Historic Environment
PPS9:	Biodiversity and Geological Conservation
PPS10:	Planning for Sustainable Waste Management
PPG13:	Transport
PPS17:	Planning for Open Space, Sport and Recreation
PPS23:	Planning and Pollution Control
PPG24:	Planning and Noise
PPS25:	Development and Flood Risk

Statement by the Secretary of State for Communities and Local Government 6<sup>th</sup> July 2010.

The Secretary of State announced the revocation of Regional Spatial Strategies on 6<sup>th</sup> July 2010, with immediate effect. PPS's remain in force, but any reference within them to RSS's is no longer applicable. In determining planning applications, LPA's must continue to have regard to the Development Plan in force in the area, in addition to National Planning Policy. The Development Plan includes any adopted DPD's, saved policies, and any old style Local Plans that have not lapsed. Therefore, in the local sense, the saved policies of the South Northamptonshire Local Plan, in addition to National Planning Policy will now constitute the Development Plan for the area.

### 6.3 Development Plan:

Following the recent revocation of the Regional Spatial Strategy, the development plan documents for the area now comprise:

- The Northamptonshire County Structure Plan (NSP) (2001) (One saved policy – SDA1);
- The South Northamptonshire Local Plan (SNLP) (1997) (Saved policies)

### 6.4 The South Northamptonshire Local Plan (SNLP) (1997)

The Moat Lane area is allocated for redevelopment in the SNLP where Site Development Principles are established. Chapter 13 of the plan states:

*“The proximity of this site to the town centre makes it an appropriate extension to the shopping centre linking to the old part of the town. The proposal also provides the opportunity to comprehensively redevelop the area south of the Mill Stream adjacent to Bury Mount with associated environmental improvements.”*

The following saved policies of the SNLP are considered to be relevant to the determination of this planning application:

G3	General
H3	Brackley & Towcester
H7	Affordable Housing
E4	Change of use from Industrial & Commercial
EV1	Design
EV7	Special Landscaped Areas
EV9	Conservation Areas
EV10	Preservation or Enhancement of Conservation Areas
EV12	Listed Buildings
EV13	Extensions & Alterations to Listed Buildings
EV19	Trees & Woodland
EV21	Landscape Features
EV24	Species Protection
EV25	Wildlife Corridors
EV28	Historic Parks & Gardens
IMP1	Planning Obligations
TE2	Office Proposal north east of Town Centre
TEV1	Bury Mount
TT1	Transport Proposal north east of Town Centre

TT2	Car Park Proposal west of Northampton Road
TR2	Retail Proposal north east of Town Centre
TRC2	Riverside Walk Proposal
TRC4	Moat Lane Enhancement
TRC6	Community Development Proposal – Northampton Road

## 6.5 Supplementary Planning Guidance:

South Northamptonshire Council adopted a planning brief for Moat Lane in October 2007. This is Supplementary Planning Guidance and provides a framework for the redevelopment of the site.

## 6.6 Other non statutory documents:

Towcester Masterplan (Draft) (2009): Sets out a vision for the future of the town and identifies the redevelopment of the Moat Lane area as one of the key opportunities and that it will act as a ‘catalyst for improvements in the town centre’.

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.

South Northamptonshire Retail Study (2010): This document was commissioned by SNC to be used as part of the evidence base for the West Northamptonshire Joint Core Strategy. The study identifies a need within Towcester for a net increase of between 823 and 2,589 square metres of comparison goods floor space between 2009-2019. Paragraph 9.17 of that document states:

*“South Northamptonshire Council support any suitable scheme which might bring additional retail premises to the market for the benefit of independent retailers and services.”*

West Northamptonshire Manual for Design Codes (WNDC 2009)

West Northamptonshire Sustainability Manual (WNDC 2010)

## 7. Representations:

### 7.1 SNC Planning:

SNC’s Development Control Committee considered their consultation response to WNDC on the 26<sup>th</sup> August 2010 and raised no objections subject to the following:

1. Any planning permission granted should make it clear that it is not giving planning permission for the upper limits of the floor spaces, specified in the application, to be achieved and that the scale and massing of the buildings are reserved matters.
2. The Section 106 Agreement needs to ensure that 40% affordable housing is delivered across the site unless it can be demonstrated that this will affect the viability of the scheme (when a lower provision could be negotiated).

3. In relation to affordable housing the Section 106 also needs to include the following provisions:
  - A phasing plan, including timescales for the development and infrastructure provision.
  - An Affordable Housing Scheme which shall include details of:
    - I. The numbers, type, tenure, external appearance and location on the land of the Affordable Housing Units
    - II. The timing of their construction and phasing in relation to the Market Housing Units.
    - III. The arrangements for the transfer of the affordable housing to an Affordable Housing Provider.
    - IV. The arrangements to ensure that the Affordable Housing Units are affordable for both initial and subsequent occupiers of the Affordable Housing Units.
    - V. Occupancy criteria for determining the identity of occupiers of the Affordable Housing Units and the means by which such occupancy criteria shall be enforced.
4. The Council's Strategic Housing division needs to be consulted on the wording of any S106 agreement.
5. Car parking for the development should be provided in accordance with the maximum amount allowable under the adopted NCC standards and any deviation away from the standard shall only be allowed for legitimate planning and highway engineering reasons.
6. The number of car parking spaces proposed needs to take into account the loss of the existing parking spaces on the Northampton Road car park.
7. There should be a pedestrian crossing to serve the decked car park across Northampton Road as part of the development.
8. The development needs to include a developer contribution of £30,000 towards a scheme of air quality mitigation.
9. The application needs to clarify the impact of noise from the increase in traffic on Northampton Road and from movements to and from the new car park.
10. Conditions need to be placed on any planning permission issued which require the following:
  - An intrusive investigation into land contamination on the site and require remedial action if any pollutants are discovered.
  - Details of measures to control noise dust and emissions during construction of the development.

- Restricting the hours for delivery to commercial premises to 07:30 to 18:00 on week days and 08:00 to 13:00 on Saturdays and no times on Sundays or bank holidays.
- The reserved matters application needs to provide details of the operating hours of the proposed commercial premises.
- Detail of the proposed soundproofing of the proposed dwellings to be submitted and approved.
- A scheme for the treatment of noise and vibration from plant and equipment to be submitted and approved.

## 7.2 SNC Environmental Health:

Comments have been received in relation to air quality, contaminated land and noise.

### Air Quality

The air quality modelling needs updating and needs to take account of the monitoring data obtained at 78 and 153 Watling Street.

The air quality mitigation measures need to include measures identified in the Air Quality Action Plan and in particular the measures that will improve the flow of traffic through the town centre.

An assessment of non motorised routes, pedestrian movements and signage should be undertaken to enable improved conditions for pedestrians as part of green travel, town centre vitality and social inclusion initiatives.

### Contaminated Land

The site is potentially contaminated and a Phase 2 Geo-Environmental appraisal is required in order to characterise the type, nature and extent of contamination present.

### Noise

The mixed use nature of the site introduces a complex mix of potential conflicts that will need to be conditioned. This includes noise from deliveries which will require delivery hours to be conditioned. Conditions restricting hours of operation, for sound proofing of commercial buildings, fixed plant and equipment requested.

## 7.3 NCC Planning:

Responding on behalf of the NCC key services which this development would have an impact on.

Precise contributions will need to be calculated once the bedroom numbers has been made available. Accompanying the dwellings it is also stated that there will be an additional 5710m<sup>2</sup>

of additional office, shop and hotel space. This has also been taken into account when suggesting the rate of contribution towards this development.

#### Libraries

As the civic building includes a new library, it will not be necessary to request a library contribution.

#### Fire & Rescue

Financial contributions towards local fire and rescue infrastructure have been requested based on both the proposed residential units and commercial floorspace.

NCC have also requested that 1 fire hydrant be provided and suggested a condition to secure this.

#### Education

Financial contributions towards Primary and Secondary school education have been requested based on the number of bedrooms within the proposed residential units. This will go towards the expansion and build of new schools in Towcester in order to ensure that pupils generated from this development are accommodated.

### **7.4 NCC Sustainable Transport:**

The submitted Transport Assessment (TA) does not address NCC's initial concerns and does not contain sufficient information for NCC to take a view of the highway implications associated with the development.

NCC require the issues identified in a previous note dated 24<sup>th</sup> March 2010 be addressed and additional information (Revised traffic flow diagrams for the future traffic scenarios, Revised junction modelling assessment and Travel Plan) to be provided prior to commenting further on the highway and transportation issues.

In their present form the proposals are unacceptable to NCC for highway safety, assessment and sustainability reasons and requires the above additional information prior to determination.

### **7.5 NCC Archaeology**

The proposed application is within an archaeologically sensitive area. Extensive discussions have taken place in relation to archaeology. Following initial investigations in 2006 a detailed investigation was undertaken in 2010 and identified activity in the Roman and medieval period and the potential for Iron Age activity. This investigation provides sufficient information to assess the archaeological potential of the area and provides the basis for the mitigation strategy set out in the Environmental Statement.

Opportunities for public engagement should be considered, for example providing viewing platforms, interpretation panels, exhibitions, public art etc.

The proposals will have a detrimental impact on archaeological deposits present, but this does not provide an over riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains.

Condition requested.

## **7.6 Towcester Town Council:**

It is vitally important that any development at Moat Lane respects the present surroundings and enhances the area and not be a visual intrusion into the existing setting.

This has not been achieved in the following parts of the plan:

- Car Parking and commercial uses
- Offices with houses on Northampton Road
- Civic Building

The height, scale and enormity of the proposed offices, civic building and decked car park are over intensive and would be detrimental to the conservation area and Bury Mount.

- Landmark corner on Watling Street and Northampton Road

The height, scale and mass is over intensive to the detriment of the street scene. Would create a canyon effect affecting air quality.

The access proposals from Chantry Lane and Northampton Road are considered inadequate to cope with the proposed volume of traffic.

No objections to the other elements of the plan which will enhance the area and provide additional facilities and increase tourism.

## **7.7 Anglian Water Services:**

There is sufficient water resource capacity to supply this development.

Foul flows can be accommodated within the foul sewerage network system.

The planning authority should consult with the EA regarding surface water drainage.

Informatives requested.

## **7.8 Environment Agency:**

No objection, subject to the imposition of conditions.

