

<p>Report of Director of Planning and Development</p> <p>West Northamptonshire Development Corporation</p>	
--	--

<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 211no. dwellings</p>
<p>Expiry Date: 17.03.2008</p>	<p>Address: Land off Lancaster Way, Towcester Road, Northampton</p>
	<p>Ward: Delapre</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;

1. Withdrawal of the objection from the Environment Agency;
2. Resolution of detailed Highway matters; and
3. 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 an acceptable form of residential development within a primarily residential area in terms of its layout, design and its impact on existing residential properties in accordance with policies H6 and E20 of the Northampton Local Plan and policies GS5, GS6 and T3 of the County Structure 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 211no. residential dwellings and garages including a new access roundabout. The initial submission sought permission for 241no. residential units but revisions to the layout have resulted in the scheme being substantially reduced by 30no. 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.
- 2.4 The application was presented to the Northampton UDA (WNDC) Planning Committee at their meeting on 29th July 2008. The application was deferred at that time to take account of Northampton Borough Council (NBC) comments.
- 2.5 The application has since been amended, by way of revised layout, in light of NBC comments received on 2nd September 2008 to include additional on-site public open space. NBC were formally consulted on the changes on 29th October and revised comments are awaited and further consultation has been undertaken with certain statutory consultees and nearby residents considered to be affected by the development.

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
Planning and Climate Change (supplement to PPS1)
PPS 3 Housing
PPS 9 Biodiversity and Geological Conservation
PPG13 Transport
PPG17 Planning for open space, sport and recreation
PPS22 Renewable Energy
PPS23 Planning and Pollution Control
PPG24 Planning and Noise
PPS25 Development and Flood Risk

3.3 Development Plan:

Northamptonshire County Structure Plan (adopted 1996): Policy GS5, GS6 and T3
Northampton Borough Council Local Plan (adopted 1997): Policy H6, H14, H17, T4, E1, E7, E11, E20, E40, L3 and L25

3.4 SPGs and SPDs:

NCC Parking SPG
NCC 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 4th and 7th 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 12th June 2008. Further re-consultations were sent out on 13th August 2008 and re-consultations on the latest revisions were sent out on 29th October 2008.

5.1 Northampton Borough Council (NBC)

Following the 13th August re-consultation, revised plans were considered at the NBC Planning Committee. Having initially raised no objection to the application on 12th March, strong objections were raised at the Planning Committee Meeting on 27th August on the grounds that the development proposal would provide insufficient open space to meet the 4.11 ha required under the Open Space, Sports and Recreation Needs Assessment and Audit Report (OSSR) (2006).

It was also requested that the following points be taken into account should WNDC be minded to approve the application;

- Provision of 35% Affordable Housing;
- Securing 10% Mobility Housing;
- Eco-Homes Standards including provision of cycle and bin storage;
- Provision of Sustainable Urban Drainage;
- Provision of facilities for young people;
- Securing £60,000 for enhancement to existing open space;
- Securing funding for open space maintenance;
- Imposition of conditions to address Environmental Health issues;
- Provision of footpath and cycle links; and
- Need for an additional access to and from the site.

The application has since been amended, by way of revised layout, in light of NBC comments to include additional on-site public open space. NBC were re-consulted on 29th October 2008. NBC Planning Officers have advised that the revised plans would be considered by the NBC Planning Committee at their meeting on 19th November 2008. The consultation response resulting from that meeting is awaited.

Whilst it is recognised that a full response in respect of the Borough Council's view will be submitted following the 19th November meeting, the following individual departmental responses have been received in advance of the meeting;

5.2 NBC Environmental Health

No Objection has been raised in principle subject to a number of suggested conditions.

5.3 NBC Housing Strategy

Initial comments identified that the numbers being provided for rented and shared ownership were not quite correct. There is an oversupply of shared ownership homes by 3no. and undersupply of rented homes by 3no. In addition, there was not enough tenure boundary between the two clusters of affordable housing to the north west of the site.

