



**Applicants:**

The Homes and  
Communities Agency  
and Network Rail.

**Application No:**

06/0016/OUTWNN

**Date Registered:**

06/04/2006

**Grid Ref:**

475998 (E)

259434 (N)

**Ward:**

DELAPRE

# Northampton UDA Planning Committee Paper

Report by Director of Planning and  
Development

Date of Committee Meeting: 14/09/2010

Agenda Item: 6

Description: Residential, Community Facilities and associated development, access improvements and retention of operational railway line (Outline Application)

Address: Ransome Road, Northampton, Northamptonshire.

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**1. Recommendation**

That the application be **APPROVED** for the reasons set out below, with authority being delegated to the Director of Planning Services to grant planning permission subject to:

- confirmation from the Highways Agency that the TR110 Holding Direction is removed.
- confirmation from Environment Agency that any objection on the grounds of flood risk is removed and subject to any reasonable conditions requested by the EA in relation to flood risk, water management and contamination.
- satisfactory resolution of any air quality issues, following receipt of further analysis and further consultation with NBC Environmental Health.
- confirmation from Natural England that they are satisfied with the mitigation strategy put forward in relation to grass snakes.
- Receipt of further bat emergence surveys and confirmation from Natural England that they are satisfied that there would be no impact upon these protected species or that any impacts can be adequately mitigated.

- completion of a s.106 agreement in line with the heads of terms identified in this report or such amendment or additional obligations as the Director of Planning Services may consider appropriate in the circumstances.

- satisfactory resolution of s.106 negotiations to secure primary school provision, subject to any amendments to the masterplan and/or further re-consultation as may be necessary.

- the conditions attached to this report.

1. The proposed development forms part of the wider Northampton Brownfield Initiative aimed at regenerating derelict brownfield sites within Northampton's inner urban area. The proposed scheme will bring forward a sustainable residential community within easy walking distance of Northampton Town Centre and adjacent amenities and will bring substantial regeneration benefits through the remediation of historic areas of landfill and contaminated land. The scheme would contribute towards meeting the housing needs of Northampton, facilitate improved infrastructure and services and enhance the biodiversity value of the area. With the exception of the loss of a small area of recreational land, which will be off-set by improvements elsewhere, the scheme would accord with the policies of the development plan and is considered acceptable.
2. The Local Planning Authority has fully considered the information submitted in the Environmental Statement associated with the proposed development and is satisfied that any impacts arising from the scheme can be adequately mitigated through the use of conditions and obligations implemented through an agreement under s.106 of the Town and Country Planning Act. Consequently, it is considered that there will be no significant adverse environmental impact as a result of the scheme.

## 2. Application History

2.1 The planning application for the redevelopment of Ransome Road was submitted back in 2004, at that time to Northampton Borough Council. Subsequently, on 18th August 2004, the Borough Council's Planning Committee resolved to approve the application subject to referral to the Secretary of State and the completion of a satisfactory section 106 agreement. The Secretary of State confirmed that the application need not be called in for his determination but negotiations on the s.106 agreement were not concluded and thus, planning permission was not issued.

2.2 Subsequently, the authority for determining the application was transferred to the WNDC on 6th April 2006. No alterations were made to the scheme and a report was placed before WNDC's Northampton Area Planning Committee on 1st January 2007. This report is attached at **Appendix A**. Again, members resolved to approve the application subject to the completion of a satisfactory s.106. The relevant committee minute highlighting the resolution is attached at **Appendix B**. Heads of Terms in relation to the s.106 were subsequently drawn

up but no agreement was reached over the content or scope of the agreement, largely due to concerns relating to the financial viability of the site and significant remediation costs.

2.3 In mid 2009, further discussions commenced regarding moving the application forward to determination. The HCA wished to proceed on the basis of the same scheme that had twice been to relevant planning committee and received a resolution to approve. Whilst this was accepted in principle by WNDP officers, certain elements of the documentation submitted with the original application were considered to be outdated for the purposes of determining the application. For example, sections of the Environmental Statement were based upon data which was collected a number of years previously and the transport assessment did not take account of current modelling work and background data. Similarly, the planning statement did not reflect the changes in national and local guidance since the application was previously considered.

2.4 Equally, given the length of time since the previous committee resolution and consultation exercise, it was considered necessary to undertake a new round of consultation/ notification and report the matter back to committee for a further resolution. Consequently, the HCA were advised to undertake a full update of the application, including the background documents.

2.5 The relevant chapters of the Environmental Statement have been updated, as have the Design and Access Statement, the Transport Assessment and Travel Plan. A series of parameters plans were also submitted setting the scope of the development. It is important to note however that the nature of the proposals remain unchanged from the original scheme. In this sense, whilst the background documents have been updated, the scheme before this committee is identical to that which was considered back in January 2007. Significant discussion has also taken place regarding the viability of the site and the considerable infrastructure requirements associated with bringing forward this complex scheme. Further comment on this issue and the recommended approach to section 106 contributions is made within the main body of the report below.

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

3.1 Ransome Road comprises 23 hectares of largely disused land which previously incorporated a mix of industrial uses, a haulage yard, a breakers yard, open storage areas, offices and warehousing, railway sidings and an area of recreational land. Since the application was submitted, originally to Northampton Borough Council, in 2004, the Homes and Communities Agency (formerly English Partnerships) have acquired the majority of the site and cleared most of the previous uses. The old railway sidings have also been removed. The Wreford's Haulage yard is due to be relocated to a new site off Harvey Rees Road late in 2010/ early 2011. There are a number of existing units in the south-west corner of the site that have not been acquired by the HCA, including the Cemex cement works and the former offices buildings associated with the Wreford's Haulage company. It is envisaged by the HCA that these buildings would be purchased by any future developer.

- 3.2 The site is located to the east of London Road and is bound by the former Northampton to Bedford railway line to the north, Delapre Park to the south, Delapre Lake immediately to the south-east, and the residential areas of Ransome Road and Claughton Road to the west. The carriageway of Ransome Road runs along the southern boundary of the site and connects with London Road approximately 400 metres to the west, passing in front of a number of existing residential properties and the Netto supermarket car park. A separate planning application for improvements to the Ransome Road/ London Road junction was approved by WNDP in August 2010. The work on improving this junction is due to commence in early 2011. The first phases of the proposed development would be served entirely from this point of access. However, in order to achieve the full redevelopment of the site, a vehicular link across the safeguarded railway line to Nunn Mills Road, and Bedford Road, is also required.
- 3.3 The area to the north of the railway line comprises land made up of the former Nunn Mills power station and Avon cosmetics factory. The new Avon headquarters, adjacent to Nunn Mills Road, is now completed and occupied.
- 3.4 WNDP is working with landowners to bring forward these brownfield initiative sites in a comprehensive manner and has prepared a Strategic Development Framework to cover the Avon, Nunn Mills and Ransome Road sites. This sets out key design and land use principles to ensure that development across the area is well integrated. Therefore, although the Ransome Road planning application has been updated and is being brought forward in advance of applications to the north of the railway line, there is a strong connection between the sites and consequently a need to ensure that the proposals sit together in the broader sense.
- 3.5 A small area of the site, to the south west, now falls within the Delapre Park Conservation Area. In addition, an area to the east of the site falls within the site of the Battle of Northampton and, as such is designated as part of the historic battlefield. In planning policy terms, this eastern section of the site is identified in the Northampton Local Plan as an “existing leisure and recreation” area, as part of the parkland associated with Delapre Abbey. The remainder of the site is allocated for redevelopment under Policy D17 of the Local Plan.
- 3.6 In terms of wider context, the site is within easy walking distance of the town centre which is located approximately 750m to the north.

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

- 4.1 The proposal is an outline application for the erection of up to 800 residential units, plus a community building and mixed use/ leisure building adjacent to Delapre Lake. The current proposals are identical to the scheme as submitted back in 2004.