These conditions relate to the following:

- Drainage,
- Provision of buffer zone adjacent to the Mill Stream for biodiversity benefits – specifically to encourage water voles to re-colonise the stream,
- Compensatory habitat creation,

- Flood risk assessment and surface water drainage strategy,
- Surface water drainage from parking areas and hard standings,
- Contamination, risk assessment and remediation having regard to the previous use of part of the site as a petrol filling station,
- Foundations using penetrative methods not permitted unless it can be demonstrated that there is no adverse impact on groundwater.

#### **7.9 Council for British Archaeology South Midlands Group:**

No Comments received.

#### **7.10 English Heritage:**

There are a range of designations that relate to this site which reflect the richness of its history and its resulting significance. It is an extremely high quality built environment.

The development of this site in a way that will preserve its many layers of significance is an ambitious challenge which could provide significant benefits to the immediate area and to the town as a whole. While EH are comfortable with much of what is proposed, the level of development to the north west of the motte is of concern and it is likely that a reduction in the amount of development will be necessary to address this.

Excellent conservation work has been completed on Bury Mount. Locating the district council offices nearby has potential benefits and the development of gap sites and the re-use of historic buildings could help to draw it further into the life of the town.

The infilling of vacant gaps could give the historic Moat Lane greater definition. Overall the scheme lays the groundwork for what could translate to a significant enhancement to this part of the conservation area and the setting of the Grade I Listed St Lawrence's Church.

The proposal to take advantage of the opportunity to reinstate a strong corner building at the junction of Watling Street and Northampton Road, has the potential to reinforce and enhance the character of the town.

The area to the north west of the motte and to the north of Northampton Road will need very careful handling – further illustrative material in relation to the decked multi storey car park is necessary to determine its impact.

The indicative layout brings development rather too close to the monument to allow enjoyment of the panoramic views and would also affect the general character of its setting which contributes to an understanding of its significance as a defensive structure. It is necessary to give this area further consideration and to reduce the amount of development envisaged to some extent. This could include drawing the development further back from the mount and reducing the size of the civic square to a more intimate scale.

#### **7.11 Northants Fire & Rescue:**

No Comments received – See NCC Comments at 7.4.

#### **7.12 Daventry & South Northants PCT**

No Comments received.

### 7.13 Highways Agency:

Have been in discussions with the applicants consultants MVA, since early 2009, reviewed a number of documents and attended a number of constructive meetings.

The Agency has been able to agree a number of areas within the Transport Assessment (TA), however there are a number of issues where agreement has yet to be reached. The following items are yet to be resolved:

- Onsite parking provision currently does not appear to be in line with the spirit of the NCC Parking SPG (i.e. on site parking as proposed is too high), nor does it marry with the trip generation given in the TA.
- Modelling of junctions impacted by the development have not yet been submitted to a standard that is acceptable. In particular, validated base models have not yet been agreed with the Agency.
- Related to the above, mitigation necessary to support the development (or contributions in lieu of physical works) have not yet been agreed.
- An acceptable travel plan has not yet been submitted.

Have recently received a parking information note, traffic data information and a draft travel plan which are currently reviewing this. The HA are confident that they can continue to work with MVA to resolve these issues with the application.

#### Officer Comment

Officer's view is that these matters are technical in nature and in overall terms are small matters, not principle issues.

### 7.14 Natural England:

Have no objections to the application in relation to species protected by law subject to conditions relating to bats, grass snakes and birds.

In relation to bats, 6 suitable bat roosts should be provided and a mitigation plan securing the mitigations measures set out in the Environmental Statement (ES). A method statement to mitigate any adverse impacts should also be provided and should seek to enhance the area adjacent to the Mill Stream.

In relation to birds, a condition is requested to prevent site clearance operations during the bird nesting season.

There are no causes for concern in relation to the impact on the landscape.

Support the proposals for more access to the Mill Stream, but this should not conflict with ecological objectives.

Due to the importance of the Mill Stream from an ecological perspective, consideration should be given to the production of a Mill Stream Corridor Mitigation Plan which would fulfil the mitigation of bats and reptiles whilst providing a multifunctional green space.

#### **7.15 Northamptonshire Police:**

No objection in principle to the outline application. More detailed information will need to be provided in relation to crime prevention as detailed proposals come forward. Natural surveillance and legibility have been taken into account in the outline application.

Moat Lane is an area that suffers from anti social behaviour, including damage and under age drinking. It is hoped that increased use of this area will lessen this problem.

Parking provision should be constructed and managed to qualify for the 'Park Mark' award to ensure that crime and safety are considered.

Concerns over the re-location of the Council offices which will result in heavy use and traffic during office hours but will drain away during evenings and weekends leaving the area deserted.

The design of the performance area and lighting scheme will require careful consideration.

#### **7.16 Ramblers Association Towcester Area:**

There are no existing public rights of way within the site and the Ramblers have no objections to the application.

The development should be a great opportunity to enhance pedestrian access into and throughout the area this does not seem to be the case. Concerned over conflicts between pedestrians and vehicles on Moat Lane, which could be used as a 'rat run' as Watling Street becomes more congested.

The 'pedestrian only' route shown along the south side of the Mill Stream will be compromised by service vehicles.

It is hoped that the development might be taken as an opportunity to enhance the Mill race and other recreational facilities.

#### **7.17 RSPB:**

No Comments received.

#### **7.18 South Northants Leisure Trust:**

Generally support the scheme. Concerns over the density of the development and how this will impact upon the use of the watermeadows.

Would support the provision of a 200 seat performance auditorium which is badly needed in Towcester. SNLP would be interested in managing this facility.

Adequate provision should be made for cycle parking to encourage cycling and reduce demand for car parking.

There should be a visitors centre providing information on the Bury Mount and the watermeadows.

Adequate signage needed to advertise the scheme.

If the hotel includes a gym facility it should be in keeping with the sport and leisure strategy for the area.

#### **7.19 Towcester & District Local History Society:**

The site contains archaeological deposits from the Roman period to the modern period. The potential to uncover further sites of archaeological significance is high.

Development will affect the historical fabric of the town through demolition and alteration. This includes an 18<sup>th</sup> century wool warehouse and an air raid shelter from WWII. PPS5 requires that suitable building recording takes place. The County archaeologist should be contacted in relation to planning conditions.

#### **7.20 Wildlife Trust for Northamptonshire:**

Find the broad scope and content of the environmental statement to be acceptable and satisfactory. Agree with the ecologists recommendations and mitigation measures.

There is further opportunity as part of the regeneration scheme to deliver a very significant benefit to biodiversity. As such the recommended mitigation, compensation and enhancement measures should be secured by condition, plus further enhancements to ensure that biodiversity benefits are above the level of being slightly beneficial.

An Ecological Management Plan will be required to ensure that the mitigation measures are provided and to ensure monitoring takes place. A Construction Environment Management Plan should also be provided.

Would like to see more consideration of how the site can contribute to green infrastructure, specifically the linking of existing/or potential wildlife habitats within the site and connections out of the site to create more sustainable ecosystems.

#### **7.21 Ancient Monuments Society:**

Note that the environmental assessment says that the proposals would have a moderately adverse impact on cultural heritage. PPS5 states that damage to heritage assets should only be accepted if there is some public benefit.

Steps should be taken to minimise any adverse effects on the heritage assets.

#### **7.22 Northamptonshire Enterprise Limited:**

No Comments received.

#### **7.23 Northants Bat Group**

Bat licences will be required before any works start on buildings that had bat roosts.

If the works are not imminent than a new bat survey should be undertaken.

Suggest that woodcrete style boxes are provided.

Concerns expressed over trees that have previously been felled on the site.

## **8. Notifications and Responses**

- 8.1 Eight site notices were displayed within the vicinity of the site, a press notice was published and neighbour notification letters were sent out to approximately 300 residents of surrounding properties and local businesses.
- 8.2 In addition to the extensive public consultation which took place during the development of the masterplan over 2007 to 2010, a public exhibition was held on the 23<sup>rd</sup> and 24<sup>th</sup> July 2010 at the Towcester Mill where the scheme was displayed and where members of the project team were available to discuss the proposals with members of the public.
- 8.3 Over 60 letters/comments have been received in relation to this current planning application. A significant number of these comments have pledged their general support to the scheme, but expressed concern over the proposed relocation of South Northamptonshire District Council into the site. The main reasons cited for this objection relate to the potential cost implications of the move, a lack of transparency in decision making, the suitability of the current offices at Springfields and the ease of access to these offices.
- 8.4 In addition to the principle of the SNC relocation, a number of comments are made in relation to the potential impacts of SNC operating from the site, which would result in increased congestion on the public highway, parking problems and a detrimental impact on local air quality. The original office development envisaged small business occupancy.
- 8.5 Further, in relation to the proposed office building itself, there are a number of objections relating to the scale of this building, which is considered to represent an overdevelopment of the site and detract from and overshadow Bury Mount. Similar concerns have also been expressed over the scale of the civic building, although this building has generated less opposition than the office building.
- 8.6 Similarly, concerns have been expressed over the proposed decked car park, which is considered to be out of scale with the town.
- 8.7 Concerns have been expressed over the loss of views of Bury Mount (from Northampton Road), St. Lawrence Church and the watermeadows. Similarly concerns have been expressed over the setting of the mount when viewed from the water meadows. Bury Mount will disappear behind the proposed buildings.
- 8.8 A number of comments have been received in relation to the height of the proposed building located on the corner of Watling Street and Northampton Road. This building is considered to be too tall and overpowering and will create a 'canyon effect' which will have a negative impact on air quality and overshadow the Saracens Head.
- 8.9 General concerns that the scheme represents an overdevelopment of the site which will detract from its historic setting.

8.10 The above comments represent the most common concerns expressed by residents during consultation. Other comments received are summarised below:

#### 8.11 Highway Concerns

- The Transport Assessment is inaccurate and does not take into account the end user.
- The development will result in increased congestion at the A5/Northampton Road junction. Watling Street already backs up with traffic to the north and south, this will only be made worse.
- Moat Lane will be used as a 'rat run' to avoid the traffic lights. Park Lane is currently used as a 'rat run', this will become worse and should be made access only.
- Concerns over congestion and obstruction within Moat Lane. There will be conflict between pedestrians and vehicles. Moat Lane will not be sufficient for HGV's to access and serve premises. Residents and businesses need vehicular access to Moat Lane which provides casual parking. Access from the Post Office Yard will require vehicles to reverse onto Moat Lane.
- Traffic Regulation Orders should be used to prevent car parking from the traffic lights to the bridge.
- Adequate provision should be made for cycle parking.