The layout was subsequently revised to reduce the number of affordable units at this location by 2no. units and by substituting the market units at plot 33-34 for affordable units within a small cluster (4) on the southern boundary of the site. The Housing Strategy Team has advised that the amended plan is acceptable.

5.4 NBC Planning Policy and Conservation

A total open space requirement of 3.19ha is identified for a development of this size. However, it is stated that the open space standards are not intended to be applied solely to making an on-site contribution. The usual practice is to make a minimum requirement on-site and to request an off-site contribution to enhance existing local space.

The revised open space calculations would therefore present a requirement for 0.68ha of Amenity Green Space (on-site). Whilst the revised planning layout falls short at 0.63ha, it is stated that the shortage of 0.5ha is not a considerable deficit.

An off-site contribution of £60,000 for the enhancement of existing open space provision is therefore sought in addition to a contribution towards management and maintenance of new open space provision including Green Infrastructure (GI).

5.5 Northamptonshire County Council (NCC)

5.6 NCC Sustainable Transport

No Objection. The access proposals from Towcester Road have been previously agreed with the highway authority following lengthy negotiations and the Sustainable Transport Team consider that the current development proposals fully accord with the Council's adoption standards and are therefore acceptable in respect of highway matters.

The submitted (revised) Transport assessment is also considered to be acceptable subject to the provision of the recognised highway infrastructure improvements and financial contributions being secured as follows;

1. The provision of a controlled pedestrian/cycle crossing on Towcester Road;
2. A contribution of £250,000 towards highway capacity improvements;

3. A contribution of £385,000 for the provision of an hourly evening and Sunday bus service along Towcester Road;
4. A Green Travel Plan; and
5. 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 and a condition to ensure the enhancement and completion of an existing footpath/cycleway which was partially constructed as part of the adjacent Barry Howard Homes development which also links the development to Rothersthorpe Road is also suggested.

In considering the suggested requirement for an additional vehicular access to and from the site (through Leah Bank), the Sustainable Transport Team have advised that any such proposal would be resisted on the following grounds;

1. The highway connection would create a rat run between Rothersthorpe Road/Danes Camp Way to Towcester Road for drivers of vehicles trying to avoid the busy Mere Way/Danes Camp Way/Towcester Road roundabout junction;
2. The increase in vehicular movements including the inevitable HGV and speeding problems associated with rat runs; and
3. The concerns raised by Northamptonshire Police in respect of the movement of criminal activity between neighbouring estates.

In addition, detailed points have been raised by NCC Highway Adoptions with regards to the internal road layout relating to visibility splays and junction radii.

5.7 NCC School Services

A contribution is sought towards the additional need for secondary and sixth form places equating to £374,178

5.8 Anglian Water

No objection has been raised. A Suggested Informative Statement and Conditions Report has been submitted and should be noted by the applicant.

5.9 Environment Agency

The EA has no objection relating to foul drainage subject to a 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.

5.10 Northamptonshire Crime Prevention Design Advisor (CPDA)

The CPDA is generally satisfied that a number of her initial concerns have been addressed through the revision of the application. Further

areas of concern relating to access and security of rear gardens and parking courts and internal security to flat blocks have been raised.

In specific response to the revised layout, the CPDA has raised concern that the new enlarged space would provide for the potential for anti-social behaviour and/or an area on which to play football. The CPDA considers that the proposed planting regime proposed would also not deter this sort of activity.

In response to the suggested requirement for an additional vehicular access to and from the site (through Leah Bank), a statistical analysis of offender movement and crimes in the area surrounding the application site have been provided by the CPDA to support the view that any additional access to the site would result in problems for residents in the new development. The CPDA advises that the theory of connectivity and permeability being 'a good thing' needs to take regard of the context in which that permeability is being promoted. In an area surrounded by known residences of criminals this does not seem to be a sensible approach to take.

5.11 Northamptonshire PCT

A contribution is sought towards the additional need for NHS services equating to £795,470.

