

<p>Report of Director of Planning</p> <p>West Northamptonshire Development Corporation</p>	
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<p>Applicant: Bovis Homes and Barry Howard Homes</p>	<p>Application No: 07/0348/FULWNN</p>
<p>Date Registered: 17.12.2007</p>	<p>Description: Residential development comprising 239no. dwellings</p>
<p>Expiry Date: 17.03.2008</p>	<p>Address: Land off Lancaster Way, Towcester Road, Northampton</p>

**Recommendation:**

It is recommended that the application be **APPROVED** but that the issuing of the planning permission be delegated to the Director of Planning and Development or appointed Officer subject to; revised Wildlife Trust Comments; resolution of detailed Highway matters; submission of a satisfactory FRA and a S106 agreement as referred to in the report and the conditions set out therein for the following reason:

Reason: The proposed development would constitute residential development within a primarily residential area in accordance with policy H6 of the Northampton Local Plan.

**1.0 Description of Site**

- 1.1 The application site is an approximately 5 hectare site situated within existing residential development off of Lancaster Way near Towcester Road to the south west of the Town Centre.
- 1.2 The site is surrounded on all sides by residential development of varying age and architectural style and the site is generally bound by rear garden fences and mature vegetation to rear gardens of those surrounding properties.

- 1.3 The site is undeveloped and has historically been used as allotments and for keeping animals. The site is mostly grassland with large areas of mature trees and other vegetation.
- 1.4 The topography of the site is varied and the site slopes notable from its south side to the north with a change in level of approximately 13m at its most extreme
- 1.5 The site is situated within an area allocated for Primarily Residential Development within the Northampton Local Plan.

## **2.0 Description of Proposal**

- 2.1 The application seeks full planning permission for residential development of 239no. residential dwellings and garages including a new access roundabout and emergency access link. The initial submission sought permission for 241no. residential units but the latest revision to the layout has resulted in the scheme being reduced by 2no. units.
- 2.2 The development proposed would incorporate 1 and 2 Bed apartments and 2, 3 and 4 Bed houses situated around a central green and along lanes and mews branching from it.
- 2.3 The main vehicular access to the site would be from Lancaster Way to the south east of the site where a new roundabout would be constructed to serve the proposed development. A further emergency access link would be created off of Lancaster Way through Hexham Court to provide access for emergency vehicles in the event that the main vehicular access to the site was to be blocked.

## **3.0 Policy Considerations**

- 3.1 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.
- 3.2 National Policy:  
PPS 1 Sustainable Development  
Consultation Document Planning and Climate Change supplement to PPS1  
PPS 3 Housing
- 3.3 Development Plan:  
Northamptonshire County Structure Plan (adopted 1996): Policy GS5  
Northampton Borough Council Local Plan (adopted 1997): Policy H6, H14, H17, T4, L3 and L25

### 3.4 SPGs and SPDs:

Parking SPG

Planning Out Crime SPG

### 3.5 WNDC Draft Planning Principles 2007:

This document sets out WNDC's key action areas as follows;

1. Improving and diversifying the economic base;
2. Transforming town centres;
3. Providing a greater number and range of well designed eco-friendly diverse housing;
4. Establishing a more recognisable sense of place and identity;
5. Improving connectivity;
6. Creating inclusive communities;
7. Developing high skills;
8. Achieving quality in the built and natural environment;
9. Improving management of environmental assets and resources; and
10. Helping rural communities.

### 4.0 Site History

4.1 None relevant.

### 5.0 Consultations

Initial consultations were sent out on 4<sup>th</sup> January 2008. Following initial review of the application and the consultation responses received, revisions to the application were submitted and re-consultations were sent out on 12<sup>th</sup> June 2008.

