



# Northampton UDA Planning Committee Paper

Report by Director of Planning and Development

Date of Committee Meeting: 5<sup>th</sup> October 2010

Agenda Item: 6

Description: Residential development comprising 206no. dwellings

Address: Land off Lancaster Way, Towcester Road, Northampton

Applicant: Bovis  
Homes/Barry Howard  
Homes

Application No:  
07/0348/FULWNN

Date Registered:  
17.12.2007

Expiry Date:  
17.03.2008

Ward: Delapre

## 1. Recommendation

It is recommended that the application be **APPROVED** subject to the conditions set out at the end of the report with authority delegated to the Director of Planning Services to issue planning permission subject to the resolution of the following matters;

- a. The withdrawal of the Highways Agency holding objection;
- b. A S106 agreement as set out in this report.

### Reason for Approval

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 policy SDA1 of the County Structure Plan.

## 2. Summary

2.1 The application for development at land off Lancaster Way was submitted in December 2007 comprising residential development of 241 no. dwellings. Members may recall that the application was presented to the Northampton UDA (WNDC) Planning Committee at their meeting on 29<sup>th</sup> July 2008 and was

- deferred at that time to take account of Northampton Borough Council (NBC) comments.
- 2.2 The application was subsequently amended, by way of revised layout and a reduction in the number of residential units, in light of NBC comments received on 2<sup>nd</sup> September 2008 to include additional on-site public open space. Re-consultation was undertaken and the application was reported back to Committee on the 25<sup>th</sup> November 2008 with a recommendation to grant planning permission subject to;
- a) The resolution of the Direction by the Highways Agency;
  - b) Resolution of the objection from the Environment Agency;
  - c) Resolution of detailed Highway matters related to adoption; and
  - d) A S106 agreement and the conditions (as set out in the report).
- 2.3 Members may also recall that a significant part of the debate at that time focused around the provision of a secondary access point into the estate from the north. Despite strong objections from the Police Crime Prevention Advisor a number of members were resolved that an access should be provided or the application should be refused.
- 2.4 The committee resolved to accept the officer recommendation with the addition of an obligation to provide such necessary land at the edge of the site to facilitate a connecting pedestrian/cycleway to the adjoining estate.
- 2.5 Since the meeting in November 2008 further correspondence has taken place between the applicant and the appropriate parties to resolve the outstanding objections the majority of which have now been dealt with. However, given the time which has passed since the Committee considered the application it is appropriate that the application be brought back before members for their re-endorsement of the previous Committees position to approve subject to a S106 legal agreement and appropriate conditions.
- 2.6 Of notable change is the reduction in the number of units proposed to 206no. units further to the requirements of the EA to provide storm water storage within the north east corner of the application site.
- 2.7 Re-consultation with neighbour and statutory Consultees was carried out in June 2010 on the basis of the reduced number of units and the changes to the layout which also include a clear access point to the adjacent development should it be required in the future. Responses to this round of consultation are set out in this report. It should be

noted that all matters which were also raised in previous consultation responses have been addressed within previous reports to Committee.

2.8 The previous planning Committee reports and minutes are appended to this report.

### **3. Description of Site**

3.1 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.

3.2 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.

3.3 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.

3.4 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

3.5 The site is situated within an area allocated for Primarily Residential Development within the Northampton Local Plan.

### **4. Description of Proposal**

4.1 The application seeks full planning permission for residential development of 206no. 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 35no. units.

4.2 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.

4.3 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.

### **5. Policy Considerations**

#### **5.1 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.

5.2 National Policy:

PPS 1 Sustainable Development

PPS1 supplement - Planning and Climate Change

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

5.3 Development Plan:

The Northamptonshire Structure Plan (2001) (saved policies);

SDA1 – Strategic Development Areas

The Northampton Borough Local Plan (1997) (saved policies);

H6 - Other housing development: within primarily residential area;

H14 - Residential development, open space and children's play facilities;

H17 - Housing for people with disabilities;

T4 - Impacts of major developments;

E1 - Landscape and open space;

E11 - Hedgerows, trees and woodland;

E20 - New development (design);

E40 - Crime and vandalism;

L3 - Other existing local open space;

L25 - Alternative use of allotment land.