- 4.2 The application is accompanied by a series of "parameters plans" which set the broad scope of the proposals. These parameters are set to enable a proper assessment of the impact of the proposals through the Environmental Statement. In all, six parameters plans set the scope of the proposals and these are:

**Land Use Plan.** Identifying the location of key land uses across the site. In land use terms, the scheme is predominantly residential, the form of which is guided largely by underlying ground conditions. A substantial area of the southern part of the site is underlain to a substantial depth by landfill deposits. This area will be capped, essentially with an impermeable clay membrane to prevent any contaminants leaching to the surface. In these circumstances, there is a need to manage any planting or building work that may impact upon the integrity of the membrane. Consequently, it is not suitable to have private dwellings with individual gardens and the solution for this section of the site is for apartment buildings, allowing a greater degree of control over external areas.

Therefore, the majority of the southern section of the site is indicated as 3-4 storey apartment buildings, with 2-3 storey dwellings in the northern section and to the west, adjacent to existing residential properties at Claughton Road.

In addition to residential properties, two areas are reserved for community use and leisure facilities. The community building is located to the west of the site, at the junction between the new community and the existing residential development. A leisure/ restaurant building is located adjacent to the lakeside at Delapre Lake.

The principal area of open space proposed is referred to as the "Central Parkway" and runs on a north-south axis in the centre of the site, connecting Delapre Park (via a new footbridge) with the Avon site to the north. Areas for children's and young people's play areas are also identified within the site.

**Building Footprint and Density Plan.** Setting the scale and density of building plots. The dwellings/ townhouses would be developed at a density range between 30 and 50 dwellings per hectare (dph) and the apartments at a range between 45 and 90 dph.

**Movement Plan.** Identifying the key internal movements routes and connections to other areas. The layout is based upon a series of perimeter blocks with three key movement routes running east-west across the site. Along the southern boundary, the existing Ransome Road would be upgraded to become the primary vehicular access through the development, turning northwards at the eastern end of the site to connect with a road bridge over the safeguarded railway and onto Nunn Mills Road. Through the central spine of the site a home zone, traffic calmed, route is proposed, capable of accommodating all forms of traffic. A further east-west route runs along the northern edge of the site, adjacent to the rail line. A series of residential roads run north-south connecting up the east-west routes to form a grid pattern with residential blocks in-between.

Key pedestrian and cycle links would be created into Delapre Park and across the railway line into the adjacent development at Avon/Nunn Mills.

**Key Dimensions Plan.** Sets the dimensions of roads and building parcels across the site.

**Building Height Parameters.** Identifies the minimum and maximum storey heights for areas across the site. For the townhouses/ dwellings, the range of heights is between 2 and 3 storeys, with a range of between 3 and 4 storeys for the apartment buildings. Leisure uses and community buildings are up to 2 storeys in height.

**Phasing Plan.** A phasing plan has also been submitted identifying in which order the site will be developed. This shows that the first phases would be to the west of the site, closest to London Road, with later phases progressing to the east and the location of the railway crossing. The final phase of development would include the community facilities building.

- 4.3 As referenced above, the access to the site for the initial phases of work would come via an improved London Road/ Ransome Road junction. The details of this junction layout have now been approved (WNDC Planning Ref: 10/0120/REPWNN) and current estimates are that work is due to commence in October 2010. WNDC will fund the majority of the work following a successful Growth Area Fund bid securing £2.3m.
- 4.4 With regard to the vehicular link to Nunn Mills Road, the present scheme includes a bridge over the safeguarded railway. It is a policy of Network Rail that no new level crossing access points will be permitted across operational railway lines. Although the line is not used at present, it is still officially safeguarded for potential future use. Therefore, the proposed scheme includes provision of a bridge crossing.
- 4.5 In the wider context, the development proposals are linked to the Upton flood alleviation scheme that has already been implemented upstream of the development. The works at Upton were funded by the Homes and Communities Agency (formerly English Partnerships) in order to provide greater flood protection for the town and to mitigate the impact of the brownfield initiative schemes, including Ransome Road, in terms of flood storage compensation.

## 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:

The following Planning Policy Statements / Guidance should be taken into consideration in the determination of this application.

PPS1: Delivering Sustainable Development  
PPS1: Delivering Sustainable Development: Planning and Climate Change  
PPS3: Housing  
PPS5: Planning for the Historic Environment  
PPS6: Planning for Town Centres  
PPS9: Biodiversity and Geological Conservation  
PPS10: Planning for Sustainable Waste Management  
PPG13: Transport  
  
PPG17: Planning for Open Space, Sport and Recreation  
PPS23: Planning and Pollution Control  
PPG24: Planning and Noise  
PPS25: Development and Flood Risk  
Circular 06/05: Biodiversity and Geological Conservation

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

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

## 5.3 Development Plan:

NBC Local Plan (1997): Saved Policies:  
E1 - Development affecting character and structure of the landscape  
E2 - Development alongside the River Nene  
E9 - Locally important Landscape Areas  
E12 - Replacement of Trees and Hedgerows  
E14 - Principal Corridors of Travel  
E17 - Nature Conservation Protection  
E18 - Sites of Acknowledged Nature Conservation Value  
E20 - New Development (design of)  
H14 - Amenity Space and Play Facilities  
H32 - Affordable Housing

T4 - Development Requiring Road Improvements  
T14 - Safeguarding Rail Corridors  
L1 – Existing Leisure and Recreation  
L6 - Maintenance of Open Space  
D17 - Southbridge Development Site.

#### 5.4 Other non statutory documents:

WNDC Planning Principles (2009): Set out in this document are WNDC's three corporate objectives: 1. To deliver development and infrastructure that enables regeneration and growth in Northampton, Daventry and Towcester; 2. To ensure that new development is supported by appropriate jobs, infrastructure and town centre regeneration; 3. To ensure that new development meets the Government's design quality and environmental standards and is integrated into existing communities.

WNDC – West Northamptonshire Manual for Design Codes (2009).

WNDC Sustainability Manual (2010)

WNDC Planning Obligations Strategy (POS), which promotes a “Standard Charge” approach to attaining the necessary contributions associated with major new residential development.

## 6. Representations:

6.1 Following the submission of updated documents in relation to planning application, a further round of consultation was undertaken in February 2010. This involved all statutory consultees plus other parties who had commented previously on the application. Summaries of previous consultation responses are included within the appended report which was placed before the WNDC Northampton Area Planning Committee in January 2007. Given that the application is still undetermined it is appropriate to have regard to these consultation responses. However, for the interests of brevity, they are not repeated below. The summary below is in relation to comments received as a result of the latest round of consultation in 2010 (Note: comments represent a summary of consultee responses, outlining the main points, not the full text).

6.2 **NBC Planning:** No comments received at the time of writing.

6.3 **NBC Environmental Health.** Have raised concerns regarding the assessment of air quality impact and the potential for noise disturbance to existing residents as a result of traffic. Concerns were also raised regarding the potential impact on residents of the scheme in the event that the existing employment uses are not relocated.

- 6.4 **NBC Conservation Officer.** Notes that part of the site falls within the Delapre Abbey Conservation Area and within the site of the Battle of Northampton. Battlefield sites have risen in status in the new PPS5 – Planning and the Historic Environment, and now have equal status to other heritage assets. Suggest that the County Archaeologist is consulted.
- 6.5 **Northamptonshire Police:** Understand that the development proposals are only indicative at this stage but raise a number of points:
- would like to ensure that the police are consulted throughout design code process to ensure that comments are fed into the finished development takes account of crime and anti-social behaviour.
  - Pleased to note HCA's policy requires Secured by Design standards. Police need early involvement to ensure that this is attainable
  - Notes the mix of car parking on street, off street and within courtyards. Recommend courtyards of no more than 10 spaces, with appropriate gates.
  - concern regarding the maintenance of open space and to ensure that it doesn't become a problem in future
  - Recommend that footpaths are well integrated into other movement networks and that unnecessary routes are avoided.
  - Request that financial contributions are sought to mitigate the impact of the development on the force.
- 6.6 **Wildlife Trust:** refer to comments made previously in 2004 and 2006 (see appended report). Recommend that Natural England are consulted regarding the protected species surveys.
- 6.7 **Natural England:** Objects on the grounds that inadequate information has been provided in relation to the impact upon bats, grass snakes and great crested newts. Further clarification sought in respect of newts and further surveys in relation to grass snakes requested prior to determination.
- 6.8 **Highways Agency:** Note that the latest transport assessment has addressed all the queries previously raised and are content that the analysis shows that impact upon the strategic road network is minimal. No contribution towards Strategic Road improvements is therefore sought.