5.1 NBC Development Control (received 27<sup>th</sup> March) – No Objection in principle subject to the following matters being taken into account; WNDC is requested to carry out further public consultation on the current application with residents; the part of the development near to the main access would result in the loss of an oak tree currently protected by tree preservation order. WNDC should seek to amend the proposed layout to ensure the retention of the tree. A tree schedule and plan should be submitted; WNDC is advised to provide at least 35% affordable homes and to clarify the locations of these homes in order to achieve an even spread of housing types across the development (in line with the requirements of the Housing Strategy Section); Appropriate planning conditions should be placed on any consent regarding assessment and control of noise and vibration from the railway line, control of transport noise and assessment, minimising the impact on air quality, construction impact management plan and land remediation; WNDC is requested to ensure that a minimum of 0.43 hectare of open space is provided on site; WNDC is requested to investigate the possibility of securing, by means of a contribution in the region of £60,000, enhancements to existing open space in the area in order to offset the loss of existing open space as a result of the development; 10% of the units should be constructed to mobility

standards and conditions should also be imposed regarding eco-homes standards, grey water recycling and the provision of recycling and the provision of waste and recycling storage; WNDC is advised to ensure that SUDs should be provided on site; the applicant should be required to contribute towards provision of facilities for young people in the area as well as an Education contribution; WNDC is advised to ensure that safe and convenient footpath and cycle links between the development and the surrounding areas including schools are provided and maintained, WNDC should also consider the provision of an additional vehicular access to the site; WNDC is requested to ensure that the access is for emergency services only and no pedestrian access shall be provided at any time. A robust lockable access gate shall be provided on the site boundary and retained at all times.

- 5.2 NBC Environmental Health (received 14<sup>th</sup> February and 8<sup>th</sup> May) – No Objection in principle. Suggested conditions to control issues around Transportation Noise and Vibration, Air Quality, Contaminated Land, Construction Impact Management Plan and Refuse Storage also set out in the NBC comments above.
- 5.3 NBC Housing Strategy (Planning Policy) (received 14<sup>th</sup> February and 4<sup>th</sup> July) – Support the application subject to the following; 35% affordable housing (AH) requirement; AH should be grouped in clusters of no more than 8-12 units and no AH cluster should have a contiguous boundary with any other such cluster; Transfer of AH units should be to a preferred management partner; All AH units would have to meet Housing Corporation Design and Quality Standards; The AH units within the North West corner of the site should come forward before the last phase of the development; fuller explanation and detailing of AH within the design and access statement.
- 5.4 NCC Planning – No Comments received. (Re-consultation end 26<sup>th</sup> June)
- 5.5 NCC Sustainable Transport (received 1<sup>st</sup> February, 10<sup>th</sup> March and 30<sup>th</sup> June) – No Objection in principle. It is noted that the access proposals from Towcester Road have been previously agreed with the highway authority following lengthy negotiations. The submitted (revised) Transport assessment is considered to be acceptable subject to the provision of the recognised highway infrastructure improvements and financial contributions being secured as follows; the provision of a controlled pedestrian/cycle crossing on Towcester Road; a contribution of £250,000 towards highway capacity improvements; a contribution of £385,000 for the provision of an hourly evening and Sunday bus service along Towcester Road; a Green Travel Plan and a contribution of £5,000 towards NCC monitoring costs to verify the required 20% modal shift.

A condition to secure the required highway alterations has been suggested in addition to the generic highway conditions

In addition a number of detail points have been raised with regards to the layout relating to visibility splays and junction radii.

- 5.6 NCC School Services (received 16<sup>th</sup> January and 24<sup>th</sup> June) – A contribution is sought towards the additional need for secondary and sixth form places equating to £398,101.00
- 5.7 Anglian Water (received 2<sup>nd</sup> June) – No objection has been raised. A Suggested Informative Statements and Conditions Report has been submitted and should be noted by the applicant.
- 5.8 Environment Agency (received 28<sup>th</sup> April, 22<sup>nd</sup> May and 26<sup>th</sup> June) – The EA has no objection relating to foul drainage subject to suggested planning condition. However, an objection is raised with regards to surface water drainage and flood risk. The submitted Flood Risk Assessment (FRA) is not considered to be fully compliant with Annex E of PPS 25 and such further information/revision is required.
- 5.9 Northamptonshire Crime Prevention Design Advisor (received 29<sup>th</sup> January, 7<sup>th</sup> May and 11<sup>th</sup> July) – The CPDA is satisfied a number of her initial concerns have been addressed through the revision of the application. Further comment relating specifically to access and security of rear gardens and parking courts are raised as a continuing concern.
- 5.10 Northamptonshire PCT (received 24<sup>th</sup> January) – A contribution is sought towards the additional need for NHS services equating to £908,570.00
- 5.11 Wildlife Trust (received 1<sup>st</sup> February) – A number of specific observations have been made with regards to ecology and biodiversity on the site including questioning the thoroughness of the appraisals undertaken and lack of reference to approved sources of information such as the Northampton Biodiversity Records Centre and County Recorders. In addition it was considered that insufficient detail had been provided relating to botanical species and content within the development site, the potential to link and buffer local and potential wildlife sites and the potential bat roosting through the submission of a Tree Report and the consideration of the potential to contribute towards Green Infrastructure (GI).