#### 8.12 Commercial Concerns

- There will be conflict between the existing Plough Public House and the future occupiers of residential properties on Moat Lane. It is not a suitable place for housing. Restrictions on deliveries will impact upon the business.
- It will become very difficult to service the premises from Moat Lane.
- The hotel will impact upon the business of local pubs.

#### 8.13 General Design Comments

- The proposals are not in character with the listed buildings on the site.
- The office buildings will create a dark, soulless environment outside of working hours – crime concerns.
- Moat Lane will be too congested resulting in conflict – too much activity will detract from the historic heart of Towcester.
- Would be happy to see a mixture of architectural design and hope that the buildings are not too conventional. Hope that a performance area is created between Bury Mount and the Civic Building.

#### 8.14 Other Comments

- Need more restaurants in Towcester to make it more vibrant, not just café's.
- Proposals will bring increased footfall within the town centre. Office workers will boost trade for town centre businesses.
- Concerns over the viability over the boutique hotel element.
- Concerns about late night noise from the hotel.
- Unhappy about the library relocation, this should be located more centrally within the town.
- The community venue at the Civic Building should provide a 250 seat auditorium.
- There should be a Visitor Centre within the Civic Building providing information on Bury Mount and the Water Meadows.
- The original brief envisaged small business occupancy. The proposed offices are in prime locations and should be used to attract new businesses into Towcester.
- There is no reference to the Towcester Masterplan. The scheme seeks to provide all of the development required for Towcester into one site.
- There should be suitable recording of archaeological remains and important historic buildings which will be lost (e.g. the air raid shelter from World War 2).

## 9. Site History

9.1 Having regard to the amount of individual premises located within the application site, the planning history of the site is too extensive to list in any detail. The most recent decisions, which are most relevant to the determination of this current planning application are set out below:

- Planning permission was granted for the change of use of the first and second floors from office to residential at 138 Watling Street East, (S/2005/0083/P)
- Planning permission was granted for the change of use from a light industrial to a general industrial use at 18 Moat Lane Towcester (S/2005/1109/P)
- Planning permission was granted for the change of use of the first and second floors from one dwellings into two flats at 94 Watling Street, (S/2006/0325/P)
- Planning permission was granted for the change of use from B1/B8 (industrial) to A2 (financial and professional services)at the Old Post Office Yard, (S/2008/0750/P)
- Planning permission was granted for the change of Bury Mount to public open space and works to restore the mount, (S/2008/1331/P)
- Planning permission was granted for an extension to the masonic meeting hall, (S/2009/0694/FUL)

- Planning permission has been granted for use of the water meadow to the north of the site to be used as public open space and the installation of a footpath bridge.(S/2009/0694/FUL)

## 10. Considerations

10.1 The following considerations are relevant to the determination of this application:

- Principle of the Development
- The Acceptability of the Proposed Uses
- Design, Layout and Scale of the Proposed Development
- Impact of the Development on Heritage Assets
- Landscaping, Ecology and Impact on Protected Species
- Flood Risk, Drainage & Contamination
- Impact on Residential Amenity
- Highway Considerations
- Sustainability and Climate Change
- Infrastructure Requirements/Section 106.

### Principle of the development

- 10.2 Given recent Government advice regarding the abolition of Regional Spatial Strategies, the weight given to RSS8 (and the Milton Keynes and South Midlands Sub-Regional Strategy) is considered to be minimal. Therefore, the consideration of this application in terms of planning policy should give due regard to the content of national planning policy, in the form of relevant PPS's and PPG's, adopted supplementary guidance and local planning policy in terms of the saved policies of the development plan. Policies TH2, TE2, TEV1, TTI, TT2, TR2, TRC2 and TRC4 of the Local Plan relate specifically to the development of the Moat Lane site and remain saved policies. In relation to recent statements from the SoS, the local planning policy context is therefore still the relevant saved policies of the South Northamptonshire Local Plan. Therefore, the statement of the SoS is not considered to materially alter the context for determining the application.
- 10.3 The principle of redeveloping the Moat Lane area is established in the SNLP adopted in 1997. Policies TH2, TE2, TEV1, TTI, TT2, TR2, TRC2 and TRC4 relate to areas within and immediately adjacent to the application site and support the regeneration of the area to provide a small scale office use, improvements to the setting of the Bury Mount, the extension of Moat Lane to Northampton Road, car parking, small scale retail uses, a riverside walk along the south of the Mill Stream, public access to Bury Mount and community uses. These policies were saved by the Secretary of State in 2007. Consequently the principle of redeveloping the Moat Lane area has long been established. The proposed uses within this current outline application are in broad accordance with those policies.
- 10.4 In October 2007, SNC adopted a Planning Brief for the Moat Lane area and went through an extensive consultation process, which was fully supported by many parties. This was adopted as supplementary planning guidance and should be given significant weight as a material consideration in the determination of this current planning application. The brief builds upon and updates the policies set out in the local plan establishing design principles for the redevelopment of the area for a mixture of uses, based upon a context appraisal of the existing area. The brief suggests the following uses for the site:

- The provision of civic and community facilities,
- The development of shops, offices and some limited housing,
- The preservation and enhancement of Bury Mount, including the provision of an educational interpretation board for the Scheduled Ancient Monument,
- The development of public areas, including a riverside walk, public open space around Bury Mount and a public square for community use,
- The development of tourist, leisure and cultural facilities in the area south of Bury Mount,
- Provide access to the open parkland to the east of the Moat Lane area, enhance the area and provide a pedestrian link to Towcester Racecourse,
- The parkland is currently in private ownership but its use as public open space in the future will be explored, and
- To seek environmental improvements to existing properties including those backing onto Moat Lane,

The Moat Lane Planning Brief identified the following **opportunities** for the site:

- The area represents an opportunity to integrate past and present components of the town centre and to provide for the interpretation of the local historic environment for the benefit of local residents and visitors,
- The site provides a unique opportunity to develop a mixed-use development focussed on community, civic and tourist use in the heart of an expanding town,
- The site represents an opportunity to develop a prestigious development of a high quality design reflecting the historical and architectural character of Towcester town centre,
- The proximity of the site to the existing town centre and attractive landscape edge bounded by the River Tove provides an opportunity to develop enhanced pedestrian links between the new development, the rest of the town centre and the open space to the east,
- There is an opportunity to take advantage of, and to enhance the open views across the adjoining Easton Neston Park,
- Regeneration could provide the opportunity to provide a landscaped pedestrian link between the town and racecourse,
- Potential exists to improve the setting, maintenance and public access to Bury Mount Motte, and
- Now that Northampton Road is no longer a trunk road, there is an excellent opportunity to redesign it as a pleasant town street, with wider pavements, possible avenue trees and on-street car parking.

- 10.5 It is clearly evident that the current application in relation to the broad mix of uses and the design principles, represents a continuation of the design process and principles established in the planning brief. Pages 16 and 51 of that brief are attached as an appendix to this report. These illustrations demonstrate the clear similarities between the current scheme and that envisaged in the planning brief, providing new development in a perimeter block layout fronting onto Northampton Road, the continuation of the Watling Street frontage out to Northampton Road and the extension of Moat Lane to Northampton Road.
- 10.6 Having regard to the development plan and the adopted planning brief, it is considered that the current outline application has a sound policy basis. Clearly some concerns have been expressed locally in relation to the intensity of some of the proposed uses and the scale of the development and these matters are assessed elsewhere in this report. In general terms however, the principle of the proposed development is established in the development plan and accordingly the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the application is supported provided that there are no other material considerations that outweigh the policy reasons for approving the application. As such the key matters for consideration in the determination of this application are whether the aims and objectives of the planning brief are met through the proposed masterplan without significantly detracting from the matters as set out in paragraph 10.1 above.
- 10.7 In addition to the development plan and planning brief, it is relevant to have regard to the statutory function of the WNDC when determining this application. As an Urban Development Corporation, WNDC has a statutory “objective” to deliver the regeneration of the area. The redevelopment of the Moat Lane area forms a key element to WNDC’s core business and is integral to the WNDC Corporate Plan (2008-2011) and the WNDC Business Plan (2010/11). Consequently, WNDC is committed to working with its public and private sector partners to bring forward the regeneration of these key sites.

### **The Acceptability of the Proposed Uses**

- 10.8 The proposed uses shown within the application site are assessed below, against the Moat Lane Planning Brief, the Development Plan and other planning policies.
- 10.9 Proposed Retail Uses
- 10.10 The planning application seeks consent for up to 1,300 square metres of retail uses. Within the context of this application ‘retail’ uses refer to use classes A1 (Retail), A3 (Restaurants and Café’s) and A4 (Drinking Establishments) and the applicant is seeking to retain some flexibility in how these retail uses are provided.
- 10.11 The proposed retail uses would fall within the category of ‘main town centre uses’ as defined within PPS4. As the application site is shown within the town centre boundary in the local plan, the principle of providing these uses is acceptable. As such it is not subject to a Retail Impact Assessment or Sequential Assessment.
- 10.12 The South Northamptonshire Retail Study (2010) identifies a need within Towcester of a net increase in comparison goods floorspace of between 823 and 2,589 square metres. The proposed figure of 1,300 square metres within this application can therefore be easily accommodated within these parameters. It should be noted that a significant proportion of

the retail uses, will include food and drink uses, which would not fall into the comparison goods category.