Request further information in relation to Travel Plan measures, particularly in relation to the implementation mechanisms for "failsafe measures".

Have issued a TR110 Holding Direction preventing planning permission from being granted until such time that the HA have seen a draft copy of the s.106 agreement, including travel plan targets and measures.

\*Note: Following further detailed meetings with the Highways Agency regarding the Travel Plan arrangements for the site, they have indicated that they will be in a position to remove their Holding Direction prior to the date of the September meeting.

6.9 **NCC Highways:** No objection to the proposal subject to:

- a grampian condition, restricting the number of units that can be served solely from the London Road/ Ransome Road junction to 450
- a construction management plan condition relating to construction practices.
- a s.106 agreement to secure the provision of bus services (Public Transport Service Level Agreement), bus stop infrastructure within the site, and a travel plan with targets to reduce car usage.

6.10 **NCC Education:** State that a primary school is required on site to serve the Ransome Road (and Avon Nunn Mills) developments due to the change in local education circumstances since 2006/7 when the application was last considered.

It is expected that the 4 schools serving the Briar Hill, Delapre and Far Cotton area will be full in reception in September 2010 and in following years. This change is due to increased birth rates in recent years. Previously, it was considered that the pupils generated from the Ransome Road and Nunn Mills sites could be accommodated in local schools. This is no longer the case. Consequently recommend that a school is located on the Ransom Road development (or elsewhere on Avon Nunn Mills) to serve the two estates.

6.11 **NCC Development Management:** Recommend that s.106 agreement secures a financial contribution towards library services and fire and rescue resources. Recommend minimum layout standards to ensure access for fire service vehicles, that the design takes the opportunity to reduce the likelihood of arson and that waste/ recycling facilities (bin stores) are provided within the development, and advise that sprinkler systems are installed within the development.

6.12 **Anglian Water:** No objection. Note that there is insufficient capacity within existing networks to accommodate water supply to the development and that the developer will need to requisition reinforcements to the network. Such reinforcements would take 6-12 months to complete from the point of requisition. State that the foul sewerage network has capacity to accommodate the proposals and that Great Billing WTW has sufficient capacity at present.

6.13 **Environment Agency:** The EA have a number of concerns regarding flood risk, contaminated land and water infrastructure. Additional Information is required in order to assess the impacts of the proposal.

Flood Risk – Note that pre-application discussions took place on the Flood Risk Assessment and are encouraged by the proactive approach of the applicant. However, further work regarding flood breach analysis is required, including water attenuation and safe access and egress. The Level 2 SFRA examines the impact of flood breach and sets the context for this request.

Contaminated Land – The current submission does not add any further information to the 2004 work but the EA understands that Hydrock Consultancy has been commissioned to carry out further investigations. Therefore, the EA requests that this information be submitted for consideration.

Water Infrastructure – The EA are promoting a strategic approach to water infrastructure. Request a copy of Anglian Water comments for consideration.

- 6.14 **Sport England:** Recommend that local sports facilities are provided to meet the needs of the new population. Recommend s.106 contributions towards the provision of indoor sports facilities based upon an assessment of local needs.
- 6.15 **Network Rail:** Note that the development of land to the south of the railway line will need to comply within the sales Transfer, particularly regarding the bridge over the railway. Approval of the Asset Protection Team will be required for this aspect.

## 7. Notifications and Responses

- 7.1 Ten site notices were erected within the vicinity of the site, a press notice was published and neighbour notification letters were sent out to residents of surrounding properties and to all addresses from which previous correspondence had been received. Summaries of responses to previous rounds of correspondence are contained within the January 2007 Committee Report.
- 7.2 In response to the latest round of consultation three further letters have been received from residents of properties on Cloughton Road and Southfield Avenue. The comments are summarised as follows:
- Concern that the area of land surrounding 19 Cloughton Road is undefined on the plans, making this area a potential security/ privacy concern.
  - concern that the grassed area surrounding Cloughton Road would be used as a dog toilet
  - concern that traffic on Southfield Road will increase due to badly designed traffic lights at the junction of St. Leonards Road and Ransome Road. Traffic, particularly vans already use Southfield Road to avoid this junction. Very concerned that Southfield Road will not be able to accommodate the increase in traffic.

## 8. Site History

8.1 The site has a long planning history associated with the previous industrial uses. None of these applications are directly related to the current scheme. Two applications have been submitted in relation to the London Road/ Ransome Road junction improvements. Application ref: N/2005/0574 was approved by NBC in June 2005 and WNDC has recently approved an application granting an extension of time for the implementation of this consent, ref: 10/0089/REPWNN.

## 9. Considerations

9.1 The principal issues for consideration when determining this application have not changed significantly since the scheme was last brought to committee in January 2007. Therefore, in the interests of consistency, this assessment will follow the same broad headings, as set out below:

- Principle of Development/ Planning Policy considerations
- Urban design, layout and visual impact
- Access and transport
- Impact upon residential amenity
- Open space, leisure and recreation
- Biodiversity
- Cultural/ heritage impact
- Contamination and geo-technical issues
- Flooding and water resources
- Sustainability
- Education provision
- Crime and Disorder
- Community facilities
- Waste Management
- Comments in relation to the Environmental Impact Assessment
- Discussion regarding S.106 Heads of Terms
- Conclusions.

### Principle

9.2 Given recent Government advice regarding the abolition of Regional Spatial Strategies, the weight given to RSS8 (and the Milton Keynes and South Midlands Sub-Regional Strategy) is considered to be minimal. Therefore, the consideration of this application in terms of planning policy should give due regard to the content of national planning policy, in the form of relevant PPS's and PPG's, and local planning policy in terms of the saved policies of the development plan. Policy D17 of the Local Plan allocates the Ransome Road site for redevelopment and remains a saved Policy. In relation to recent statements from the SoS, the local planning policy context is therefore still the relevant

saved policies of the Northampton Local Plan. Therefore, the statement of the SoS is not considered to materially alter the context for determining the application.

- 9.3 Referring to the national planning context, PPS3 (2010) sets the framework for housing related decisions. In respect of situations where up to date Local Development Frameworks are not in place, PPS3 advises the following:

*Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69.*

- 9.4 Subsequently, paragraph 69 of PPS3 sets guidance for the determination of planning applications as follows:

*In general, in deciding planning applications, Local Planning Authorities should have regard to:*

- *Achieving high quality housing.*
- *Ensuring developments achieve a good mix of housing reflecting the accommodation*
- *requirements of specific groups, in particular, families and older people.*
- *The suitability of a site for housing, including its environmental sustainability.*
- *Using land effectively and efficiently.*
- *Ensuring the proposed development is in line with planning for housing objectives,*
- *reflecting the need and demand for housing in, and the spatial vision for, the area and*
- *does not undermine wider policy objectives eg addressing housing market renewal issues.*

- 9.5 It is considered that the proposed scheme fits with the above objectives.

- 9.6 The majority of the site has been allocated for redevelopment in the Northampton Local Plan since 1997 and forms part of the Southbridge area which is designated under Policy D17. This policy has been “saved” by NBC and therefore still forms part of the adopted development plan for the area. Policy D17 relates to a large area of land stretching from Cotton End/ South Bridge in the west up to the Nunn Mills Power Station site in the east. Part of this area, along the southern side of the River Nene, has already been redeveloped for residential purposes with a mix of housing and apartments.