## **6.0 Notifications and Responses**

Initial consultations were sent out on 4<sup>th</sup> January and further consultations (to properties in the wider surrounding area) were sent out on 16<sup>th</sup> January 2008. Following initial review of the application and the consultation responses received, revisions to the application were submitted and re-consultations were sent out on 12<sup>th</sup> June 2008.

- 6.1 79 letters were received following the initial consultation and 20 further letters were received following the re-consultation. The following objections have been made; proposed entry/exit to development, traffic generation and additional pressure on existing infrastructure, location of new roundabout in close proximity to existing, highway safety and potential increase in accidents, location of emergency vehicle access, loss of tree (TPO) and other trees and vegetation, loss of open space, increase in crime and disorder due to proposed pedestrian links, disruption from construction and construction traffic, lack of adequate boundary treatment resulting in exposed rear gardens, impact to structure of existing properties as a result of proposed piling of foundations, high density development not in keeping with surroundings, adverse visual impact of proposed development, inadequate tree survey, gateway development out of keeping with existing, overbearing impact of development, inadequate car parking, potential contamination on site (cadmium), existence of historic wells within the site, loss of privacy, impact on existing local wildlife, loss of open space to proposed roundabout, future use of rear access from Towcester Road, inadequate local services to provide for residents (schools, doctors), increased flood risk, light pollution from proposed rear car parking courts, issue of levels, impact on air quality from increase in slow moving traffic, hazardous road conditions in winter months, land ownership issues, requirement for adequate car parking for residents and visitors, implications for refuse collection when cars parked on street, more accommodation for the elderly should be required in the form of bungalows and not just flats, inadequate consultation with residents.

## **7.0 Considerations**

The key points for consideration are:

Principle of development

Layout and Design

Residential Amenity

Highways, Access and Parking

Landscaping and Trees

Ecology

Drainage and Flood Risk

Sustainability

S106

Other Matters

### **Principle of development**

- 7.1 The application site is within an area identified for Proposed Primarily Residential Development within the Northampton Local Plan.
- 7.2 Policy H6 of the Northampton Local Plan states that within Primarily Residential areas planning permission for residential development will be granted except where the development would; a) be of a scale and

density detrimental to the character of the area; b) not comply with highway design guidance and parking standards; c) be piecemeal in character; and d) result in loss of garaging, parking, social, educational, recreational or other facilities where there is a need in the area, or trees or land of significant amenity value

- 7.3 Policy L25 of the Northampton Local Plan relates to the appropriate alternative use of allotment sites and would not prevent the proposed development of the application site for residential use.

### **Layout and Design**

- 7.4 The site layout has been revised since the original submission of the application to take into account a number of issues raised by planning officers and in response to comments made by consultees, namely NCC Sustainable Transport and NBC (Arboriculture Officer) as well as neighbours.
- 7.5 Through site analysis and contextual appraisal the layout has been designed to take account of existing views from and through the site to existing distinctive landmarks and to Northampton Town Centre.
- 7.6 The layout of the site focuses on a central area of open space which takes advantage of the differing levels within the site to provide an attractive area of public open space (POS) incorporating children's play equipment and the opportunity for the provision of Public Art.
- 7.7 The proposed area of POS has been calculated at 0.34 hectares below the 0.43 which has been required by NBC. However, given the significant contribution requested towards off site POS and the high quality of the POS offer within the site, it is considered that the application is acceptable in this respect.
- 7.8 The development is proposed at 48dph which is considered appropriate within existing residential development on the edge of the town. PPS 3 (Housing) suggests a national minimum density level of 30dph whilst advocating efficient use of land without compromising the quality of the development and surroundings.
- 7.9 A clear hierarchy of streets is proposed throughout the development creating a legible and aesthetically pleasing layout where the character and hierarchy of spaces and the residential dwellings and proposed landscaping within them changes in accordance with differing development principles as set out within the Design and Access statement. The layout and appearance of the development as such takes into account the character of surrounding residential development and the interface with the existing surrounding area.
- 7.10 The detailed design of the residential development within the site generally takes on a more traditional appearance with some

contemporary interpretation of the traditional character and built form characteristic of Northampton. In addition other architectural details have been introduced to contemporary units to differentiate and emphasise key focal buildings within the site creating a distinct character for the site in keeping with the surrounding area.