5.4 Supplementary Planning Documents:

Supplementary Planning Guidance – Transport (Feb 1999)

Supplementary Planning Guidance – Planning Out Crime (Feb 2004)

Supplementary Planning Guidance – Parking (March 2003)

Northampton Local Transport Plan

Northamptonshire Place and Movement Guide (2008)

5.5 Other Documents

WNDC Planning Principles (2009)

WNDC Planning Obligation Strategy (2008)

WNDC West Northamptonshire Manual for Design Codes (2009)

WNDC West Northamptonshire Sustainability Manual (2010)

## 6. Representations

### 6.1 Northampton Borough Council (NBC)

None received.

### 6.2 Northamptonshire County Council (NCC)

None received.

### 6.3 Northampton Police Crime Prevention Design Advisor (CPDA)

No Objection. However it is commented that the removal of housing to the north east corner and its replacement with green space reduces the security of existing properties by exposing rear boundaries whilst they are currently exposed to some extent the existing overgrown nature of the site provides some protection. Tree planting proposed on the edge of the open space may provide climbing aids to allow access over fences. It is therefore recommended that all new trees are not positioned adjacent the existing rear fence lines and that prickly planting be provided to provide protection.

### 6.4 Environment Agency (EA)

Subject to validation of the amendments Planning Layout TOWH/02/100R and Engineering Sheet 2 TOWH/02/103G there is no objection. The imposition of a condition to secure a scheme for the provision, implementation, ownership and maintenance of the surface water drainage is required.

### 6.5 Highways Agency (HA)

The HA has now completed its study of the A45/M1 and is developing an Access Management Strategy to enable the site to be accommodated on the SRN. In the case of Lancaster Way it has been identified that the delivery of the site will require improvements to the Queen Eleanor Interchange as part of the Access Management Strategy.

The A45/M1 Access Management Strategy is anticipated to be completed in October/November after which time the HA consider that they may be in a position to direct suitable conditions and lift the holding objection on this application.

The Travel Plan is considered to be acceptable and should be secured through S106.

## 7. Notifications and Responses

7.1 28no. responses have been received raising the following issues in objection to the application;

- Loss of greenspace;
- Increase in traffic, congestion and noise;
- Impact on wildlife;
- Overlooking, loss of light and overbearing impact;
- Impact on wildlife;
- Damage, disturbance and disruption from construction;
- Increase in crime;
- Single point of access to Lancaster Way for emergency services;
- Opening up connections with Briar Hill and Tower Hill and increase in rat runs and crime;
- Flood Risk;
- Presence of wells;
- Ownership issues;
- Existing ground conditions and contamination;
- Loss of trees;
- Lack of services and infrastructure;
- Density of development;
- New development out of keeping with existing;
- Cyclist and Pedestrian safety;
- Overbearing impact from 3 storey houses;
- Potential for access from Rothersthorpe Road/Leah Bank;
- New surveys required;
- Lack of detailed plans;
- No Construction Management Plan;
- Diversion of existing sewer;
- Non-compliance with housing needs survey;
- Issues with detailed house plans;
- Access for bin and cycle storage;

- Overprovision of car parking courts;

## 8. Site History

8.1 None Relevant.

## 9. Considerations

The key matters for consideration are;

- The Principle of Development;
- Environmental Impact Assessment;
- Layout and Design;
- Residential Amenity;
- Highways, Access and Parking;
- Landscaping and Trees;
- Ecology;
- Drainage and Flood Risk;
- Sustainability;
- S106;

### The Principle of Development

- 9.1 The principle of development has already been established as being acceptable at this location within an area identified for proposed primarily residential development in accordance with policies H6 and L25 of the Northampton Local Plan (1997).
- 9.2 At the last Committee the principle of development was generally accepted and the debate evolved around the site specifics and means of access.

### Environmental Impact Assessment (EIA)

- 9.3 It has already been established that the proposed development would fall within Schedule 2 Part 10(b) (Infrastructure Projects) of the EIA Regulations and as such would not require an EIA.

### Layout and Design

- 9.4 Since the submission of the application in 1997 a number of revisions to the layout have taken place to incorporate and resolve comments or issues raised by officers and Consultees including residents. These have included the provision of 0.68ha of open space within the site as required by NBC; the removal of the proposed emergency

vehicle access as requested by residents; and the incorporation of storm water storage at the request of the EA.

- 9.5 As resolved at the previous Planning Committee, the proposed layout of the development was considered to be acceptable (subject to provision for access to Leah Bank). The finalised layout and design of the scheme which has been the result of further consultation with the EA is considered to further improve the layout of the scheme resulting in a reduction in the number of units and greater physical separation to existing residential properties within the northern corner of the site.