- 9.7 The Policy states that “Planning permission will be granted for a mix of residential, business and leisure uses within the Southbridge area and also retail uses at the power station site, Nunn Mills, subject to the necessary infrastructure being provided”. Clearly,

this policy is relatively, and deliberately, flexible in terms of the range of uses put forward for the redevelopment of the area and the mix between residential, employment and community uses. The redevelopment of Ransome Road with a mix of residential, leisure and community uses is considered to comply with the broad objectives of this policy. As discussed in greater detail below, the delivery of the scheme would form part of a wider package of measures, ensuring that the necessary infrastructure required for this, and other sites, will be delivered.

- 9.8 The eastern extremity of the site falls outside the allocation under Policy D17 and within an area identified within the Northampton Local Plan as “Existing Leisure/ Recreation”. The area in question has previously been used for motorbike scrambling and is made up of a series of earth mounds, to the east of the public footpath linking Delapre Park and Nunn Mills Road, stretching up to the banks of Delapre Lake. Policy L1 of the Local Plan aims to protect these areas from development and/or ensure that any provision lost is replaced with suitable facilities. As a result of this Policy position, the application has been advertised as a departure from the Development Plan, and this requires that any resolution to approve must be referred to the Secretary of State (Government Office for the East Midlands) who will determine whether to call in the application for his determination.
- 9.9 In 2004, this process was followed and the SoS decided not to call in the application, leaving the determination to the local level. When the authority for determining the application passed to WNDC in 2006, confirmation was sought from the SoS as to whether any further resolution would need to be referred once again. At that time, the advice from GOEM was that this procedure was not necessary because circumstances had not changed significantly since the previous resolution. Further confirmation has been recently sought from GOEM regarding the need for any further referral, should a further resolution to grant be made. The advice given is that the application need not be referred again, given that the SoS has already considered the planning matters raised.
- 9.10 In addition to the relevant saved policies of the Northampton Local Plan, it is relevant to have regard to the statutory function of the WNDC when determining this application. As an Urban Development Corporation, WNDC has a statutory “objective” to deliver the regeneration of the area. The redevelopment of the Ransome Road and the Avon/ Nunn Mills sites forms a key element to WNDC’s core business and is integral to the WNDC Corporate Plan (2008-2011) and the WNDC Business Plan (2010/11). Consequently, WNDC is committed to working with its public and private sector partners to bring forward the regeneration of these key sites.
- 9.11 Whilst not a planning policy making body, WNDC, in consultation with other local stakeholders, has developed a land use and design framework to guide development and to assist in the submission and determination of planning applications. The *Avon Nunn Mills Strategic Design Framework (April 2010)* effectively sets out WNDC’s broad vision

for the integrated redevelopment of the Avon/ Nunn Mills and Ransome Road sites. In simple terms, this identifies that the Ransome Road site is suitable for a predominantly residential scheme. It is envisaged that the Avon/ Nunn Mills sites will provide a greater mix of uses, including further office development in order to build on the existing Avon headquarters, take advantage of the river front location and the links to the town centre through Becket's Park. In this sense, the strategy put forward in the Strategic Design Framework (SDF) is consistent with the aims of Policy D17 of the Local Plan in that it seeks to create a mix of appropriate uses across the area.

- 9.12 In terms of Ransome Road, the SDF envisages that the site would be developed for residential purposes, with key links provided across the safeguarded railway line to the development sites to the north and the town centre beyond.
- 9.13 As noted above, the SDF, in itself, doesn't carry any significant planning policy weight because WNDC is a delivery body, not a policy making organisation. Therefore the document was designed to guide development and assist the regeneration of the area but has not been through the full consultation procedure as would be required for a formal Supplementary Planning Document. However, officers have been working closely with NBC on the emerging Central Area Action Plan for Northampton. This document is currently being prepared by NBC and will set the planning framework for the development of Northampton Town Centre up to 2026 and beyond. The sites at Avon/ Nunn Mills and Ransome Road fall within the identified Central Area boundary due to their proximity to the town centre and the ability to provide key office, residential and leisure opportunities in a sustainable location. A consultation draft of the CAAP was published in August 2009 and the strategy put forward for the sites within this document was closely aligned to the aims of the Strategic Design Framework. NBC is due to issue its Publication Draft (preferred options) for consultation in October/ November 2010. Whilst the material weight to be given to the CAAP at this stage is therefore limited, in terms of decision making, it is clearly a guide to current thinking with regard to these key brownfield sites. There is therefore a reasonable degree of certainty that the aspiration to redevelop and regenerate the Ransome Road site, through a residential scheme, will be taken forward in the emerging local planning policy framework.
- 9.14 In view of the above, it is considered that the principle of the development put forward is acceptable and consistent with National Planning Policy, the existing Northampton Local Plan and emerging strategies for the area. Clearly, there have been a number of significant changes in national, regional and local planning policy since the application was first submitted back in 2004. However, the regeneration and re-use of brownfield sites such as this, in sustainable locations close to town centre jobs and amenities, remains a key tenet of the planning system, as set out in *PPS1 - Delivering Sustainable Development*.

- 9.15 The loss of existing open space on the eastern fringe of the site, would be mitigated through on site provision and qualitative improvements to the existing open space network. Therefore, although the site has been advertised as a departure from the development plan, the loss of this space would not prejudice the overall aims of the plan and is outweighed by other benefits brought by the development. Further discussion on these points is set out in the body of this report.

### **Highway and Transportation Issues**

- 9.16 The site sits at an important juncture, close to the town centre but adjacent to a number of busy and congested transport routes. In this context, the main transportation strategy for the site is to ensure satisfactory access arrangements onto the surrounding road network but also to encourage sustainable patterns of travel and reduced dependency on the private car.

### ***Access Arrangements***

- 9.17 The NCC Sustainable Transport team (highways) have raised no objections to the scheme subject to a number of conditions. Firstly, a *grampian* condition is recommended preventing any commencement of work on the site until the London Road/ Ransome Road junction improvements have been completed in accordance with approved details. A separate planning application for these junction works was approved by WNDC in August and, as stated above, this work is being funded by WNDC after a successful Growth Area Fund bid. The department for Communities and Local Government confirmed that the funding will be provided in August. Work on these junction improvements is therefore due to commence in October 2010 and work should be completed well in advance of the commencement of work on the Ransome Road site. However, the wording of the condition put forward by NCC is considered to be more restrictive than is necessary and it is suggested that a *grampian* condition ensuring that the road improvements are completed prior to the occupation of any dwellings rather than commencement of work on the scheme is more reasonable and would not cause any harm to highway safety. There is a large amount of preparatory work/ remediation to be undertaken on site and this work could be undertaken using the existing access arrangements without having any impact upon the highway network. It should be noted that the Wreford's Haulage depot is due to relocate to new premises in the coming months and this will bring about a significant reduction in vehicle movements to and from the site.
- 9.18 The access improvements at the London Road/ Ransome Road junction will result in improved traffic flow, helping to relieve existing congestion. The junction will be reconfigured to allow a left hand turn lane into Ransome Road for vehicles travelling in a southerly direction, and a lay-bye bus stop on Londond Road to enable buses to pick up off the highway. New signals and improved pedestrian crossings will also be installed.