- 7.11 The clustering of affordable housing in groups of 8 – 12 units in accordance with NBC Housing Strategy comments has also been effectively achieved within the proposal. The location of the affordable housing clusters within the site and the proposed phasing of the development will also ensure that the delivery of affordable housing is brought forward in the early phases of the development.

### **Residential Amenity**

- 7.12 The proposed development would be adjoined on all sides by existing residential development of varying type, style and orientation.
- 7.13 The application has taken into account the potential impact the development may have on adjoining and surrounding residential development by way of overlooking and privacy through the submission of levels detail and cross sections through the site including surrounding development in order to appreciate the relationship and impact to the existing development adjacent to the site.
- 7.14 It is considered that the proposed development would not have any significant impact on the existing residential amenity of surrounding residential properties.
- 7.15 The layout of the proposed development is also considered to provide a satisfactory level of residential amenity for future occupiers of the development.

### **Highways, Access and Parking**

- 7.16 The site would be accessed by way of a proposed roundabout to the south eastern corner off of Lancaster Way. The proposed access has been negotiated and agreed with NCC Sustainable Transport (Highways) officers prior to the application being submitted. The access is therefore considered to be satisfactory to serve the proposed development and allow through traffic along Lancaster Way.
- 7.17 Detailed comments have been received from NCC Highways (adoptions) relating to the layout of the scheme with regards to visibility splays and junction radii. An updated layout plan (TOWH/02/100H) has been produced to take account of these issues a copy of which has been forwarded to NCC for comment (3<sup>rd</sup> July). Comments are still awaited.

- 7.18 A further Emergency Vehicle Access is proposed to be situated off of Hexham Court, a small cul-de-sac to the southern edge of the site also accessed from Lancaster Way. This access is proposed to be utilised by emergency vehicles only should the main access to the site become blocked.
- 7.19 The suitability of the Emergency Access has been raised as an issue by WNDG officers and local residents given its location off of Lancaster Way and the likelihood that this access would also be inaccessible in the event that the roundabout at the entrance to the site were to become blocked.
- 7.20 In addition, residents of Hexham Court and the surrounding Lancaster Way development have raised grave concerns over the proposed opening up of the existing cul-de-sac and the opportunities this may provide for crime and anti-social behaviour from other areas currently inaccessible.
- 7.21 NCC Sustainable Transport officers have confirmed that the emergency access as proposed is acceptable in accordance with requirements for a development of this type and size.
- 7.22 Following further discussion with residents it has been agreed that the proposed Emergency Access from Hexham Court would be designed and constructed so as to be secured by a lockable gate to deter inappropriate use of the thoroughfare.
- 7.23 Car parking within the site is accommodated through a number of solutions including on plot and within rear car parking courts. Additional spaces have been provided within courts or informally on street to cater for visitor car parking.
- 7.24 Car parking is considered to have been provided at an appropriate level. Generally larger units (3 - 4 bed houses) within the scheme have been provided with 2no. car parking spaces and smaller units (1 - 2 bed flats) have been provided with 1no. space. In addition, visitor car parking is situated in on and off street bays in a more informal arrangement. In any case, a condition will be imposed to ensure the retention of garage parking unless otherwise agreed with the Local Planning Authority.
- 7.25 The layout proposed provides the opportunity for walking and cycling though the site to the surrounding area to encourage walking and cycling.
- 7.26 Secure cycle storage will be provided to all flat blocks the majority of which would be brick built storage areas integrated into or adjacent to the flat blocks.