- 10.13 Generally, throughout the masterplan, small retail units are identified around and overlooking key pedestrian routes and nodes of activity. This includes along the lanes which extend through the site, joining Moat Lane to Watling Street. Currently both Bakers Lane and Whittons Lane provide a relatively unattractive environment, which is imposing for pedestrians, particularly at night. By providing active uses within these areas, creating activity and natural surveillance, the vitality and viability of the wider area will be significantly enhanced.
- 10.14 It is essential that the correct balance of uses is sought within the 'lanes' and around the 'squares' where the lanes interface with Moat Lane, Bury Mount and the Civic Building. The size of the units are likely to attract smaller, independent retailers, which will complement the existing retail offer of the town and build upon the towns tradition of local, high quality and specialist retailers. It is important that these uses are located around the central square and along the lanes to encourage footfall through the site. However, the location of cafés, restaurants and drinking establishments around these key nodes of activity will encourage activity and congregation, supporting both the daytime and evening economies, as well as making the area more vibrant and safer. The aim of encouraging a mixture of uses, will be significantly aided by the provision of residential accommodation on the upper floors of retail buildings, as well as the civic and office uses.
- 10.15 It should also be noted that the western end of Watling Street is currently lacking in a high quality retail offer and houses a number of takeaway/food, office and financial services. The provision of high quality retail uses in the units located on the junction of Watling Street and Northampton Road and at the entrance to Whittons Lane, should be encouraged to increase footfall to this part of Watling Street and to ensure that the Moat Lane area becomes better integrated within the existing town centre.
- 10.15 Whilst the precise use of each building and the retail mix will be determined at reserved matters stage, for the purposes of ensuring the vitality and viability of the area it is considered necessary to impose a condition on the outline consent, restricting the overall percentage of A1, A3 and A4 uses. Each of these uses are considered necessary to ensure the correct retail mix and balance of uses is provided across the site and to prevent the over proliferation of any one type of use which could significantly detract from the scheme.
- 10.16 Proposed Residential Uses
- 10.17 The principle of locating residential accommodation within town centres is encouraged in planning policy and is consistent with Policy H3 of the SNLP.
- 10.18 The application seeks consent for up to 41 residential units, which will be a mixture of new build and conversion from predominantly existing commercial uses. The location and size of these units is shown indicatively on the masterplan. The application proposes a mixture of two and three storey housing, together with flatted accommodation located on the upper floors of retail uses. Residential accommodation is provided throughout the application site, keeping with the theme of seeking a mixture of uses to create a vibrant and safe area at all times of the day. The location of flats and town houses around the main square will provide natural surveillance over this area and overcome the Police's concerns over a lack of activity in the area due to the presence of office uses. The provision of town houses fronting onto

Northampton Road will provide much needed surveillance and activity over this area and adds to the regeneration benefits of the scheme.

### Affordable Housing

- 10.19 Both PPS3 and Policy H7 of the SNLP require that affordable housing is provided to meet local identified needs. The Strategic Housing Market Assessment for West Northamptonshire demonstrates that a high level of affordable housing is required, with a need for over 100 new affordable homes in South Northamptonshire every year until 2026. Further, the Council's waiting list for affordable housing shows a total of 530 people waiting for accommodation, with 229 people specifying Towcester as their preferred settlement to live in. The type of accommodation required is for flats and two bedroom properties. Consequently there is a clear, identified need for affordable housing in Towcester.
- 10.20 The Council's Affordable Housing SPG requires that on schemes of 15 units or more, 40% of those units should be affordable and that 75% of the affordable units are for social rent and 25% intermediate. Under Policy H7 a reduction in the amount of affordable housing can be justified if this element compromises the viability of the scheme. This requirement will be secured through the Section 106 agreement, including provisions for viability testing and a cascade arrangement to allow the percentage and mix of affordable units to be reduced on a viability testing basis. SNC have requested that further consultation with their Strategic Housing Team is carried out during the development of the Section 106 agreement and officers will ensure that this is done. The precise percentage of affordable housing will need to be balanced against a background of viability and the need to achieve the wider benefits of regeneration.
- 10.21 Proposed Office Uses
- 10.22 Consent is sought for up to 2400 square metres of office accommodation. The masterplan indicates that this will be provided in two buildings, located either side of Northampton Road. The larger of these two buildings, will be located on the south eastern side of Northampton Road adjacent to the proposed Civic Building. It is this building that SNC have expressed an intention of occupying and which has generated opposition by both residents and the Town Council.
- 10.23 The Planning Brief envisaged smaller 'incubator' office accommodation which was less extensive than the office uses currently proposed. However the brief did not provide floorspace figures and the illustrations within the brief show comparable massing to that illustrated in this current application
- 10.24 However, the applicant has not directly specified an end user in this application and seeks some flexibility in the final use, should SNC decide not to relocate to this site. It should be noted that the granting of outline consent for this development would permit the building to be used by SNC as their office, by another office user, or be subdivided into smaller 'incubator' units. All of these end uses would fall within a B1 (Office) use. Notwithstanding this, as the Council have expressed an interest in relocating to the site, it is necessary to assess the application on this basis, which has both advantages and disadvantages for the scheme. As such the applicant has been asked during pre application discussions to ensure that the technical documents take all of the possible scenarios into account, particularly in terms of transport and ecology, to set the upper limits for the development which are tested in the Environmental Statement and Transport Assessment.

- 10.25 PPS4 defines offices as a 'main town centre use', consequently as the site is identified within the local plan as being within the town centre, the principle of office development is acceptable in this location and also established through the Planning Brief, which indicatively shows office accommodation in this precise location. Further, it should be noted that PPS4 now places a sequential test on office accommodation (as with retail, leisure and housing developments), which requires town centre sites to be developed for office accommodation, in preference to edge of town and out of town sites. As such it should be noted that if SNC should wish to relocate to a new site, the preferred location would be a town centre location.
- 10.26 It should also be noted that paragraph 10 of PPS4 sets out that to achieve sustainable economic growth, the planning system should promote the vitality and viability of town centres as important places for communities, by conserving heritage assets to provide a sense of place and focus for the community and civic activity. This is central to the ethos of the Moat Lane regeneration scheme of creating a 'civic hub' within Moat Lane, locating public services in close proximity to each other within the historic core of the town to enhance place identity and civic pride. If SNC were to relocate into this site, this would be of further benefit, as well as significantly increasing footfall and activity, in the area through staff, visitors and tourists, aiding to the vitality and viability of the town centre.
- 10.27 It is noted that there are local concerns in relation to the quantum of office accommodation proposed and the subsequent impact that this would have on transport, air quality and car parking, particularly having regard to the increased activity that would be caused by the District Council occupying this building. These matters are assessed in the highways section of this report.
- 10.28 Further and critically, in relation to office development it should be noted that the amount of B1 (Office) accommodation that is being proposed (up to 2,400 square metres) will only see a net increase in office accommodation of 205 square metres. This is because the existing Mill and Mill Complex has consent for B1 purposes in relation to its use by Northamptonshire County Council. This application seeks to change the use of these buildings to a hotel, thereby relinquishing the B1 use. As such, a very similar level of office accommodation already exists in the site and could be reoccupied and use more intensively than is currently the case. This fall back position is an important material consideration in the determination of the amount of office accommodation proposed and should be given significant weight by members. Further, the provision of office accommodation within this area has significant regeneration benefits for the town.
- 10.29 Conversely, it is possible that the conversion of the Mill complex to a hotel may not happen for some time and could potentially be one of the later phases of this scheme. There is therefore a possibility that the hotel element of this application might not be implemented for some time and could legitimately be reoccupied as an office, which could have a much more intensive impact on the highway network. As such it is considered necessary through the development phasing arrangements of this application that the B1 use of these buildings is relinquished prior to the occupation of the larger of the two office buildings. This will be secured through the Section 106 Agreement.
- 10.30 To summarise matters in relation to the proposed office development, the principle of office development is acceptable in relation to PPS4 and the Moat Lane Planning Brief. Whilst the Planning Brief envisaged smaller 'incubator' units, no floorspace figure for the amount of office accommodation was provided. Further, the principle of office development in a town centre has strong support through PPS4, which also places emphasis

on the role of a town centre as a focus for civic activity. Consequently the development of offices and specifically Council offices should be encouraged in the town centre. Notwithstanding the increase in office accommodation as envisaged in the Planning Brief, having regard to the existing Mill Complex, the net increase in office accommodation is minimal. Whilst there are employment benefits of creating new jobs in the town centre, there is no guarantee that this would be delivered on a speculative scheme.

10.31 Civic Building

10.32 The proposed civic building is located adjacent to Bury Mount and fronting onto the main public square and the water meadows. The provision of community uses represents a key component of the regeneration scheme and is consistent with the Planning Brief and local plan policies.

10.33 As this is an outline application, the mix of uses within the building has not yet been fully determined. However the building may include the following uses, following further discussions with the relevant public authorities and community groups:

- A new library, replacing the existing facility on Richmond Road;
- Studio space for dramatic performance;
- Gallery space for visual arts and displays;
- Café;
- Public information point and toilet facilities;
- SNC information office;
- Public sector 'one stop shop';
- Community Offices.
- Provision of outdoor performance space.

10.34 It is considered that these uses are appropriate within the site and will create activity and footfall within the area, whilst satisfying the Planning Brief aims of creating a multi use community building in a highly accessible location. The aim of providing these types of community facilities and providing them in close proximity to Bury Mount is well supported by PPS4 as set out in paragraph 10.26 above, which encourages civic activity in town centres and the role that this can play in providing cultural and heritage opportunities.

10.35 Proposed Hotel

10.36 It is proposed to convert the Towcester Mill and its ancillary buildings into a new hotel. The aim is to provide a high quality boutique hotel which could generate 20-30 bedrooms, together with other facilities such as a spa, restaurant, gym etc.

10.37 The use of these buildings is supported by the Planning Brief which recognises the potential for the redevelopment of the Mill for tourist and leisure uses, which would benefit from its

setting adjacent to Bury Mount, Easton Neston Park and the Mill Stream. This type of facility would encourage tourism and income into the town and be well served to attract visitors to the Racecourse and Silverstone.

10.38 The indicative masterplan shows an extension to the Mill and the provision of additional buildings and extensions to serve the hotel. These buildings will help to enhance the setting of the Mount by shielding views over the parking areas, but also creating a more enclosed group of buildings, necessary to ensure privacy for the intended use.

10.39 The precise use of the buildings and the details of the conversion and the design of the buildings, will be determined at reserved matters stage and through accompanying applications for listed building consent.

#### 10.40 Other Commercial Uses

10.41 It is proposed to convert the retained workshop building which serves the Wayside Garage fronting onto Northampton Road to a commercial premises. Due to the space located outside the frontage, the applicant has identified that there is an opportunity to develop a production business with an ancillary sales area. The provision of a micro brewery has been suggested and would build upon Towcester's historical tradition of brewing which ceased in 1901 when the Towcester Brewery burnt down. It is understood that there is strong commercial interest in this use. However consent is sought for B1/B2 purposes and this is considered acceptable, having regard to the existing commercial use, although in the event that the premises was used for B2 (General Industrial) purposes, care would need to be taken to ensure a satisfactory relationship with proposed residential uses. This can be secured by condition.