- 9.19 The London Road junction would form the primary access into the site for the first phases of development but a single point of access is unsuitable in terms of highways safety to accommodate the full extent of the application. Consequently, NCC recommend a further grampian condition preventing the occupation of no more than 450 residential units until a secondary vehicular access onto Nunn Mills Road, and subsequently Bedford Road, has been provided.
- 9.20 The link to Bedford Road requires two key pieces of infrastructure, a crossing point over the safeguarded Nothampton-Bedford rail line, and improvements to the junction at Bedford Road, including the bridge crossing over the River Nene.
- 9.21 The nature of the link with Nunn Mills Road will be largely determined by the position relating to the safeguarded rail route. At present, the line is safeguarded by Network Rail from development in order to maintain the possibility of future re-use. Consequently, the nature of the crossing has to take into account the possibility that the line may be used at some point in future. Network Rail do not permit vehicular "at grade" crossings across safeguarded or operational rail lines and, consequently, the current application is required to provide a bridge crossing. In fact, two crossing points are indicated, the all vehicular bridge link with Nunn Mills Road and a pedestrian/ cycle bridge further to the west in the centre of the site. This arrangement adds significant costs to the delivery of the Ransome Road and Avon/ Nunn Mills schemes and also has implications in terms of the design and layout of the development (discussed within the Urban Design section).
- 9.22 Discussions are on-going between Network Rail, WNDC and other local authority partners regarding the future of the rail line. However, at the time of writing, the assumption must be made that the road bridge crossing will be required. Whilst this is not an ideal situation it does not prevent a decision being made on the current application. Clearly, the additional cost of providing a bridge crossing (as opposed to an at grade crossing) will impact upon the viability of the site, especially when added to the other significant infrastructure and remediation costs associated with the scheme. The financial appraisal undertaken in association with the application demonstrates that the proposal, including the road bridge, would be a viable proposition although the infrastructure burden will have a significant impact upon the approach to s.106 contributions from the scheme. This is discussed in more detail in relation to s.106 contributions, as set out later in this report.
- 9.23 With regard to the Bedford Road junction improvements, it is anticipated that WNDC would fund the work, or a portion of it, following the completion of a Compulsory Purchase Order to acquire a key strip of land which is in unknown ownership. The remainder of the spine road and railway crossing would then be provided by the developers of the three sites. WNDC is only likely to commit these funds once a mechanism for the delivery of the rail link is agreed between landowners. In this context, there is a level of certainty that the necessary road infrastructure will be

delivered and it is reasonable to attach a grampian condition limiting the number of units served from Ransome Road to 450 until such time as the linkage is made to Bedford Road.

- 9.24 Aside from vehicular linkages, the Masterplan submitted with the application and the associated Movement Plan, show key footpath and cycle links running north-south across the site, one taking account of existing right of way, and the other forming part of a linear open space linking Delapre Abbey to Becket's Park in the north via a cycle/footbridge over the railway. Again, conditions will be required to secure these key routes.
- 9.25 In the wider context, the Highways Agency (HA) previously placed a holding direction on the application due to the potential impact upon the strategic road network, particularly, the Barnes Meadow interchange. A significant amount of work and consultation has taken place with the HA over the last 12-18 months and the HCA have updated their Transport Assessment based on advice from the HA and NCC. The result is that the HA are now satisfied that the proposal will not have a significant impact upon the strategic road network, subject to a robust travel plan being secured, through the s.106, in order to deliver a package of sustainable transport options. A holding direction is still placed on the application until such time that the HA are content with the travel plan measures put forward within the s.106.

#### *Travel Plan Measures/ Sustainable Transport*

- 9.26 The primary target of the Travel Plan submitted with the application is to secure a 20% modal shift away from single occupancy car journeys in peak hours, when compared to existing journey to work data. This target is derived from NCC's Transport Strategy for Growth which outlines a broad plan for reducing traffic congestion and encouraging more sustainable transport patterns.
- 9.27 In order to achieve this aim, a package of measures has been put forward by the HCA following discussion with NCC and the HA. These include discounts towards public transport season tickets for new households, vouchers towards cycle purchase, creation of an on site car club for residents, development of a car sharing data base, a community information travel website, and the appointment of a travel plan co-ordinator to assist in the implementation of the travel plan. An on-site travel centre would be provided in order to promote and distribute information to residents. It is envisaged that the Travel Plan Co-ordinator role would be facilitated by NCC, and funded by a contribution from the developer. In terms of design, secure cycle parking would be provided throughout the site and clear legible and safe routes provided to key destinations in order to encourage cycling and walking.
- 9.28 The travel plan measures would be a mixture of capital payments for key measures and yearly revenue funding towards monitoring and co-ordination (Capital cost estimated at

approximately £265,000 and annual costs of £26,000 per annum over a ten year period – 8 year build programme plus two years post completion). An important element of the Travel Plan for the Highways Agency has been to ensure that the modal shift targets are incentivised and that there is a mechanism to review and amend the plan if targets are not being met. The solution in this instance has been an agreed package of "failsafe measures" based upon monitoring at a set period once the plan is established. If the 20% modal shift target is being met then the need for further measures would not apply. However, where monitoring finds that the Travel Plan is not effective, a set of remedial measures would be applied. The cost and level of required measures would be worked out on a proportional basis for each journey below the modal shift target. In effect, for every journey below the modal shift target a payment would be calculated based upon the cost of a day travel card and the money used to fund a new or amended set of "failsafe measures". This may be a new round of public transport discounts or further incentives for cycling etc.

- 9.29 In addition, the development would be required to subsidise public transport to ensure a daytime bus service with a frequency of 20 minutes to the site. In the initial phases, the dwellings are within 400 metres of London Road and could be served by existing provision. Beyond that distance, services would be required to enter the site and a dedicated bus route would need to run along Ransome Road, turn within the site and exit onto London Road. No more than 450 units could be erected without the link to Nunn Mills Road and, therefore, the bus service would run through the site, forming a loop onto (or from) Bedford Road. This final phase of public transport subsidy is likely to be shared between the developers of the Ransome Road site and those of the Avon/Nunn Mills sites to the north. The overall cost of the bus subsidy is difficult to calculate at the outset of a development because the mechanism requires the developer to subsidise the cost of the service, after any fares collected have been deducted. Therefore, the cost of the subsidy will be dependent upon the level of patronage.
- 9.30 Both NCC and the HA have indicated that they are satisfied with the package of measures put forward within the travel plan, providing that they are taken forward through a detailed s.106 for the site. Further discussion has taken place regarding the specific terms and definitions to be incorporated in the s.106 and the HA have indicated that they are satisfied with the outcome and will be in a position to remove their holding direction. It is anticipated that this will be confirmed in advance of the September meeting.
- 9.31 In general, it is considered that the highway impacts of the scheme will be successfully mitigated through the use of appropriate conditions, substantial infrastructure improvements and sustainable measures within the travel plan for the site. The location of the site, close to the town centre and adjacent amenities, provides one of the best opportunities within the town to bring forward a truly sustainable development in terms of travel patterns. The measures put forward are considered to be the most appropriate

and substantial that can reasonably be achieved given the constraints involved in developing the site.

### **Urban Design, Landscape and Visual Impact**

- 9.32 As noted above, the layout and land use mix of the current proposal is consistent with WNDP's Strategic Design Framework and will ensure an integrated scheme with clear links to surrounding destinations, including Delapre Abbey/ Parkland; the Avon site; Becket's Park and the town centre to the north; Midsummer Meadows, Delapre Lake and the River Nene Corridor to the east; and Ransome Road/ St. Leonard's to the west. Whilst the application is submitted in outline form, the parameters plans which accompany the submission effectively "fix" key variables. The Movement Plan and Urban Framework Plan provide the structure of the development and give certainty that the finished layout and key movement networks will provide an acceptable solution.
- 9.33 The proposals will undoubtedly have a significant visual impact upon the area, although it is anticipated that the dispersion of this impact will be localised due to the site being relatively concealed and contained by surrounding land-uses. The Environmental Statement notes that the most substantial visual/ landscape impact would be upon Delapre Park. The treatment of residential units along this parkland edge will require careful attention to ensure that the scheme provides a positive face onto the historic parkland. The current application does not cover matters of detailed design and this would be an issue for consideration through the development of detailed design codes and reserved matters submissions. However, the Building Height Parameters Plan sets the maximum building heights for structures across the site. This shows that the area to the west of the site, facing onto the driveway to Delapre Abbey, across Delapre Brook, would be 2-3 storey dwellings. Further to the east, along Ransome Road would be residential blocks of up to 3-4 storeys in height. The existing tree belt to the south of Ransome Road would be maintained and would thus provide a significant screen between the development and the parkland. Development fronting onto Delapre Lake would benefit from less screening but would provide an attractive and well designed environment, and would not detract from the landscaped setting of the park in this location. The change from what was a derelict and unattractive industrial site to a new residential development will have a positive impact upon the surrounding area in a visual sense.
- 9.34 Furthermore, the scheme offers the opportunity to bring greater activity to the lakeside area and improved facilities through the provision of the lakeside café/ community building. The possibility of improving public access around the lake can also be considered, potentially through the use of s.106 contributions. Officers therefore agree with the conclusion in the ES in this respect and are satisfied that the visual impact of the scheme will bring significant improvements to the surrounding area.