### **Residential Amenity**

- 9.6 The layout of the development following the revisions to the northern corner would provide a satisfactory level of residential amenity for existing and future residents. Whilst the previous layout was not considered to have any detrimental impact to neighbouring amenity, the alteration of the layout within the top corner of the site is considered to have a positive impact on those properties backing onto the proposed area of open space providing a greater physical separation to proposed residential units.

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

- 9.7 The matter of an additional access point from the development to Leah Bank and Rothersthorpe Road to the north of the application site has been debated at length. Following the resolution of the Committee at the meeting in November 2008 it was agreed with the applicant that land be made available for the future provision of a footpath/cycle link to the adjoining estate. The safeguarding of this route will be secured through the inclusion of appropriate wording within the S106. The existing access opportunities for pedestrians and cyclists to Rothersthorpe Road have been retained as part of the proposals.
- 9.8 The revisions to the layout still provide adequate and satisfactory car parking whilst some objection has been raised by residents as to the value of parking within courtyards; this is considered to be a satisfactory solution within the development which incorporates a number of solutions including integral and on-plot parking. A condition will be imposed to secure the retention of garage parking unless otherwise agreed in writing by the Local Planning Authority.

- 9.9 Since the Committee meeting in November 2008 the Highways Team at NCC have been re-consulted on a number of revisions to the layout to incorporate their comments which generally related to adoption standards. The Highways officer has confirmed that the revised drawing TOWH/02/100P is acceptable in respect of adoption and no further comments have been made to the further revision TOWH/02/100Q. The latest revisions to the scheme to provide for storm water storage within an area of public open space are not considered to have any impact on the highway layout.

### **Landscaping and Trees**

- 9.10 The comments of the CPDA are noted in respect of the positioning of trees within the proposed public open space. Given the use of the space would incorporate underground pipes for the storage of water it will not be possible to position the trees within the open space further away from rear boundaries. In this case it is therefore considered to be appropriate to remove the trees from the space completely to allay the concerns of the CPDA. A revised scheme of landscaping to this space should be submitted to secure appropriate alternate landscaping within the area.

### **Ecology**

- 9.11 The resolution of any ecological matters has been with within previous reports to Committee. A S106 contribution towards off-site Bio-diversity enhancements has also been established.

### **Drainage and Flood Risk**

- 9.12 Following further consultation with the EA and the submission of a satisfactory Flood Risk Assessment including the provision of storm water storage within the site, the EA has withdrawn its objection to the application subject to a condition. This matter is now considered to have been fully addressed.

### **Sustainability**

- 9.13 The proposed application offers a commitment to the achievement and delivery of residential development in accordance with the Code for Sustainable Homes (CSH) to be secured through S106. Included with a requirement for the submission of a Sustainability Strategy, the requirements of which are set out within the WNDC

Sustainability Manual, the applicant will also be required to achieve a minimum of CSH Level 3 which is the Corporation's minimum standard.

- 9.14 The WNDC Sustainability Manual sets out the clear, and innovative, framework for the implementation and delivery of the zero carbon hierarchy. The Sustainable Benchmarking Matrix set out within the Manual requires development of over 200 units to reach a minimum of Code Level 4.
- 9.15 Whilst the application originally set out a commitment to CSH Level 2 in the first phases of development reaching Levels 3 and 4 in the later phases this is no longer considered to be an acceptable approach given the time which has lapsed since the application was originally considered. It will therefore be necessary to increase the minimum requirements of this site to reach at least CSH Level 3 or equivalent minimum requirement to be secured through S106.

#### **S106**

- 9.16 On the 6<sup>th</sup> April 2010 the Community Infrastructure Levy Regulations 2010 came into force. From this date planning obligations secured need to be in accordance with these new regulations. In particular, regulation 122 states that a planning obligation may only constitute a reason for approval if it is;
- a) Necessary to make the development acceptable in planning terms;
  - b) Directly related to the development; and
  - c) Fairly and reasonably related in scale and kind to the development.

These are the three principal tests set out in Circular 05/05 on Planning Obligations which is the policy used to guide the negotiation of planning obligations.

In addition, under Circular 05/05, a planning obligation must be relevant to planning and reasonable in all other respects. A draft policy which will replace the Circular has recently been issued for consultation. Although of limited weight at present the approach proposed below is consistent with the advice in the emerging policy.