#### 10.42 Car Parking

10.43 Car parking is shown indicated in several locations within the application site, including underground parking below the larger office building, the creation of off street parking areas within Moat Lane and a 4,000 square metre decked car park located to the north west of Northampton Road.

10.44 The principle of providing a car park along Northampton Road to serve the development is established in the local plan, although a different location to the north of the Mill Stream is proposed. The current application proposes a more acceptable site, more conveniently located to serve the Moat Lane/Northampton Road area and is currently used as a public car park. This car park is currently under utilised, but is not particularly well integrated into the town centre.

10.45 As the area is already used for car parking, the increase in parking provision is dependant on a satisfactory visual relationship with the locality, a satisfactory impact on nearby residential occupiers on Watling Street and the impact on highway safety. These matters are assessed elsewhere in this report.

### **Design, Layout and Scale of the Proposed Development**

10.46 It should be noted by members that the layout, scale and appearance of the site are matters reserved for later approval. The masterplan accompanying the application is indicative, as are the 3 dimensional images submitted within the Design and Access Statement. The

precise heights, visual appearance and detailed design of the buildings cannot be determined until the reserved matters stage and this will require some very detailed assessment work having regard to the tight urban grain of the area, the relatively high density of the town centre and the precise impacts on heritage assets. This type of detailed assessment work cannot be carried out as part of a masterplanning exercise.

- 10.47 For the purposes of this application, it is necessary to assess the general principles and approach taken in designing the masterplan and whether the quantum of development applied for in this case can be accommodated having regard to matters such as transport impact, environmental constraints and the impact on heritage assets.
- 10.48 As such, whilst the application seeks consent for specific amounts of floorspace for each land use, these have been expressed as upper limits and it is completely plausible that these figures could be unattainable at reserved matters stage, if the layout, scale or appearance was considered to be unacceptable in relation to the site context.
- 10.49 A plan is submitted with the application detailing indicative building heights. The plan shows the development of predominantly 2 and 3 storey properties, with the use of 4 storey buildings to create landmark buildings in key locations. This is considered to be acceptable in relation to the context of the surrounding area. Concern has been expressed over the height of 3 buildings in particular – the proposed office building, the building located on the corner of Northampton Road and Watling Street and the decked car park.
- 10.50 Currently the Northampton Road frontage of the site is relatively characterless and is dominated by its former status as a trunk road. This frontage would benefit significantly from an increase in scale and the provision of 3 storey town houses and the office building will help to achieve this. These town houses will be relatively narrow and therefore reflective of the frontage to the burghage plots on Watling Street.
- 10.51 The existing Wayside Garage building is currently located on the junction of Northampton Road and Watling Street and provides a relatively negative contribution to the street scene and the conservation area. The redevelopment of the building represents an opportunity to better define this prominent junction, creating a gateway into the town centre, as well as presenting an active building frontage to both streets. This building will need very careful consideration at the detailed design stage and if a 4 storey building is to be provided, it should not exceed the ridge and eaves height of the adjacent 3 storey building at 138 Watling Street. In relation to the impact on the Saracens Head located opposite, the scale between the opposing buildings would be significant, but would not detract from the setting of this building and the approach is justified in this particular location.
- 10.52 In relation to the decked car park, whilst this type of building has no historical precedent, it is located in the least sensitive location within the application site and if carefully designed can have an acceptable impact on the street scene and residential amenity. Critical to the design of this building, an indicative illustration of which is shown below, is the presence of a three storey office building at the front and a substantial belt of mature trees adjacent to the Mill Stream. As such the car park, being set back from Northampton Road and its appearance softened by landscaping, will not intrude significantly into the street scene. It is considered by officers that any significant development of the Moat Lane area will require additional car parking, as whilst this is a town centre site, the town serves a largely rural community who are reliant on the private car to an extent. As such a reasonable approach to meeting this demand for parking is in the provision of a sensitively designed multi storey facility, rather

than the further proliferation of on street parking in the more sensitive locations within the site.



Illustration of Decked Car Park

### Density of Development

10.53 Concerns have been expressed by local residents and the Town Council over the general intensity of the development in relation to the historical core of the town centre. The Design and Access Statement sets out that the density of development equates to 5,500 square metres per hectare, this is an accepted method of calculating density for mixed use areas. In comparison many modern towns have a density of 4,000 squares metres per hectare, whereas high density, historical town centres can equate to a density of 14,000 m<sup>2</sup>/ha. Officers consider that the general scale and density of the development proposed is appropriate for a market town, having regard to the need to make efficient use of the site, respect its heritage and landscape setting, but also to mark the entrance into the town centre using landmark buildings. The precise scale of these buildings will need very careful consideration at reserved matters stage, however the principle of the approach taken and the commitment to high quality design and use of matters is evident in the application and considered to be acceptable.

### General Design Approach

10.54 The masterplan has been developed following the adoption of the Planning Brief in 2007 and has been subject to significant consultation and engagement with local residents and stakeholders, including English Heritage and the highway authorities. The masterplan was considered by the Design Review Panel for the East Midlands (OPUN) in January 2008, who pledged their support to the objectives and design approach taken and expressed the view that the project could become an exemplar for regeneration projects in market towns in the region.

10.55 A logical approach to the development of the masterplan was used, firstly identifying the existing movement patterns through the area and considering the existing urban form, characterised by the long narrow burghage plots. The layout has been developed around the existing urban structure, with activity being focused around the key pedestrian routes

into and around the site, fronting onto Moat Lane, Whittons Lane, Bakers Lane, as well as Northampton Road and Watling Street. The next stage was to link the surrounding landscape and green infrastructure network into the site. The juxtaposition of the movement routes, with the green infrastructure network and environmental and heritage constraints, created the urban blocks, with the gaps in the built form filled in, creating a strong frontage onto Moat Lane, but maintaining the historical rhythm and character of the burghage plots. Finally uses are defined and public spaces are created at the junction of the movement routes and to benefit from key vistas. An example of this approach is the creation of the main public square around the intersection of Whittons Lane and Moat Lane, which will be enclosed by a mixture of uses and civic activity to create a focal point within the site.

- 10.56 The approach taken in developing the masterplan, clearly builds upon the work carried out in the planning brief, to create a layout that gives clear consideration of the development constraints and opportunities and that will provide a clear community focus and enhance existing heritage assets.
- 10.57 Officers worked extensively with the applicant and their development team at pre application stage on the design of the scheme. The Building for Life (BFL) tool developed by CABE was used as a means of assessing the design quality of the scheme at the masterplan design stage. BFL is recognised as an effective means of assessing the design quality of residential and mixed use schemes and assesses the qualities of the scheme against 20 formal criteria, covering Environment & Community; Character; Streets, Parking & Pedestrianisation; and Design and Construction. At the masterplanning stage where no firm details are available in relation to the Design and Construction category, the scheme was still scored by officers as 13.5 out of a possible 15 points, which demonstrates the high quality of the masterplan and its adherence to fundamental urban design principles.
- 10.58 Officers are satisfied that the level of detail within the design and access statement and the indicative plans, provide sufficient certainty that the scheme will provide a high quality environment based upon sound design principles. Prior to the submission of reserved matters applications, it is recommended that detailed design codes should be drawn up, in line with the West Northamptonshire Manual for Design Codes, in order to ensure consistent and high quality design throughout the scheme as envisaged in the masterplan and design and access statement. The design code will be secured through the Section 106 Agreement and will provide a valuable tool in delivering the scheme through the procurement, detailed design and construction stages of the development.

### **Impact of the Development on Heritage Assets**

- 10.59 The application site contains a number of heritage assets, which contribute to the sites character and landscape value. The site has high cultural value due to these assets, including Bury Mount which is a Scheduled Ancient Monument of national importance. In addition the site contains a number of listed buildings, is located adjacent to Easton Neston Park, a Grade II\* listed historic parkland and includes areas of archaeological interest. The development of the masterplan has involved a number of organisations involved in protecting heritage assets, including English Heritage, NCC's Archaeological Officer, SNC's Conservation Officer and the Towcester & District Historical Society. It should be noted that discussions with English Heritage are ongoing, notwithstanding the fact that the masterplan has remained relatively unchanged since their involvement in the Planning Brief.

- 10.60 The importance of retaining the character, setting and significance of these heritage assets is established in PPS5 and policies EV9-13 and EV28. In addition, WNDC has a statutory duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. As such the impact of the development on these assets are key considerations in the determination of this application.
- 10.61 In relation to Bury Mount, the applicant and its development partners have gone to significant effort to restore this monument and provide access into the adjacent parkland. This was the first phase of the regeneration programme for the site. There are clear views of the Mount from Northampton Road and the watermeadows, which would not have been available prior to the first phase of the programme. The proposed Civic Building in particular will have an impact on the setting of the Mount, however there are already existing buildings (Bucklands Warehouse) and residential properties which are within closer proximity to the Mount than the proposed building. Notwithstanding this, the Civic Building is a relatively large structure and will require very careful design and the highest quality materials to respect the setting of the Mount. This is shown indicatively in the application as a 3 storey building which drops down further in height where it is in close proximity to the Mount. Officers will continue to work with the applicant and English Heritage to ensure that the relationship of this building to the Mount is acceptable. Central to this will be the importance of retaining the panoramic vista of the Mount, St Lawrence's Church Tower and the parkland, which can only be appreciated when stood back from the Mount within the public realm.
- 10.62 Concerns have been expressed by a number of Towcester residents over the loss of views of the Mount from Northampton Road. These views have only been available in recent times as a consequence of the restoration works and removal of landscaping. The proposed regeneration of the area, established in the Development Plan and the Planning Brief has always envisaged the development of this frontage. Further it should be considered that an attractive view of the Mount can now be fully appreciated from the watermeadows which provides a public vantage point which was previously unavailable. Policy H10 of PPS5 sets out that development which makes a positive contribution to better reveal the significance of the asset should be treated favourably. In this case the regeneration project has provided enhancements to Bury Mount, its setting and its visibility from the public realm. In addition, in townscape terms the new public square, as with Bakers Lane currently, will provide casual glimpses of the Mount which will draw people into the public areas surrounding the Mount, where it can be properly appreciated.