5.12 Wildlife Trust

Whilst generally welcoming the increase in the overall amount of POS that is to be delivered within the application site, concern was initially raised relating to the delivery of high-quality biodiversity enhancements, both on- and off-site.

However, on further consideration of the application proposal and discussion with the applicant, it is considered that given the setting, content, scope and nature of the development scheme at this location, the delivery of any great quantity of meaningful and sustainable habitat creation and Green Infrastructure (GI) network actually on-site within the development footprint would be difficult. Given these constraints it was agreed that a more acceptable and workable solution would be to consider what potential there was for off-site mitigation measures and the delivery of biodiversity enhancements.

The Ringway Pocket Park, which lies just a short distance to the north and west along the corridor of the railway line from this proposed development site, is considered to be a convenient and suitable site to secure a contribution for its on-going sympathetic conservation management and the creation of some new habitat areas or other appropriate biodiversity enhancement steps.

The Wildlife Trust have concluded that, providing the contribution sought is proportionate and relevant in these circumstances, and that

the proposal has also received the agreement of the NCC Pocket Parks Officer, this intended solution will be an acceptable and satisfactory conclusion to these matters in the view of The Wildlife Trust and that as a consequence they would therefore not have any outstanding issues concerning the application.

6.0 Notifications and Responses

Notifications of the proposed development proposal and subsequent revisions to the scheme were sent out as set out above. The following table sets out the date of consultation and number of responses received.

Date (2008)	Consultation Reason	No. of letters sent	No. of responses received
4 th and 7 th January	Initial Consultation	338	54
12 th June	Revised layout and reduction in units to 240no.	338	21
13 th August	Revised layout and reduction in units to 230no.	338	24
29 th October	Revised layout and reduction in units to 211no.	74	12

- 6.1 Whilst the number of responses received as a result of the numerous notifications sent out equates to a total of 111no. letters or emails, the actual number of people and/or local groups who have responded to the application is 71no.
- 6.2 The following common issues have been raised throughout the consultation process; 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

Whilst the application was considered at the Northampton UDA Planning Committee Meeting on 29th July, given the time which has lapsed and the significant revisions to the scheme since that meeting, the application should be fully considered as set out below, taking into account the previous report and minutes of the 29th July meeting.

The key points for consideration are:

- Principle of development
- Environmental Impact
- 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.

Environmental Impact

- 7.4 Although a formal screening opinion has not been adopted, an assessment of the application against the EIA Regulations has been undertaken. Whilst the proposed development does fall within Schedule 2 Part 10(b) (Infrastructure Projects) of the Regulations it was considered that neither the characteristics of the proposal, the location of the development or the potential impacts were of a nature which would mean that an Environmental Impact Assessment would be required and it would not result in any significant environmental effects.

Layout and Design

- 7.5 The site layout has been significantly 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 including residents.
- 7.6 Through site analysis and contextual appraisal the layout and appearance of the development has been designed to take account of existing views from and through the site to existing distinctive landmarks and to Northampton Town Centre.
- 7.7 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.
- 7.8 Taking into account comments from NBC received on 2nd September, a further area of open space has been incorporated at the entrance of the development to provide a larger provision whilst creating a green gateway to the site which would link with the central area of open space and incorporate the potential for the provision of public art.
- 7.9 The total area of proposed POS within the site has been re-calculated at 0.63ha slightly below the 0.68ha requirement for a development of this size. As set out above, this deficit (0.5ha – about the same size as two centre circles on a football pitch) is not considered to be significant. The off-site requirement for POS would be met through a financial contribution of £60,000 secured by S106 agreement.
- 7.9 The revised planning layout incorporating this further area of open space within the site allows for the expansion of the existing high quality offer of open space at the centre of the site and provides a green link with this space from the surrounding residential development whilst incorporating a level of built form and continuous frontage which is desirable in creating a successful development with opportunities for natural surveillance of those spaces.