### **Landscaping and Trees**

- 7.27 The application as submitted was not considered to contain sufficient information with regards to tree retention and protection as part of the development and it was also proposed that a significant Oak tree close to the proposed main access road would be removed.
- 7.28 Following action by the NBC Arboricultural Officer, the Oak tree is now subject of a Tree Preservation Order and negotiation with the applicant has led to the amendment of the proposed scheme and the retention of the TPO tree close to the entrance to the site.
- 7.29 In addition, further detailed information relating to the position of existing trees and other arboricultural features including a Tree Schedule and Arboricultural Method Statement have been submitted to the satisfaction of the NBC Arboricultural Officer.
- 7.30 Where possible existing trees on the boundary of the site are proposed to be retained. In addition a further two large trees are proposed to be retained within the site within the POS and to the north western corner of the development. A condition will be imposed to ensure suitable protection to retained trees during and after construction.
- 7.31 The revised layout makes reference to a Landscaped Feature and Entrance Feature at the interface of the site with the existing track access to the north west of the site. The detailed consideration of this interface is considered important in the integration of the development with the surroundings as well as the appropriate treatment of existing access points to avoid issues to mis-use. No detailed information or drawings have been submitted and will therefore be required through condition.

### **Ecology**

- 7.32 Following the thorough response received from The Wildlife Trust, a detailed response has been received from the applicant in order to address the points raised.
- 7.33 The fairly short report submitted appears to address most of the concerns raised by the Wildlife Trust with the lack of any reference to the potential opportunity for any green corridors within the development which may link to existing GI in the surrounding area and the submission of a comprehensive Biodiversity Character Assessment of the site.
- 7.34 The submitted response has been forwarded to The Wildlife Trust and comments are awaited.

### **Drainage and Flood Risk**

- 7.35 Given the allocation of the development for residential development within the Northampton Local Plan there is no objection to the application on infrastructure grounds. However the EA has requested that a condition relating to a scheme of phasing for mains foul and surface water drainage be attached to any permission to prevent flooding and pollution through provision of suitable water infrastructure.
- 7.36 Anglian Water's comments are generally informative in nature relating to application and notice under the Water Industry Act 1991. This is not a planning matter and should be dealt with by the developer as part of the development of the site.
- 7.37 In line with National and Regional policy and guidance Anglian Water has a wish to see measures taken by the developer to ensure buildings are constructed to high water efficiency standards; this will be secured in line with the Code for Sustainable Homes through S106 agreement.
- 7.38 With regards to potential flood risk, the EA has confirmed that the submitted Flood Risk Assessment is not sufficient to address the requirements of PPS25 and the issue of potential flood risk at the site. The applicant is aware of the comments made and a revised FRA is currently being drafted.

### **Sustainability**

- 7.39 A commitment to Sustainable development and the achievement to the delivery of residential units in accordance with the Code for Sustainable Homes (CSH) has been incorporated into the submission of the application.
- 7.40 Sustainability measures as set out within the different levels of the CSH will be secured through S106 agreement. Included within that will be the requirement for the submission of a Sustainability Strategy. The Sustainability Strategy will need to identify the measures to be employed to ensure that all units within the development meet the required standard of Code for Sustainable Homes.
- 7.41 Through negotiation with the applicant the development will be constructed to CSH as follows; Phases 1 and 2 constructed to a minimum of CSH Level 2, Phase 3 constructed to CSH Level 3 with the exception of plots 170 – 179 to be constructed to CSH Level 4 and Phase 4 constructed to CSH Level 3.
- 7.42 It is also expected that the strategy would also include a mechanism to ensure a post construction assessment of the units at the applicant's expense by an assessor of suitable competence and approved by the Local Planning Authority (LPA). The expert report identifying post construction attainment would need to be submitted to the LPA for written approval prior to the first occupation of the building.

- 7.43 In accordance with Planning and Climate Change, Supplement to PPS1, a Sustainability Strategy will also need to consider how the development would support opportunities for de-centralised and renewable or low-carbon energy supplies.

### **S106**

- 7.44 A S106 agreement will be sought in association with the application. Although the Corporation is seeking to move towards a standardised charging system for S106, negotiations have already been underway relating to this scheme since its submission in November 2007. A more site specific S106 is therefore proposed as follows;

Strategic Infrastructure Contribution (to include highway improvements) - £754,500

Affordable housing – to secure 35% affordable housing of an appropriate mix and location to scheme development standards (SDS) or the Housing Corporation equivalent at the time.