### Environmental Statement

- 10.63 The ES carries out detailed assessment work of the heritage assets, landscape and townscape qualities of the site in Chapters 6 and 9.
- 10.64 In relation to townscape and landscape, the ES sets out that the site has a complex mix of edges which creates a strong sense of enclosure to the site. The edge containing the Mill Buildings and St Lawrence Church is important as is the edge to the town formed by the properties on Moat Lane/Watling Street, which presents a combination of various building depths, gable ends and garden walls. In townscape terms the ES considers that overall the regeneration project will improve the landscape character of the site and its immediate surroundings. Further whilst the site is open to rural countryside from the east, the trees along the banks of the Mill Stream and the parkland landscape help mitigate views into the site, protecting the setting of Easton Neston Park to some extent. Finally the ES concludes

that the built elements within the scheme will be in keeping with the overall townscape character of Towcester.

- 10.65 There will be some adverse visual impacts during construction and some during future operation, overall however the impact is beneficial. In terms of mitigation the ES suggests that landscaping is provided to reduce the visual effects of the new buildings, particularly the decked car park. Landscaping is a matter reserved for future determination and detailed landscaping schemes will be required with reserved matters submissions. Further mitigation is recommended in relation to the finishes of proposed buildings, the retention of landscape elements, ecological protection and the retention and refurbishment of existing buildings.
- 10.66 In relation to the impact of the development on the setting of listed buildings and other heritage features, this is assessed in Chapter 6 of the ES. The significance of the impact is considered to be moderately adverse, with a slight adverse impact on the setting of Bury Mount and St Lawrence Church, but slight beneficial impacts on other features, such as Towcester Mill. Whilst there may be some moderate adverse impacts on the setting of individual buildings, overall the townscape incorporating these individual buildings will be enhanced. The ES recognises that the full impact on listed buildings will not be known until detailed listed building applications are made and recommends that building surveys are carried out by a historic building specialist before any construction work. These are matters which will require detailed assessment as part of reserved matters and listed building consent applications. Generally however, officers consider that the impact on the conservation area, townscape and cultural assets of the site and the surrounding area will be significantly enhanced as a result of the development. The setting of the mount will be enhanced and framed by the proposed development and refurbishment, enhancing the appearance of the Moat Lane area from the watermeadows and Easton Neston and providing a more attractive edge to the town.

### Archaeology

- 10.67 The site includes a number of areas of acknowledged archaeological importance. The County Archaeologist, local history society and SNC conservation officer have had extensive discussions over the archaeological potential of the site.
- 10.68 In summary, significant archaeological evaluation has been undertaken by Northamptonshire Archaeology in 2006 and 2010. Archaeological remains have been found in all locations where excavation has taken place. The potential for further archaeological remains to be found is high in relation to Roman and Early Medieval periods, particularly around Bury Mount, the Mill and properties around Watling Street.
- 10.69 The County Archaeological Advisor has suggested that the impact on archaeological deposits will be detrimental, but that this does not represent an overriding constraint on development, provided that adequate provision is made for further investigation and recording. This recommendation is consistent with the mitigation measures set out in the ES and the Archaeological Advisor has suggested a condition to secure this which should be imposed on any outline consent.

### Summary

- 10.70 As required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the impact of the proposed development on the listed buildings and their settings. Any development of significance within a development site

including the heritage constraints evident at Moat Lane will have some negative impacts on heritage assets, in terms of their condition, setting and character. The Environmental Statement makes some suggestions as to how these impacts can be mitigated which can either be secured by condition or through future determination. In some circumstances, such as the impact on townscape and landscape and the retention and refurbishment of listed buildings, the ES considers that the scheme will have some benefits.

- 10.71 Overall, it is considered that the project will significantly enhance the sites heritage assets, making a positive contribution to the character and local distinctiveness of the historic environment, as well as delivering wider social, cultural, economic and environmental benefits to the town. The works carried out to date to renovate the Mount, enhance the Mill Stream and provide access to the watermeadows have significantly improved the existing environment and provided the public with access opportunities to enjoy the area for leisure and amenity purposes. The relationship between civic activity and the historic environment will enhance the areas sense of place, consistent with PPS4 and PPS5.

### **Landscaping, Ecology and Impact on Protected Species**

- 10.72 Policy EV25 of the SNLP states that permission will not be granted for development that would adversely affect the nature conservation, wildlife value and landscape of watercourses.
- 10.73 The application site is rich in terms of biodiversity features, primarily due to the presence of the Mill Stream and the ecosystem that this provides to support a number of protected species. The Environmental Statement (ES) identifies the impact of the proposed development on these species and suggests measures to mitigate these impacts. These recommendations are made within the framework established in PPS9.
- 10.74 The main species affected by the development are bats, grass snakes, birds and to a lesser extent water voles. The ecological surveys carried out in relation to the ES suggest a slight adverse impact on ecology without mitigation, but a neutral or slight beneficial impact following mitigation. The mitigation measures include the creation of additional roosting opportunities for bats; the sensitive use of lighting to reduce the impact on foraging and commuting bats; planting native species to compensate for habitat loss; works to the Mill Stream to improve its benefit to wildlife; the creation of habitats suitable for grass snakes and the provision of bird nesting boxes.
- 10.75 Neither Natural England or the Wildlife Trust have raised objections to the development and have suggested conditions to secure the suggested mitigation measures. In addition both of these organisations have called for more consideration of how the site can link up with other green infrastructure, which could be achieved through further enhancement to the Mill Stream. This can be secured through the submission of an ecological management plan to secure long term benefits to the Mill Stream. This should include the provision of a landscape buffer to the southern bank of the Mill Stream, which could encourage water voles to re-colonise the area, as requested by the Environment Agency.
- 10.76 In relation to landscaping, the impact of the development on landscape character is assessed above. The provision of additional landscaping will be determined at reserved matters stage. In relation to existing 'on site' landscaping features there are two trees within the site which are worthy of retention and covered by preservation orders, a sycamore close to Whittons Lane and a maple in the rear yard of 130 Watling Street. The applicant has expressed their intention to retain both trees and both are shown indicatively on the masterplan. However

until the precise location of the buildings has been determined it is difficult to determine the effect on these trees. Consequently the impact will be determined at reserved matters stage.

## **Flood Risk, Drainage & Contamination**

- 10.77 These matters are considered in detail in Chapters 7, 10 & 11 of the Environmental Statement having regard to the contents of PPS23 and PPS25.

### Flood Risk

- 10.78 In relation to flood risk and drainage the ES concludes that the development could potentially have an adverse impact on several sources of flood risk, this includes fluvial, groundwater, foul and surface water drainage arrangement, sewers and water mains. Mitigation measures are set out in Chapter 11 of the ES for each of the potential sources of flood risk.
- 10.79 These mitigation measures will be secured through the imposition of conditions requested by the Environment Agency who have raised no objections to the development.

### Water Quality

- 10.80 Chapter 10 of the ES concludes that there is the potential for significant adverse impacts on surface water quality during construction works. These impacts can be mitigated by following good practice, which can be secured through the submission of a Construction Environmental Management Plan as set out in paragraph 10.8.2. The CEMP will be secured by means of condition.

### Contamination

- 10.81 The application is submitted with a Phase 1 Geo-Environmental appraisal which identifies areas of contamination within the site. These are located around the existing and former commercial uses including the Mill, Petrol Filling Station and Engineering works. In order to mitigate the potential impacts a further (Phase 2) appraisal is required, together with a CEMP. The situation has been accepted by both the EA and SNC's Environmental Protection Team, who have suggested conditions to secure the necessary remedial works.

## **Impact on Residential Amenity**

- 10.83 The area surrounding the Moat Lane site contains a number of residential properties, primarily on Moat Lane, Chantry Lane and Watling Street. There is potential for the development to adversely impact upon the amenity of the occupiers of these properties, as well as the future occupiers of properties to be constructed as part of this development. These impacts will include noise, primarily from vehicle movements and commercial activity; air quality, due to an increase in vehicle movements; and a potential loss of amenity/privacy due to the siting of the buildings. The impact on air quality is set out in the highways section of this report.

### Noise

- 10.84 Chapter 12 of the ES carries out a detailed noise and vibration assessment of the proposed development. The ES concludes that the proposed development will have a slight to

moderate adverse impact during some periods of the construction programme. During future operations the noise impacts on both new and existing noise sensitive receptors will be negligible. These predicted impacts are based on the introduction of the proposed mitigation measures suggested in the ES and assessed against worse case scenarios.

- 10.85 SNC's Environmental Protection Team (EPT) have commented on the submitted noise assessment and requested the submission of additional information in relation to noise levels from the proposed decked car park and the noise impact from traffic using Northampton Road. This information is needed to determine the impact on properties located on Watling Street, whose rear garden boundaries are located in close proximity to the car park. This information will be required before the application can be determined and will be provided in the updated ES. The EPT have requested a number of conditions to secure the necessary mitigation measures, these include restrictions on hours of operation and deliveries; a scheme for the control of noise, dust and emissions from construction; soundproofing of buildings and treatment of plant and machinery.
- 10.86 Whilst these conditions are necessary, it is not considered that a condition restricting either hours of operation or deliveries can be legitimately imposed until the details of the final use, design of building and relationship to neighbouring properties has been fully determined, which will be at the reserved matters stage.
- 10.87 Provided that the EPT are satisfied with the impacts and mitigation measures following the submission of the additional information, officers consider that the impact on residential amenity in relation to noise is acceptable.

#### General Impact on Amenity

- 10.88 Due to the general density and mix of land uses within the site, there are a number of potentially complex relationships between both existing and proposed buildings. This will require some detailed assessment and very careful and sensitive design when detailed schemes are developed. In particular, care will need to be taken to minimise the visual impact and overlooking from the decked car park and the rear facing habitable room windows and amenity space of properties on Watling Street. In addition the back to back distances and window to window relationships between properties fronting onto Watling Street and Moat Lane (across the burghage plots) and across the yard areas throughout Moat Lane, will require very careful consideration, so as not to detract from residential amenity. Generally these window to window relationships range from 20 to 40 metres, which is considered acceptable in relation to ensuring adequate daylight and privacy. Consequently the principle of these uses in relation to existing properties is acceptable, but will require more detailed analysis at reserved matters stage.