- 7.10 Given the high quality of the POS offer within the site and the significant contribution to off-site enhancements and taking into consideration the comments of NBC Planning Policy, it is considered that the application is acceptable in this respect. To require any further POS on-site would be unreasonable and disproportionate to the development of the site.
- 7.11 The development is proposed at 42dph 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.
- 7.12 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.
- 7.13 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.
- 7.14 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 latest revision to the proposed development resulted in an unsatisfactory mix of affordable housing in addition to unsatisfactory clustering to the north west corner of the site in excess of the NBC cluster threshold. This was identified and the layout subsequently revised to reduce the number of affordable units at this location by 2no. units and by substituting the market units at plot 33-34 for affordable units within a small cluster (4) on the southern boundary of the site.
- 7.15 The location of the affordable housing clusters within the site and the proposed phasing of the development will ensure that the delivery of affordable housing is brought forward in the early phases of the development.

Residential Amenity

- 7.16 The proposed development would be adjoined on all sides by existing residential development of varying type, style and orientation.

- 7.17 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.
- 7.18 It is considered that the proposed development would not have any adverse impact on the existing residential amenity of surrounding residential properties.
- 7.19 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

- 7.20 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 considered to be satisfactory to serve the proposed development and allow through traffic along Lancaster Way.
- 7.21 As set out above, the matter of an additional vehicular access to the development through Leah Bank has been dismissed by the NCC Highways officers as unacceptable on highway grounds.
- 7.22 Access can already be gained from the site to Rothersthorpe Road to the north by Rothersthorpe Lane at the north west corner of the site and to Danes Camp Way to the east at the same point through the existing residential development. These routes would remain accessible for pedestrians and cyclists. In addition, it has been suggested by NCC Highways that an existing footpath/cycleway which was partially constructed in association with the adjacent Barry Howard Homes development be completed and enhanced to provide a further link with Rothersthorpe Road to be secured by condition. This additional option is currently being explored with NCC with regards to the exact location of the route and the extent of works required and an agreed position will be updated.
- 7.23 Taking into consideration the existing access opportunities for pedestrians and cyclists to Rothersthorpe Road and given the strong objections of the CPDA regarding any additional access and the statistical information submitted to support that view, a further access is not considered to be justified.
- 7.24 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.

- 7.25 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 secure the retention of garage parking unless otherwise agreed with the Local Planning Authority.
- 7.26 The layout proposed provides the opportunity for walking and cycling though the site to the surrounding area to encourage walking and cycling. 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.
- 7.27 The original application included the provision of an Emergency Vehicle Access Link through to Hexham Court to the south west corner of the site. As a result of consultation and further discussion with NCC Highways as well as the Fire and Rescue Service it was confirmed that the access was not required. The link was removed from the scheme and the layout subsequently altered.
- 7.28 NCC has requested the provision of a pedestrian (Toucan) crossing on Towcester Road to be secured through condition. Whilst the final position of the crossing and highway alterations associated with its provision are subject of the submission of further detail a number of residents on Towcester Road did raise objections to an indicative plan of the crossing submitted by the applicant. Taking into consideration the concerns raised, the NCC Highways officer involved has negotiated a revised potential location for the Toucan crossing to be located further south on Towcester Road creating a more logical and convenient route for pedestrians and cyclists without conflict with existing residential properties.
- 7.29 NCC Highways Adoptions have provided detailed comment in respect of the internal highway layout throughout the application process. These comments are currently being updated in light of the revised plan. Any issues raised may require resolution through revision to the internal road layout in respect of junction radii and visibility splays which are not considered to be fundamental to the layout of the scheme at this stage.

Landscaping and Trees

- 7.30 Following action by the NBC Arboricultural Officer early on in the application process, the large Oak tree at the entrance to the site is now subject of a Tree Preservation Order. Detailed information relating

to the position of existing trees and other arboricultural features including a Tree Schedule and Arboricultural Method Statement have also been submitted to the satisfaction of the NBC Arboricultural Officer.

- 7.31 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.
- 7.32 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.
- 7.33 The comments of the CPDA in terms of the type of landscaping proposed to the areas of Public Open Space are noted. However, these are considered to be areas where the opportunity for recreation should be allowed for. Both areas of POS are considered to be satisfactorily overlooked by surrounding residential properties to deter anti-social behaviour.