Employment - £23,377

Education - £391,010

Health – A negotiated figure of £155,350 has been agreed

Community Development - £597,500

Place making – £47,800

Sustainability – as set out above

Green Travel Plan – incorporating the requirement for 20% modal shift.

Site Ownership - There would also be a requirement that the applicant have complete free-hold ownership of the site prior to the commencement of development to ensure satisfactory development of the site in accordance with the approved plans.

Monitoring costs - £23,075

Other matters -The applicant will also be expected to undertake to cover WNDC's legal fees in the preparation of a S106.

- 7.45 A number of issues have been highlighted through consultation on the application relating to matters such as the impact on local services and community facilities as a result of the development and the loss of open space. These issues will be mitigated through the above S106 contributions required directly as a result of the development.

## **Other Matters**

### **7.46 Public Consultation**

The matter of public consultation has been raised as an issue through consultation. A total of 338 neighbours and other surrounding residents have been informed of the application directly by letter in addition to the press release and site notices posted around the site.

This is considered to be fully in accordance with requirements of the Town and Country Planning (General Development Procedure) Order.

### **7.47 NBC Mobility Standards**

In accordance with the Northampton Local Plan, a condition will be imposed to require 10% of all units to be constructed to Mobility Standards.

### **7.48 Boundary Treatments and External Lighting**

The issue of adequate and secure boundary treatment has been raised by the Police CPDA as well as adjoining residents. Although the proposed layout has been revised and boundary treatments incorporated within that layout it is considered that further consideration with regards to detailed matters relating to individual properties will be required and a condition should be imposed to secure revised boundary treatment detail.

Details of external lighting proposed within the site to include porch lighting and lighting to rear car parking areas will be required to enhance the safety and security of residents of the proposed development and to minimise light pollution to existing adjoining residents.

### **7.49 Disturbance during construction and the impact of piled foundations**

The comments relating to the potential disruption of construction noise and construction on the surrounding area during the construction period is noted. A construction Management Plan has been requested by NBC Environmental Health officers to minimise the impact to neighbouring and surrounding properties. This will be secured by way of condition.

The piling of foundations has been suggested within the application submission as necessary at this site due to issues relating to ground conditions and levels. The impact this method of foundation construction would have on surrounding properties is noted but is not a material planning consideration. Adjacent and adjoining residents are advised that this is a civil matter to be resolved between property owners and the developers of the site.

## 7.50 Contamination

The NBC Environmental Health officer has confirmed that the submitted Contamination Risk Assessment is considered to be satisfactory and suggests a condition be imposed to require the recommendations within the report are carried out.

In addition, a further condition is suggested to require an addendum to the submitted assessment in the event that further contamination (not previously identified) is found during development.

## 7.51 Historic Wells

It has been suggested by a number of local residents that numerous historic wells are located within the site although the technical information submitted with the application does not appear to fully consider them.

It is therefore considered that a condition should be imposed to require a full survey of the site to confirm the existence of any historic wells and their location and how any wells found would be dealt with prior to the development of the site.

## **8.0 Conclusion**

8.1 It is considered that the proposed development of the site for 241 units would be acceptable in accordance with Local Plan policy H6 and L25.

8.2 The proposed development is therefore considered acceptable and approval is thus recommended subject to revised comments from the Wildlife Trust, resolution of the detailed Highway comments, submission of a satisfactory FRA and detailed conditions and a S106 agreement as set out above.

## **9.0 Conditions**

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

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

(2) Where facades or floor levels do not fall into NEC A a noise insulation scheme, which will require the provision of mechanical ventilation, shall be submitted and approved by the Local Planning Authority. The scheme shall be implemented prior the properties being occupied.

Reason: To ensure a satisfactory level of residential amenity.

- (3) Prior to the commencement of development an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To determine whether there is likely to be a significant impact on air quality and to achieve a satisfactory level of air quality.

- (4) Prior to the commencement of the development the recommendations contained in Soiltechnics report reference R-STCC859N-G01-Rev01 shall be implemented. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase)."

Reason: To ensure effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment.

- (5) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment.

- (6) Prior to the commencement of development a Construction Management Plan to manage the impacts of the construction process shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented with appropriate control measures to address noise and dust generation from the development.

Reason: In the interests of health and safety and the quality of the environment generally.