#### **Highway Considerations**

- 10.89 The application proposes within the indicative masterplan that Chantry Lane provides access only through the site, with a new two way access provided on Northampton Road. The Design and Access Statement sets out a number of key design principles in relation to highway design:
- Moat Lane will have a sense of pedestrian priority. Changes in street surface will emphasise the intended user.
  - Traffic speeds will be reduced by calming measures throughout Moat Lane

- Northampton Road will be reduced in width and speed, with a new pedestrian crossing point.
- Parking provided in small areas contained behind building frontages but overlooked.
- Bakers Lane provides access to the main bus stop in the town – environmental improvements will encourage the use of buses to get to Moat Lane.

10.90 The Moat Lane Planning Brief sets out that Chantry Lane be stopped up and the main access for Moat Lane to come off the Northampton Road. The application indicates that traffic will be able to travel from Watling Street down Chantry Lane and through to Northampton Road. The reason for this is to prevent a significantly adverse impact on the historical environment of Chantry Lane and to prevent congestion. No concerns have yet been received from NCC in relation to this matter.

#### Transport Assessment

10.91 The application is submitted with a Transport Assessment (TA), the data from which has been used as the basis for the Air Quality and Traffic and Transportation chapters within the Environmental Statement. The TA assesses the impact of the development on highway capacity and includes two further appended reports – A Parking Review of Towcester Town Centre and a Movement and Public Realm Audit.

10.92 It should be noted by members that despite some positive feedback from both the Highways Agency (HA) and NCC in relation to the general impact of the proposals, the applicants highway consultant is continuing to work with the HA and NCC to alleviate concerns raised in relation to the methodology used in the TA, car parking provision, travel plan, pedestrian and cycle accessibility and public transport. The TA sets out that additional information will be provided in the form of:

- Revised traffic flow diagrams
- Revised junction modelling assessments
- Travel Plan.

10.93 This information will be updated in the form of a revised TA, together with subsequent updating of the Environmental Statement. Officers will continue to work with the applicant and the highway authorities to determine the transport impact of the development.

10.94 The Interim TA submitted with the application sets out that the development is only likely to result in a small proportional increase in peak hour trips. The impact on a number of key junctions within the town centre are assessed, including the Watling Street/Chantry Lane junction, which will benefit due to it being made one way. The impact on the Vernon Road and Watling Street/Northampton Road junctions is likely to be increased congestion, however this is predominantly due to wider traffic increases in the town, with the Moat Lane development making a relatively small contribution. Similarly the impact on the Tove and Abthorpe roundabouts will be further congestion, however the TA sets out that only 1% of the vehicle movements in this location will be attributable to Moat Lane traffic. The Environmental Statement sets out that the development will only result in a minimal increase in traffic.

- 10.95 In relation to sustainable forms of transport, the applicant will be expected to submit a Framework Travel Plan to set the requirements, targets and procedures for detailed site specific travel plans which will come forward at the reserved matters stage. Towcester does have the potential to benefit significantly from more sustainable forms of transport and the Moat Lane development seeks to facilitate this by improving pedestrian and cycle routes through the site and improving linkages to public transport facilities. Further negotiations will take place with the highway authorities to determine whether any direct mitigation works/contributions are required in relation to transport and this can be secured through the Section 106 agreement.

#### Car Parking

- 10.96 The applicant has based the car parking requirements for the development on NCC's adopted parking standards using the indicated maximum floor spaces for each proposed use. This results in a total provision of 268 spaces, of which approximately 130 will be provided in the decked car park.
- 10.97 It is considered that provision towards the maximum standard is appropriate having regard to the fact that the town serves a rural hinterland and is not particularly well served by public transport. Notwithstanding this, it is important that the correct balance is achieved between providing sufficient car parking and encouraging alternative forms of travel. It should also be noted that the Town Centre Car Parking Review, explains that, with the exception of the Watling Street Car Park, all other town centre car parks operate below capacity.
- 10.98 The precise level of car parking will be determined in consultation with the HA and NCC as part of the revised TA.

#### Air Quality

- 10.99 Chapter 5 of the ES includes an assessment of the development on local air quality. The application site is located adjacent to Watling Street which has been identified as an area of poor air quality and is designated as an Air Quality Management Area.
- 10.100 The ES sets out that the impact of the development on air quality will be negligible to slight adverse. EU limit values will be exceeded in one receptor area, which is at the Watling Street Crossroads. To mitigate this impact, the ES suggests a number of mitigation measures which are similar to those which would be used in a travel plan to encourage sustainable travel.
- 10.101 The SNC Environmental Protection Team have advised that the main cause of the air quality issues in the town centre is the stop start nature of the traffic as stationary vehicles create considerably more pollution than moving ones. One method of alleviating this problem is through better control of parking and SNC and the HA are currently developing a joint scheme of works to improve signage and enforcement of parking in the town centre. It is considered appropriate that a financial contribution is made to that scheme to mitigate the impact on air quality. This will be secured through the Section 106 agreement and the precise contribution will be determined with SNC officers.

#### Summary

- 10.102 In relation to highway and transport issues, whilst there are unresolved transport issues, these are largely of a technical nature and the scheme will generally have a minimal impact

on the highway network. The precise levels of car parking and any necessary highway improvements will be determined in further discussions with the highway authorities, following the submission of the revised TA. Car parking levels will be determined on the basis of the agreed figures for trip generation, once these have been agreed with the highway authorities.

### **Sustainability, Climate Change and Waste Management.**

- 10.103 The importance of sustainability has been emphasised by officers throughout the pre application process and it is considered that this is adequately demonstrated in the Design and Access Statement, which demonstrates how sustainability and creating sustainable communities has been a significant consideration throughout the masterplanning process. Further, the core principle of 'retain and refurbish' which is evident throughout the development, represents a sustainable approach to development.
- 10.104 Buildings have been designed to benefit from the sites orientation to the sun using passive solar gain principles and some initial feasibility work has been carried out to determine the potential of generating electricity from renewable sources, which has included a study into whether the Mill wheel can be used for this purpose.
- 10.105 The Design and Access Statement sets out that residential units will be required to meet Level 3 of the Code for Sustainable Homes and Level 4 after 2013. Non residential dwellings will be assessed against the relevant BREEAM rating, although no specific level is proposed. WNDP's Planning Principles document requires a minimum of Very Good level and this can be secured through the Section 106 agreement. However it is considered that the Civic Building in particular represents an opportunity to develop an exemplar sustainable building and a higher level should be attained for this building, provided that it does not detract from the setting of Bury Mount or other heritage assets.
- 10.106 A sustainability strategy will be secured through the Section 106 agreement, which will require consideration of small scale systems, such as rainwater collection, solar panels, high performance glazing etc and other measures to enable a minimum of 10% of energy demands across the site to be provided by renewable sources. It is considered that some flexibility should be retained in relation to this, having regard to the sensitive location of the site and that the detailed design and appearance is not yet known. In this respect retrofitting existing buildings which are being refurbished, to improve their environmental performance, or carbon offsetting could be acceptable alternatives.

### Waste Management

- 10.107 Chapter 14 of the Environmental Statement covers waste management and recommends the development of a site waste management plan to encourage the re-use of excavation and demolition waste and provisions for onsite waste storage and recycling. This will be secured by condition.

### **Infrastructure Requirements/Section 106**

- 10.108 Importantly, with regard to Planning Obligations the CIL regulations set out new rules governing their application. These are set out in Regulation 122, which states:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

10.109 Due to the land assembly costs, generally high development costs having regard to the amount of heritage assets present and the levels of public investment put into the scheme, the project has only limited financial viability. Consequently the approach taken in relation to the Section 106 agreement has been to secure financial contributions only where local service providers directly request contributions to mitigate the direct impacts of the development. As such the standard charge has not been applied in this instance. The viability of the scheme should be considered within the wider benefits of the project which will deliver valuable community infrastructure to accommodate the demands of a growing town, deliver substantial long term regeneration benefits to the town, public realm enhancements, the restoration of Bury Mount and public access to the watermeadows and the enhancement of the townscape due to the high quality design of the scheme. Having regard to these substantial community benefits and the limited viability of the scheme, it is considered that a significantly reduced Section 106 contribution is justified.

10.110 At the current time, financial contributions have been requested in relation to education, the fire and rescue service and to mitigate the impact of the development on local air quality. It is considered that these requests are relevant and reasonably related to the development. Officers will continue to work with the applicant and service providers to determine the precise level of these contributions.

10.111 In addition, the Section 106 agreement will secure affordable housing based on the policy requirement of 40% but using viability testing and a cascade mechanism to provide some flexibility in approach. Officers will continue to liaise with SNC Strategic Housing Team over the approach to affordable housing provision and this will take account of investment in enabling development leading upto and beyond the determination of this application.

10.112 As such the draft heads of terms which would be covered within the Section 106 agreement would include the following items at the time of writing:

#### Financial

- Air Quality Contribution
- Fire & Rescue Service Contribution
- Primary & Secondary Education Contribution
- Affordable Housing Provision
- Section 106 Monitoring Contribution

#### Non Financial

- **Sustainability Strategy** to ensure Code Level 3/4 and the attainment of BREEAM very good level as a minimum for all new non residential buildings. An attainment to achieve 10% of energy needs for the development through use of renewable sources.

- **Travel Plan** provisions requiring the submission of detailed travel plans for each use/occupier, prior to the first occupation of that use, with provisions for monitoring.

- **Development Phasing** to ensure the provision of the decked car park prior to the occupation of the office accommodation and that B1 (office) use at the Towcester Mill ceases prior to the first occupation of the proposed office accommodation.

- **Construction Training Programme** in accordance with the Construction Futures Programme

- **Design Code** to be submitted and approved prior to the submission of reserved matters applications.

10.113 The contributions sought are not considered to be excessive and are of a scale proportionate to the approved development and without the obligations it is considered that the infrastructure required to make this proposal acceptable would not be delivered, making it directly related to the proposed development.

## 11. Conclusion

11.1 The development is in broad conformity with the relevant saved policies with the SNLP which relate to the Moat Lane area and in accordance with the adopted Moat Lane Planning Brief. The development proposes a different type of office accommodation than that envisaged in the Planning Brief. However this element of the proposal is compliant with the general aims and objectives of PPS4 and represents only a small net increase in office accommodation, having regard to the permitted use of the Mill and ancillary buildings for B1 (Office) purposes.