- 9.17 A S106 will be sought in association with the application. Revised figures based on the reduction in housing numbers and up to date multipliers will be updated to the Committee at the 5<sup>th</sup> October meeting. The applicant will be expected to undertake to cover WNDC's legal fees in the preparation of a S106. Although the Corporation has moved towards a standardised charging system for S106, negotiation has already been

underway relating to this scheme since its submission and site specific S106 under the following heads of terms;

- Strategic Infrastructure Contribution (to include highway improvements);
- Affordable Housing at 35% of an appropriate mix and location to Scheme Development Standards (SDS) or Housing Corporation equivalent;
- Employment (Construction Futures Contribution/Strategy);
- Education;
- Health;
- Community Development;
- Place Making;
- Ecological Mitigation;
- Sustainability;
- 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;
- Access arrangements – To ensure that the route to Leah Bank is safeguarded.
- Monitoring Costs.

9.18 Issues continue to be raised 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 reasonable and proportionate application of S106 contributions under the heads of Community Development and Place Making towards the provision of multi-use buildings; off site open space and sports provision; libraries and youth support and public realm; public art and cultural activities required directly as a result of the development.

9.19 It is the view of officers that the obligations set out above comply with the three tests set contained within the Community Infrastructure Levy Regulations 2010. They can therefore properly be taken account as a reason for approval. It should be noted that if the proposed contributions had not been offered then the failure to contribute

appropriately to the infrastructure needs generated by the development would have justified the refusal of planning permission.

## **10. Conclusion**

10.1 It is considered that the proposed development of the site for 206no. units would be acceptable in accordance with Local Plan policies H6 and E20. The issues raised by residents following the consultation in June are noted but are considered to have been addressed within previous Committee reports presented to Committee members. There is not considered to be have been any significant changes which would require further assessment or submissions over and above those required by the HA as set out above.

## **11. Conditions**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule 1 of this permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. 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.

4. 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.

5. 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.

6. 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.

7. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details for the management of waste arising from the construction process, siting and design and drainage arrangements for any temporary construction offices, buildings and storage compounds/areas and measures proposed to mitigate against adverse effects

of noise, dust and vibration during construction and implementation of the proposed development and shall also include;

- a) The proposed hours of operation of construction activities;
- b) The frequency, duration and means of operation involving excavations, drilling, piling and concrete production;
- c) Sound attenuation measures to be incorporated (in relation to construction) to reduce noise at source;
- d) Details of temporary lighting;
- e) Arrangements for site access and vehicle parking;
- f) A Construction Workers Travel Plan;
- g) Details of the management of waste generated by the site clearance and construction process, together with measures taken to minimise its generation;
- h) Details of measures to minimise waste and incorporate facilities for the management of waste in development;
- i) Method statement for the prevention of contamination or soil and groundwater and air pollution and remediation in the event of pollution; and
- j) The protection of ecologically sensitive areas and potential protected species during the construction phases.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that appropriate consideration is given to environmental assets during construction and to ensure compliance with the Northamptonshire Waste Local Plan (March 2006) and Development and Implementation Principles Supplementary Planning Document (March 2007).

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. Full details of all external lighting including specific lighting schemes for shared courtyard parking shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of each such parking area and implemented concurrently with the provision of each parking area and retained thereafter.

Reason: In the interests of providing secure parking to serve the development.

18. Prior to the commencement of construction of each shared courtyard parking area details of a secure gated access to the said area shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to the first use of the parking area.

Reason : In the interests of providing secure parking to serve the development.

19. 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.

20. 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.

21. 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.

22. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

23. 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.

24. Prior to the commencement of development details of the play facilities on the central area of public open space shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the future management thereof. The scheme shall be implemented in full prior the occupation of the 50<sup>th</sup> dwelling hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is served by facilities to meet the play needs of children occupying it.

25. Full details of all roads and drainage including cross-sections, longitudinal sections, highway boundaries and proposed ground and floor levels shall be submitted to and be approved by the Highway Authority prior to the commencement of construction work on site.

Reason: In the interests of highway safety.

26. Development shall not begin until a detailed scheme for the provision, implementation, ownership and maintenance of the surface water drainage for each parcel/plot of developable land specifically identified on Towcester Road Development Phasing Plan (drawing no. TOWH-02-301 Rev E dated 22/08/2007); in accordance with the BWB Lancaster Way Flood Risk Assessment (DA/NTW153/FRA Rev B dated November 2008) has been to and

approved in writing by the Local Planning Authority. The detailed scheme shall be implemented in accordance with the approved details before the development is occupied.

Reason: To prevent the increased risk of flooding and to improve and protect water quality, improve habitat and amenity and ensure future maintenance of these.

### **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.