- 9.35 In terms of the basic structure and layout of the scheme, the proposed grid pattern provides a clear and legible framework with key links to adjacent areas. Whilst the structure is very simple at a two dimensional level, there is nothing inherently wrong with this approach, and it responds to the constraints and characteristics of the site. However, in order to avoid an overly regimented scheme, it will be important that the finished design of the development blocks has a variety and quality that reflects the character of the surrounding area, as envisaged in the Design and Access Statement. The D&A identifies five key character areas within the development; the Delapre Lake and Waterside area; the Central Avenue running through the scheme; the southern section of the site fronting Ransome Road and Delapre Park; the “Northside” district adjacent to the railway line; and the Delapre Brook/ Waterside Area in the south west corner of the site, again fronting onto Delapre Park and Abbey. These areas form a logical starting point to formulate a distinctive residential environment. This should be controlled through the use of Design Codes (in accordance with WNDK’s Manual for Design Codes) which will be developed in advance of detailed reserved matters applications. The improvement of existing areas of open space/ wildlife habitat and the creation of new strategic green spaces will be equally important to the finished environment as the character of the built form. The ES and D&A outline improvements to Delapre Brook, running along the southern edge of the scheme, the railway dyke to the north and the area adjacent to Delapre Lake, and identify key open spaces running north-south and east-west through the development. The development of these spaces will therefore form an integral part of the Design Codes for the site and provisions of on-going management and maintenance will need to be reflected in any completed s.106 agreement.
- 9.36 It should be noted that the position regarding the safeguarded Northampton-Bedford railway may have a significant impact upon the design approach of certain sections of the site, particularly regarding the crossing point and the dwellings directly adjacent to the route. If the rail line is de-safeguarded prior to the completion of development, the requirement for a bridge crossing would be removed and an at grade crossing could be achieved. This would reduce the land area required by the embankments leading up to the crossing point and alter the relationship between proposed dwellings and the railway line. At the present time, dwellings adjacent to the rail line need to be designed to accommodate the future potential noise disturbance, should the line be re-used. If this constraint was removed, the relationship of dwellings with this aspect would change, allowing development to have a more positive relationship. Similarly, where presently dwellings would back onto the bridge embankment, an at grade crossing would allow a more positive arrangement with dwellings fronting the road providing a continuous frontage through to Nunn Mills Road, with a clearer visual link between the two sites. It is therefore acknowledged that a removal of the rail constraint would result in a more attractive residential environment in parts of the site, with greater design opportunities. In design terms, it is considered that the current masterplan layout can accommodate this scenario, without materially departing from the current outline

application. In other words, there is flexibility within the parameters that would allow future reserved matters applications to accommodate either scenario.

- 9.37 In summary, officers are satisfied that the level of detail within the design and access statement and the parameters plans give sufficient certainty that the scheme will provide a high quality residential environment based upon sound design principles. Prior to the submission of reserved matters applications, it is recommended that detailed design codes should be drawn up, in line with WNDC's Design Code Manual, in order to ensure consistent and high quality design throughout the scheme. An appropriate condition to secure this is set out at the end of this report.

### **Impact Upon Residential Amenity**

- 9.38 The overall impact of the development upon surrounding residents is expected to be positive, due to the removal of a number of old industrial uses and the heavy traffic associated with them, notably the Wreford's Haulage depot. Similarly, the redevelopment of an unsightly and relatively unsafe area will bring benefits in terms of visual impact, reduction in crime and vandalism and the quality of environment. Given the size of the scheme, the level of objections has been relatively low. Previous concerns from residents in 2006/7 are noted in the report at Appendix A. The concerns raised at that time are covered within the previous report and relevant conditions were put forward to mitigate any impact. The character of the scheme is unchanged from that time and therefore, the assessment in relation to amenity is still considered to be valid, as are the recommended conditions which have been repeated below.
- 9.39 In relation to the re-consultation exercise undertaken in February/ March of this year, over 300 letters were sent out to neighbouring properties. It is notable that only three responses have been received, none of which directly object to the application but raise specific points for clarification. Therefore, whilst the general impact of the scheme is expected to be positive, there are some detailed issues that need further consideration.

### ***Noise Impact***

- 9.40 The biggest impact upon surrounding residential properties (particularly those at Cloughton Road, Ransome Road and Southfield Avenue) will come as a result of increased levels of traffic entering and leaving the site, especially once the connection to Bedford Road is in place. The ES identifies that the corridor of land running along Ransome Road would suffer from increased noise levels at times of peak traffic. Discussions have taken place with the HCA and NBC's Environmental Health Officers to examine this noise impact.
- 9.41 Although the maximum noise levels are predicted to increase, the periods of increased noise will change to reflect the nature of the proposed use. Put simply, the maximum noise levels will be during the morning and evening peak travel period due to incoming

and outgoing car journeys. Outside of this peak period, within the evening/ night-time, the noise level will reduce significantly as the level of traffic using the road network drops. Therefore, in the evening hours, when residents can reasonably expect a greater degree of quiet, the noise levels are not expected to cause any significant problems in terms of residential amenity. In addition, the traffic using the route is expected to be predominantly car based as opposed to the significant proportion of HGV's using the site at present, thus reducing the impact noise and vibration associated with the present use of the route. Consequently, the Environmental Health Officer is satisfied that the noise impact of the scheme is not sufficient to warrant refusal of the application.

9.42 A further issue has arisen since the application was previously considered in relation to potential noise impact on residential properties. At that time, the intention of the HCA (then English Partnerships) was to acquire all of the existing units on the site to enable a fully vacant site to be passed onto a chosen development partner(s). However, there are a number of units still in private ownership and the HCA do not currently have adequate funding to continue with the purchase of these sites. They currently envisage that any future development partner would continue with these negotiations. The sites in question are the Cemex batching plant adjacent to the entrance to the site and the offices other buildings owned by Wreford's transport, again close to the entrance of the site. The Wreford's buildings are currently occupied by their offices but also contain a number of sub-lets, including a vehicle repair/ re-spray business. In circumstances where there is no guarantee that these buildings will be purchased by any future developer, it is necessary to consider the potential impact upon any new dwellings nearby. At present, the EHO considers the units to be relatively low noise generators and subsequently is satisfied that the impact of existing uses could be accommodated without having an adverse effect on amenity, providing that conditions are attached to control this. It is therefore recommended that a condition is attached to ensure that noise monitoring is carried out at the appropriate reserved matters stage to determine whether any noise mitigation proposals are necessary for adjacent units.

9.43 The existing units in question do present a relatively poor visual picture at the entrance to the site and there should therefore be a strong incentive for any developer to acquire these sites prior to the completion of the early phases of development. Therefore, the conditions relating to noise monitoring may not be necessary by the time the relevant phases of development commence.

#### *Impact Upon Claughton Road*

9.44 The closest residential properties to any new development are the dwellings at Claughton Road which would back onto a new row of terraced houses. As part of the development, the HCA are proposing to allocate a small strip of land to increase the rear gardens of the dwellings at Claughton Road, backing onto the rear gardens of the proposed new dwellings. The building height parameters plan indicates that the dwellings adjacent to Claughton Road would be a maximum of 2-3 storeys. Due to the

distance between the plots it is likely that a maximum of two storeys would be acceptable in this location. This consideration also needs to take account of any changes in land levels as a result of flood defence works. Notwithstanding any indication relating to building heights of this block in the submitted parameters plans, it is recommended that any reserved matters application submitted for phase 1 of the scheme should include detailed cross sections between new and existing properties and detailed finished floor levels to enable the impact to be assessed in detail.