11.2 The proposed development will secure the regeneration of a prominent site within Towcester's historic core. The development will provide much needed retail, employment, leisure and community facilities and significantly enhance the civic and cultural function and identity of the town centre. Public realm, environmental and biodiversity benefits will be delivered and through sensitive and careful design, the development can enhance the sites heritage assets and townscape, without detracting from residential amenity. Any adverse environmental impacts can be mitigated by the measures set out in the Environmental Statement.

11.3 Further negotiation will take place with the highway authorities and SNC's Environmental Protection Team to fully determine the impact of the development on highway safety, sustainable transport, highway capacity and the impact on air quality.

11.4 Officers will continue to work with English Heritage to overcome their concerns, primarily in relation to the impact of the civic building on Bury Mount.

11.5 The development complies with saved policies G3, H3, H7, E4, EV1, EV7, EV9, EV10, EV12, EV13, EV19, EV21, EV24, EV25, EV28, IMP1, TE2, TEV1, TTI, TT2, TR2, TRC2 and TRC4 of the South

Northamptonshire Local Plan (1997), the adopted Moat Lane Planning Brief (2007) and the contents of PPS1, PPS3, PPS4, PPS5, PPS9, PPS10, PPS13, PPS17, PPS23, PPS24 and PPS25.

- 11.6 Further the development will ensure the delivery of regeneration to Towcester which is a statutory objective of the West Northamptonshire Development Corporation and ensure the delivery of a key site identified within the Corporations Business Plan.
- 11.7 The report seeks the authority of the committee to allow the Director of Planning to address these outstanding matters before planning permission can be granted. Should any further significant material planning considerations arise through this process, or through subsequent reconsultation, a further report will be made to the committee.

## 12. Conditions

### Time Limits

(1) Prior to any development commencing approval of the access, appearance, landscaping, layout and scale of the development (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority.

**Reason:** This permission is in outline only granted under Article 3(1) of the Town and Country Planning (General Permitted Procedure) Order 1995.

(2) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990.

(3) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990.

### Parameter Restrictions

(4) The development and all reserved matters applications submitted pursuant to this permission shall not exceed the following parameters:

- a) The maximum floorspace figures for each use as set out in the submitted Development Description document within Volume 1 of the planning application.
- b) Building Height Parameters [Drawing No. 1154\_104, 30/06/10]
- c) The maximum car parking provision as set out in the approved Transport Assessment.

**Reason:** For the avoidance of doubt and to ensure that the development is carried out within the parameters assessed within the Environmental Impact Assessment submitted with the application.

### Use Restrictions

(5) The 'retail' units hereby approved (use classes A1, A3 and A4 as defined within the Town and Country Planning (Use Classes) Order 1987) shall not exceed 1,300 square metres across the site. No more than 50% of this floorspace shall be used for A1 (Retail) purposes, no more than 50% for A3 (Restaurant & Café) purposes and no more than 25% for A4 (Drinking Establishment) purposes.

**Reason:** To ensure an appropriate mix of uses within the area, to ensure the vitality and viability of the town centre in accordance with PPS4 and policy TR2 of the South Northamptonshire Local Plan.

### Contamination

(6) Prior to the commencement of the development a phased risk assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice.

- Each phase shall be submitted in writing and approved by the Local Planning Authority.
- Phase 1 shall incorporate a desk top study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model. If potential contamination is identified in Phase 1 then a Phase 2 investigation shall be undertaken.
- Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals.
- Phase 3 requires that a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use be submitted and approved in writing by the Local Planning Authority. The remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect.
- The development shall not be occupied until any approved remedial works, have been carried out and a full validation report has been submitted and approved to the satisfaction of the Local Planning Authority.

**Reason:** To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of PPS23.

(7) The developer shall draw to the attention of the Local Planning Authority the presence of any unsuspected contamination encountered during the development.

In the event of contamination to land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial work to include methods of

monitoring and certification of such work undertaken has been submitted to and approved in writing by the Local Planning Authority.

None of the development shall be occupied until the approved remedial works, monitoring and certification of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be occupied.

**Reason:** To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the requirements of PPS23.

### **Amenity Protection**

(8) Prior to the commencement of development of each phase of the development, a scheme shall be submitted for the prior approval of the local planning authority for the control of noise, dust and emissions from construction activities and traffic during the development phase of the project. The said scheme shall be implemented in accordance with the approved details.

**Reason:** To ensure that suitable measures are in place to safeguard amenity during the construction of the development in accordance with policy G3 of the South Northamptonshire Local Plan.

(9) No development shall commence on each phase of the development until a scheme for the soundproofing of the buildings within the development phase against airborne and structure borne noise has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of each building within the development phase and shall thereafter be retained as such.

**Reason:** To ensure a satisfactory environment for the future occupiers of buildings in accordance with PPS24 and policy G3 of the South Northamptonshire Local Plan.

(10) No development shall commence until a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

**Reason:** To ensure a satisfactory environment for the future occupiers of buildings in accordance with PPS24 and policy G3 of the South Northamptonshire Local Plan.

### **Flood Risk & Drainage**

(11) No building works which comprise the erection of a building required to be served by water services shall commence until details of a scheme, including phasing and future management and

maintenance arrangements, for the provision of mains foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented prior to the occupation of any buildings within the relevant phase of the development.

**Reason:** To prevent flooding, pollution and detriment to public amenity and biodiversity through provision of suitable water infrastructure in accordance with PPS23, PPS25 and PPS9.

(12) No development shall take place until a scheme for the provision and management of compensatory habitat creation has been submitted to and agreed in writing by the local planning authority and implemented as approved. Thereafter the development shall be implemented in accordance with the approved scheme.

**Reason:** To provide additional habitat for the benefit of biodiversity and ecology in accordance with PPS9.

(13) The development hereby permitted shall not be commenced until such time as a detailed Flood Risk Assessment and surface water drainage strategy has been submitted to, and approved in writing by, the Local Planning Authority.

Particular issues of note to be addressed by the document(s) are:

1. No raising of ground levels in the modelled 100-year fluvial floodplain;
2. Detailed calculations confirming existing surface water runoff calculations;
3. Demonstration that surface water runoff can be successfully managed with a controlled outflow to the watercourse of no greater than 5 litres per second;
4. Demonstration of full consideration of and compliance with the SuDS train hierarchy, particularly infiltration drainage, and investigation in to methods of runoff conveyance and storage alternative to underground pipes and tanks;
5. Surface water flood flow routes and depths across the site for storm events above the design event, or in the event of a drainage system failure;
6. Ensure finished floor levels are set no lower than 600mm above the modelled 100-year fluvial flood return period;
7. Full details of proposed adoption and maintenance of the proposed drainage scheme in its entirety;
8. Ensure every part of the proposed site, including the Mill structure, has safe access and egress during fluvial flood events up to and including the 100-year return period.

The above list is not exhaustive nor exclusive regarding the content of the report(s). The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason:** To ensure that flood risk is not increased at the site, and at sites adjacent to or downstream of the site, from fluvial or surface water sources, as a result of the proposals in accordance with PPS25 and policy G3 of the South Northamptonshire Local Plan.

(14) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall

be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

**Reason:** To protect the water environment from possible contamination in accordance with PPS 23, PPS9 and policy G3 of the South Northamptonshire Local Plan.

(15) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hard standings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

**Reason:** To ensure that flood risk is not increased, to protect the water environment and to ensure the satisfactory drainage of the site in accordance with PPS23, PPS25, PPS9 and policy G3 of the South Northamptonshire Local Plan.

(16) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

**Reason:** To protect the water environment from possible contamination in accordance with PPS23, PPS25, PPS9 and policy G3 of the South Northamptonshire Local Plan.

(17) Foundations using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:** To prevent the pollution of groundwater, groundwater flooding and loss of water storage in accordance with PPS23, PPS25 and policy G3 of the South Northamptonshire Local Plan.

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

**Reason:** To prevent contamination of surface and groundwater and to ensure the satisfactory drainage of the site in accordance with PPS23, PPS25, PPS9 and policy G3 of the South Northamptonshire Local Plan.

### **Ecology**

(19) Prior to the commencement of development a scheme for the provision and management of a buffer zone adjacent to the Mill Stream shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term

**Reason:** To encourage biodiversity and to ensure that suitable habitats for wildlife are retained and enhanced and to ensure the amenity value of the mill stream in accordance with PPS1, PPS9 and policies G3, EV25 and TRC2 of the South Northamptonshire Local Plan.

(20) Prior to the commencement of any development an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme.

**Reason:** To mitigate for disturbance and loss of habitat on the site and in the surrounding area, in accordance with PPS9 and policies G3 and EV25 of the South Northamptonshire Local Plan.

(21) Prior to the commencement of development a working design, method statement and timetable of works to mitigate any adverse effects to bats shall be submitted to and agreed in writing with the Local Planning Authority and shall be carried out as part of the development. The method statement shall include the mitigation measures set out in Section 8.8 of the Environmental Statement and shall include specific details on permanent bat roosting provision in a minimum of 6 suitable buildings on the site.

**Reason:** To mitigate for the disturbance to and to enhance the habitat for bats in accordance with PPS9 and policy G3 of the South Northamptonshire Local Plan.

(22) Before development commences a working design, methods statement and timetable of works to mitigate any adverse effects to grass snake shall be submitted to and agreed in writing with the Local Planning Authority and shall be carried out as part of the development

**Reason:** To mitigate for the disturbance to and to enhance the habitat for grass snakes in accordance with PPS9 and policy G3 of the South Northamptonshire Local Plan.

(23) Site clearance operations that involve the destruction and removal of vegetation on site and/or operations that involve the destruction and removal of buildings (or part of a building) shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Local Planning Authority, once they are satisfied that breeding birds will not be adversely affected.

**Reason:** To prevent habitat damage to breeding birds in accordance with PPS9 and policy G3 of the South Northamptonshire Local Plan.

## Archaeology

(24) No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

**Reason:** In the interests of assessing and recording any buildings of historic or archaeological interest in accordance with PPS5 and policy G3 of the South Northamptonshire Local Plan.





Site Location Plan



Indicative Masterplan