Ecology

- 7.34 The comments of The Wildlife Trust in respect of the bio-diversity issues associated with the development set out a positive way forward for the achievement of beneficial off-site enhancements. Unfortunately, having contacted the NCC Pocket Parks Officer it has become apparent that the Ringway Pocket Park identified as a potential site within a short distance from the application site, would soon cease to be a pocket park and as such may not be a suitable site. The Pocket Parks Officer has however confirmed that there are potentially a number of options in the area which are generally promoted by local community groups.
- 7.35 The applicant has confirmed general agreement with the imposition of a further obligation through S106 to secure a financial contribution towards appropriate off-site bio-diversity enhancements and a figure of £2,500 has been agreed in respect of ecological mitigation which is considered in this case to be adequate to provide for a scheme for the creation of new habitat areas or other appropriate off-site bio-diversity enhancements.

Drainage and Flood Risk

- 7.36 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.
- 7.37 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.
- 7.38 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.
- 7.39 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.
- 7.40 The applicant has confirmed that discussion has taken place with the EA and that their consultants are currently amending the FRA in line with the EA requirements. The applicant has advised that this will confirm that surface water will be attenuated up to a 1 in 200 year standard within the site as requested by the EA. Once the revised FRA is received it will be submitted to the EA for further comment.

Sustainability

- 7.41 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.
- 7.42 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.
- 7.43 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 169 – 178 to be constructed to CSH Level 4 and Phase 4 constructed to CSH Level 3.

- 7.44 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.
- 7.45 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

- 7.46 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 based on the revised application and housing numbers is therefore proposed as follows;

Strategic Infrastructure Contribution (to include highway improvements) - £745,500

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 - £20,467

Education - £374,178

Health – £142,516

Community Development - £527,500

Place making – £42,200

Ecological Mitigation - £2,500

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 - £15,825

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

- 7.47 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

- 7.48 Public Consultation

The matter of public consultation has been raised by members of the public. For the purposes of clarification a total of 338 neighbours and other surrounding residents have been informed of the application throughout the application process 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.

- 7.49 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.

- 7.50 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.

- 7.51 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.

7.52 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.

7.53 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 211 units would be acceptable in accordance with Local Plan policies H6 and E20 of the Northampton Local Plan and policies GS5, GS6 and T3 of the County Structure Plan.

8.2 Approval is thus recommended subject to; the resolution of detailed Highway matters; submission of a satisfactory FRA; Resolution of detailed Highway matters; a S106 agreement; and detailed conditions.

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 to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior the properties being occupied.

Reason: To ensure a satisfactory level of residential amenity in conformity with PPG24 Planning and Noise.

- (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 in conformity with PPS23 Planning and Pollution Control.

- (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 in conformity with PPS23 Planning and Pollution Control.

- (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 in conformity with PPS23 Planning and Pollution Control.

- (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 in conformity with PPS23 Planning and Pollution Control and PPG24 Planning and Noise .

- (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 in conformity with saved policy T3 of the Northamptonshire Structure Plan.

- (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 in conformity with saved policy GS5 of the Northamptonshire Structure Plan.

- (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 in accordance with the Northamptonshire County Council Supplementary Planning Guidance - Parking.

- (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 in accordance with the Northamptonshire County Council Supplementary Planning Guidance - Parking.

- (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 in conformity with PPS25 Development and Flood Risk.

- (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 in accordance with saved policy E11 of the Northampton Local Plan.

- (15) Full details of the method of treatment of the external boundaries of the site 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 and in the interest of safety and security in conformity with saved policy GS5 and Northamptonshire County Council Supplementary Planning Guidance – Planning Out Crime.

- (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.

Reason: To secure a satisfactory development.

- (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 saved policy H17 of the Northampton Local Plan.

- (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.

- (20) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following occupation of the development, whichever is the sooner, and which shall be maintained for a period of five years: such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that die, are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To secure a satisfactory development.

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.