- (7) Prior to the commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the arrangements to be made for the storage of refuse at the site and the location of bin collection points. The approved scheme shall be implemented prior to the occupation of the development and maintained thereafter.

Reason: To ensure the provision of adequate and accessible bin storage.

- (8) No development shall take place until details in respect of highway alterations to Towcester Road and Lancaster Way, including provision of a Toucan crossing on Towcester Road, has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the development unless otherwise agreed with the Local Planning Authority.

Reason: In the interest of highway safety.

- (9) Full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning authority prior to the commencement of construction work on site.

Reason: To ensure a satisfactory standard of development.

- (10) Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The approved cycle storage facility shall be implemented in accordance with the approved details prior to the occupation of the development and maintained thereafter.

Reason: To ensure the provision of secure cycle facilities.

- (11) Details of wheel washing facilities for construction traffic connected with the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and shall be installed on site prior to the commencement of development hereby permitted.

Reason: To safeguard the amenities of the locality and the general safety of highway users.

- (12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garage accommodation shall be used as habitable accommodation without the prior written consent of the Local Planning Authority.

Reason: To ensure the retention of adequate parking facilities.

- (13) Notwithstanding the provisions of section 94, 98 and 106 of the Water Industry Act 1991, no development shall commence until details of a scheme, including phasing, for the provision of mains foul and surface water drainage on and off the site has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be

occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- (14) In this condition “retained tree” means an existing tree, which is to be retained in accordance with the approved plans and particulars. Paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the last occupation of the development.
- (a) No retained tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any approved pruning shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted and that tree shall be of such size and species, and shall be planted in such location at such time, as may be specified in writing by the Local Planning Authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars regarding construction and alignment before any equipment, machinery or materials are brought onto the site for the purposes of the development including demolition and soil stripping, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area no alteration shall be made to existing ground levels, no excavations shall be made, no vehicles shall be driven nor plant sited, no materials shall be stored and no bonfires shall be lit.

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

- (15) Full details of the method of treatment of the external boundaries of the site including the method of treatment and security to the Emergency Vehicle Access together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development.

- (16) Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of

development on site and implemented concurrently with the development and retained thereafter

Reason: To ensure retention of adequate parking facilities.

(17) Full details of the proposed landscape and entrance features at the interface of the site with the existing access points to the northwest and east of the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved details shall be implemented prior to the first occupation of the development and shall be maintained thereafter

(18) A minimum of 10% of the total number of dwellings shall be constructed to the Local Planning Authority's mobility standards in accordance with further details to be submitted to and approved in writing by the Local Planning Authority and implemented concurrently with the development and thereafter retained as such.

Reason: To ensure the provision and retention of dwellings suitable for use by people with disabilities in accordance with local plan policy.

(19) Prior to the commencement of development a full survey and assessment of the site shall be undertaken and details submitted to the Local Planning Authority to ascertain the existence and location of historic wells. If as a result of the survey any wells are found, a further statement shall be submitted for approval by the Local Planning Authority detailing how the wells will be dealt with prior to the commencement of development of the site.

Reason: In order to ensure effective investigation of the site has been undertaken in respect of historic wells.