- 9.45 Residents at 19 Cloughton Road have also highlighted concern regarding the proposed open space surrounding the rear and side of their dwelling, due to potential noise and disturbance and opportunity for anti-social behaviour. This area of land is undefined on the outline plans and, whilst there is no objection in principle to this area of open space, the planting regime and detailed public realm works will need to be carefully designed to take account of the potential impact upon the adjacent dwelling, preventing direct access to the rear and side of the property.
- 9.46 In view of the above comments, it is considered that the overall impact of the scheme will have a positive effect on the environment and amenity of adjacent residents. Any impacts that may arise can be adequately controlled through the use of conditions and the detailed design of the scheme.

### **Open Space, Sport and Recreation**

- 9.47 The proposed scheme would result in the loss of an area of existing open space, as defined in the Northampton Local Plan. This is the area to the eastern end of the site comprised of man-made mounds of earth, previously used for motorcycle scrambling. Part of this area would be redeveloped for residential purposes, representing a departure from the development plan in this respect. However, as noted in the previous report to committee, the present contribution that this space makes to the wider open space network is limited and the removal of the man-made feature would not impact negatively upon the way in which the lakeside environment is used. The remainder of the area to the west of Delapre Lake would be improved and access to the lakeside would be maintained. The benefits of improving the environment in this respect are considered to off-set the impact of losing the existing open space. The consequences of the departure from local plan policy are not therefore considered to be significant.
- 9.48 Clearly, new development of the scale proposed needs to provide adequate opportunities for leisure sport and recreation for the benefit of future residents in the interests of creating a sustainable environment. In accordance with PPG17 (Planning for Open Space, Sport and Recreation), NBC undertook an audit of open space and sports facilities across the borough in 2009 and used this as the basis to define local standards for particular types of open space and facilities. In effect, this audit categorises spaces into a number of areas, for example formal parks, sports facilities, amenity spaces etc. Based upon this audit, the Parks and Open Spaces Strategy for Northampton (November

2009) was subsequently published by NBC. The standards within the document aim to guide decision making in relation to the requirements for residential developments.

- 9.49 In terms of on-site provision, the proposals include a number of amenity open spaces, a “central parkway” running north-south through the site and the strategy put forward in the ES would see the restoration of Delapre Brook and the railway dyke to improve their habitat and amenity value. Children’s play areas (LEAP’s) would be provided within the amenity areas within the site. The structure of the masterplan is also aligned to provide easy walking and cycling links to the significant open space resource that is available within close proximity of the site. Becket’s Park, Delapre Park, Midsummer Meadow and the River Nene and its associated footpath network are all within a few hundred metres of the perimeter of the site. The Strategic Design Framework developed by WNDC for the Avon, Nunn Mills and Ransome Road sites aims to link these key strategic parks and spaces through the development. For example, the north-south greenspace running through Ransome Road would continue through the Avon site to connect Delapre Park with the River Nene, and subsequently Becket’s Park. As discussed above, improved links to Delapre Lake would also be created. The existing public footpath running north-south through the site linking Delapre Park with the River Nene is poorly overlooked, overgrown and subsequently an unsafe and unsatisfactory route. Therefore, the links between the existing open spaces in the area are not well used. In this sense, the structure and layout of key open spaces within the masterplan would have wider benefits to the community, over and above the benefits to residents of the proposed scheme. The opportunity to create a triangle of strategic green connections between Delapre Park, Becket’s Park, the River Nene and its associated footpaths and wildlife habitats, will bring significant improvement to the greenspace network in this area of town.
- 9.50 Notwithstanding these comments, it should be acknowledged that the amount of on-site open space provided within the scheme falls short of local standards for a development of this size, as set out within NBC’s Open Space, Sport and Recreation Strategy. No sports facilities are indicated within the scheme and the level of amenity space is less than the local standard recommends. That said, it is acknowledged that the residents of the Ransome Road scheme would have the benefits of numerous facilities within easy walking distance. In these circumstances, it is not considered to be necessary, or sensible, to require on site provision over and above that which is currently put forward within the Masterplan.
- 9.51 The development will therefore rely on and have an impact upon the surrounding open space network to meet the needs of the new population. It is therefore reasonable to expect that any section 106 package for the site would contribute towards off-site improvements/ mitigation in the surrounding area. NBC is currently in the process of preparing a Masterplan for the open space network including Delapre Park, Becket’s Park and Midsummer Meadow. This Masterplan will identify key interventions to improve the quality of this key strategic resource. It is expected that any off-site s.106 contribution

would contribute towards measures outlined in this strategy. Further comment on this is set out later in this report.

### **Biodiversity/ Protected Species**

- 9.52 Due to the length of time since the previous committee resolution, further wildlife and habitat surveys have been undertaken. These updated surveys again revealed that the majority of the site is of limited value in terms of wildlife habitat. However, protected species have been found in certain areas of the site and Natural England have requested further survey work in relation to bats and mitigation proposals in relation to grass snakes that were recorded close to Delapre Brook. Further surveys relating to bats are required in connection with the remaining buildings on the site, and the mature trees adjacent to Delapre Lake. This will determine the extent of any species in these locations. Two grass snakes were recorded within the vicinity of Delapre Brook. Until these issues have been resolved to the satisfaction of Natural England, their current objection remains in place.
- 9.53 The Local planning Authority (LPA) is required (by Section 40 of the Natural Environment and Rural Communities Act 2006) to have regard to the purpose of conserving biodiversity. The Board is also required (by regulation 3(4) of the Habitats etc Regulations 1994) to have regard to the strict protection for certain species required by the EC Habitats Directive. Where protected species are present, Local Planning Authorities may only permit development where either: there would not be any adverse effects; or where derogation from that strict protection is justified by the absence of alternatives (and there are imperative reasons of overriding public interest). That approach is confirmed by paragraph 116 of ODPM Circular 06/05 on Biodiversity and Geological Conservation.
- 9.54 The Circular recommends that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is fully established before the planning permission is granted and the LPA is required to have regard to any adverse impacts, alternatives or derogations in determining the application. Paragraph 99 of the Circular states that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted...". It suggests that further ecological surveys should only be left to coverage under planning conditions in exceptional circumstances.
- 9.53 In this case, Natural England have requested that further surveys of mature trees on the site and the remaining buildings to enable the potential impact upon bats to be properly understood before the application is determined. The HCA have yet to carry out the additional bat surveys due to a delay in receiving clearance for additional consultancy

work. In line with national planning guidance (PPS9), Natural England have requested that the survey work is undertaken prior to any decision being made. Natural England's response as a statutory consultee in relation to the adequacy of the information and the acceptability of the likely effects given to the mitigation measures attracts significant weight. Therefore, any resolution to delegate authority to the Director of Planning to grant permission (and impose conditions) should require him to be satisfied, in the light of further survey information and proposed mitigation measures that either:

- there would not be any adverse impacts upon protected species
- although proposals would have some adverse impacts on protected species there is no alternative site or configuration of the development that would have lesser adverse effects and (a) there are important social and economic reasons for granting planning permission in the public interest that override these adverse effects; (b) proposed mitigation measures are accepted by Natural England and secured by condition or planning obligation as appropriate.

9.54 In relation to the impact on Bats, the ES notes that artificial night lighting could impact upon protected species, particularly in the eastern section of the site close to mature trees and Delapre Lake. Accordingly, the mitigation put forward includes "wildlife friendly" lighting schemes, including low level lights, and cut off lighting, with minimised hours of operation. A condition to control light impact is recommended below.

9.55 Similarly, Natural England require further details regarding mitigation proposals in relation to grass snakes that were discovered on the site, close to Delapre Brook. No development is proposed in the area where the grass snakes were found but it is within the application boundary and they may be affected by construction activity. Mitigation proposals are therefore required to fence off the development area and translocate and snakes found to an alternative area, outside of the development boundary. Confirmation is required from Natural England that this strategy is adequate and the HCA also require confirmation from NBC that the snakes can be translocated onto their land within Delapre Park.