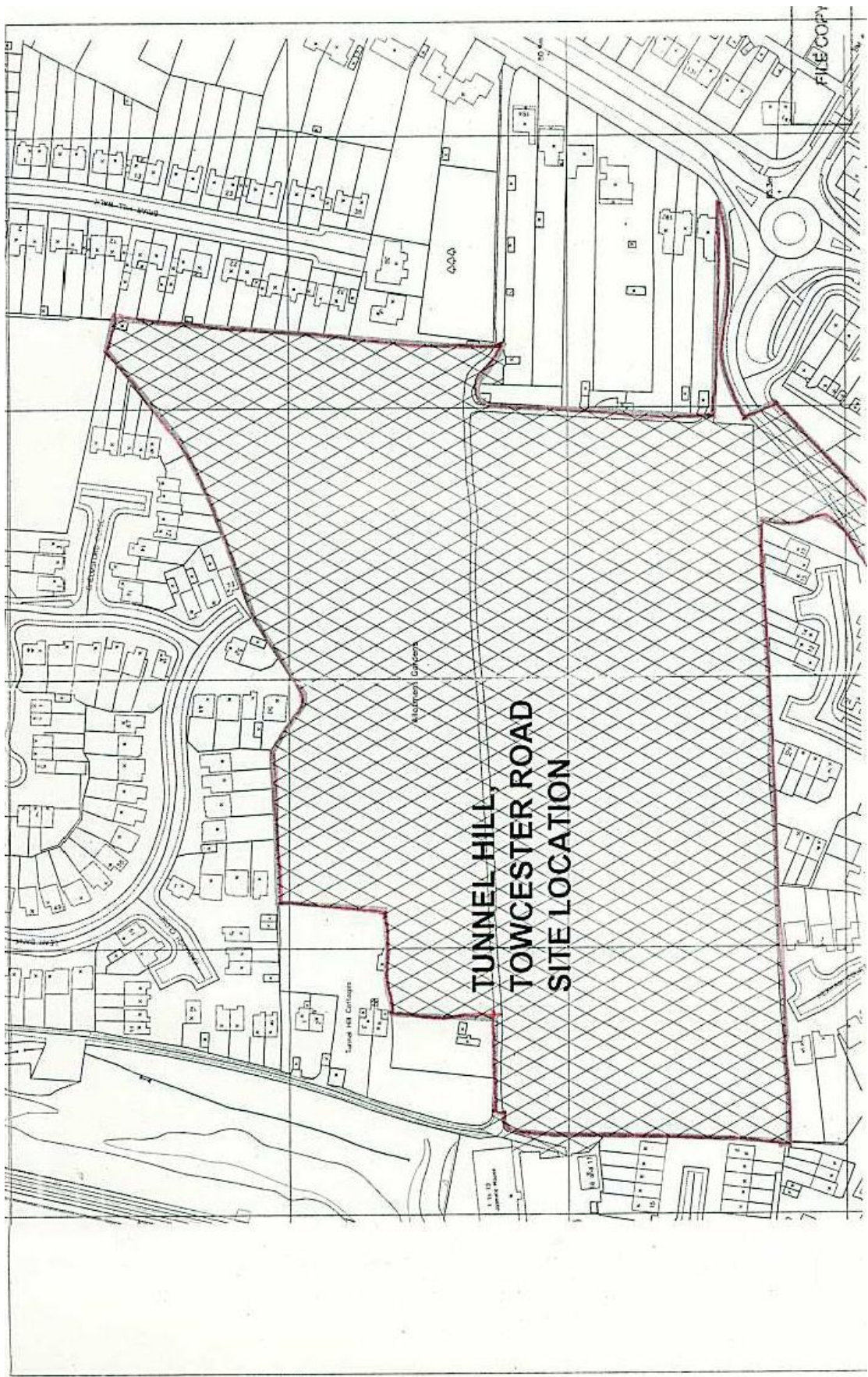
***Note to applicant***

(1) An air quality assessment (condition no.3) must demonstrate how the development would affect pollution concentrations in relation to health based statutory and proposed air quality standards and objectives.

The methodology of the assessment should be agreed with the Local Planning Authority. Any assessment should normally be undertaken using dispersion modelling (although screening models may be acceptable in this case) and should include consideration of the following;

- Assessment of the current air quality situation in the locality;
- An estimation of the emission of local air pollutants from the development;
- Predict statistics relevant to air quality objectives without development in place relative to the year of the opening and air quality objectives – the baseline scenario;

- Predict statistics relevant to the air quality objectives with the development in place in the same years;
  - The cumulative impact of other developments.
- (2) Anglian Water has assets close to or crossing this site or there are assets subject to adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the applicant will need to ask for the assets to be diverted under Section 185 of the Water Industry Act or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- (3) The development can be supplied from the water supply network system that at present has adequate capacity. The developer may submit a formal requisition for a water supply main under Section 41 of the Water Industry Act 1991 or enter into an agreement to lay the water main ready for adoption by Anglian Water under Section 51A of the Act
- (4) The foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. If the developer wishes to connect to the sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.
- (5) The development can be accommodated within the public surface water network system which at present has adequate capacity. The developer should notify Anglian Water of its intention to connect under Section 106 of the Water Industry Act 1991. Attenuation may be required and this could affect the site layout.



FILE COPY

**TUNNEL HILL,  
TOWCESTER ROAD  
SITE LOCATION**

4000

Towcester Drive

Tunnel Hill Cottages