9.56 Aside from protected species issues, the development offers the opportunity for significant improvement to wildlife habitat on lateral wetland corridors running along the north and southern edge of the scheme. To the north, the railway dyke would be enhanced and remodelled to support a greater diversity of plant species, whilst also screening the railway line from adjacent housing. The dyke is currently overgrown and doesn't add to the character of the area in a visual or ecological sense. The proposed works would therefore be of significant benefit.

9.57 Similarly, Delapre Brook has suffered from neglect and fly tipping. The Brook will form an important boundary between the site and Delapre Park and it is important that the feature is upgraded in terms of the character of the area but also in terms of wildlife habitat. A strategy for the improvement and on-going management of these areas should be secured through the use of conditions and the s.106 agreement.

- 9.58 The two watercourses provide a link to wider green infrastructure assets outside the boundary of the site, including Delapre Lake and the Hardingstone Dyke and improvements made as a result of the application would therefore be set in a wider context, potentially improving the impact and effectiveness of the on-site works. As discussed in relation to the open space network, the proposal is considered to utilise its context and relates well to existing green infrastructure assets running across and through the site, in line with good practice.
- 9.59 Therefore, subject to the applicant providing satisfactory survey information and, where necessary, mitigation proposals for protected species, it is considered that the impact of the scheme on biodiversity will be positive. In this sense, the on-site works are considered to be sufficient to mitigate the impact of the proposals in respect of ecology and green infrastructure and s.106 contributions towards off-site improvements are not recommended in this case.

### **Cultural Heritage**

- 9.60 Although the proposals are unaltered since the previous committee resolution, the context for decision making has altered due to changes in the planning policy position regarding heritage assets. Part of the site now falls within the Delapre Abbey Conservation Area and is within 100 metres of the Grade II\* Delapre Abbey. The LPA is therefore required to have special regard to the affect on the character and appearance of the Conservation Area and to the desirability of preserving any listed building, its setting or any features of special architectural or historic interest which it possesses. Additionally, PPG15 - Planning and the Historic Environment has now been superseded by PPS5. The changes within this guidance, particularly in relation to Battlefields need to be assessed in relation to the proposals.
- 9.61 In terms of the Delapre Abbey Conservation Area, the section of the site that falls within the boundary is in the south-west corner, in between Ransome Road and Delapre Brook. The reason for this area being in the Conservation Area is due to historical associations of that area of land with the Abbey. However, in a functional and visual sense, the area reads as a separate area of land and is not readily associated with the Abbey or the historic parkland. As discussed at paragraph 9.30 of the previous report to committee, the change being assessed is one from a commercial area to a residential scheme. Although a small section of the site is now within the Conservation Area boundary, the conclusions of the previous report are still considered to be valid in that the impact of a new residential environment, with improvements to landscaping and the condition of Delapre Brook, is considered to preserve, and to some extent, enhance the setting of the Abbey and the character and appearance of the Conservation Area. The scale of development proposed at this location would not dominate the setting of the Abbey and, although the change to a residential development would alter the existing context, this would not be to the detriment of the integrity or character of the setting of the

adjacent listed building or the character and appearance of the Conservation Area. Clearly, the detailed design of any development in this location will require careful consideration, and this should be controlled through the use of design codes and reserved matters applications. Conditions in this respect are set out below. In principle, however, the previous assessment put forward is still valid and a residential scheme is considered to be acceptable in this location.

- 9.62 In terms of PPS5, NBC's Conservation Officer has noted that the status of Battlefields has now been put on an equal footing to listed buildings and other heritage assets. This is of direct relevance to this application because the south east corner of the site falls within a much larger area that forms the site of the Battle of Northampton 1460. As above, the impact of the scheme on the historic battlefield was assessed in the previous report and is addressed within the ES submitted with the scheme. This assessment notes that the area of the Ransome Road site within the Battlefield boundary is visually and physically separated from the main site, largely due to the presence of Delapre Lake which is a man made feature post dating the battle. In addition, the previous uses of the site are such that it is likely that any archaeological remains associated with the battle will have already been disturbed. The Battlefields Trust were consulted regarding the scheme and did not raise an objection providing that an archaeological survey was undertaken on the affected area of the site. The recommended conditions attached to this report would secure this work. The Trust have been re-consulted following the update to the planning application but no response has been received at the time of writing.
- 9.63 In view of the above, although PPS5 has altered the way in which Battlefields are viewed in a policy context, the actual impact of the scheme and the assessment carried out previously are still considered to be acceptable. In simple terms, the proposals will not affect the interpretation of the Battle site in a visual context and an archaeological watching brief condition can ensure that any historical artefacts associated with the Battle are recorded.
- 9.64 At the time of the previous report a condition was recommended to secure a survey of the former railway buildings and a number of World War II buildings on the site. Since this time, the vast majority of buildings within the site have been demolished; works which can be undertaken without the need for planning permission. Therefore, the proposed condition is no longer relevant.
- 9.65 In summary, the previous assessment of the proposals in relation to the impact on heritage and cultural assets is still recommended to be based on sound evidence and principles.

#### **Contamination and Geo-technical issues**

- 9.66 One of the largest constraints on the development relates to the historical land uses and the high degree of contamination present within areas of the site. The remnants associated with former gravel extraction and subsequent landfill occupy a large area to the southern end of the site and tests indicate elevated levels of potentially hazardous substances within the made ground and landfill deposits, as well as within ground water.
- 9.67 This situation poses a number of problems and constraints. From a construction perspective, piling and gas protection measures will be required for any dwellings and an impermeable membrane is required across the relevant section of land. Any roads and hardstanding areas will require specific reinforcement to create an acceptable base structure. Significant planting will not be permitted within the former landfill area to prevent disturbance to the membrane. This has affected the layout put forward and the units identified within this area are flats/ apartments with managed communal areas as opposed to houses with private gardens.
- 9.68 The current strategy also requires the construction of an impermeable cut off wall around the perimeter of the landfill area to prevent contaminated ground water leaching into the adjacent watercourses at Delapre Brook and subsequently Delapre Lake. Previously, the Environment Agency and NBC Environmental Health were satisfied with the strategy put forward, subject to a detailed remediation method statement being developed and implemented, controlled by a condition on any planning approval. The recommended conditions are still considered to be suitable and are attached to this report. The cost of the remediation strategy have a significant impact upon the overall viability of the scheme. The estimates put forward by Halcrow, acting for the HCA, assess the total costs of these works at £5.9 million.
- 9.69 In tandem with the work undertaken to update the planning application, the HCA have appointed consultants to develop a more detailed remediation strategy for the site, in consultation with the EA and NBC Environmental Health. This work is progressing but will not be completed until after the date of the September committee. It is possible that the detailed remediation strategy may evolve and change from that put forward with the planning application. Equally, the costs associated with the strategy are likely to change as the detailed work develops. However, the conditions attached to this report allow for the submission of a detailed strategy, post determination, and all details would need to be agreed with the relevant authorities prior to discharge of those conditions. Consequently, whilst the full details of the final remediation strategy are not known at this stage, there is sufficient information and assurance that a satisfactory outcome can be achieved and, in that context, it is reasonable to attach a condition to secure the full remediation strategy in due course.

### **Flooding and Water Resources**

- 9.70 A large part of the site is situated within either Flood Zone 2 or Flood Zone 3 as defined by the EA Flood Maps and as such is considered to be an area at risk from flooding.

Historic flood maps show that the western and northern sections of the site were inundated in the 1998 flood event. As reported previously, a Flood Risk Assessment was prepared in relation to the application and this has now been updated to comply with the requirements of PPS25 *Development and Flood Risk* which has been published since the application was previously reported to committee.

9.71 The updated FRA identifies a package of flood risk mitigation measures and seeks to demonstrate that the development itself will not be at risk from flooding and that it would not increase the risk of flooding elsewhere. A summary of the key measures put forward is:

- Raising land levels to ensure that the finished floor levels of dwellings are above the 200 year modelled flood event (including a climate change allowance)

- Providing flood storage compensation to off-set the loss of flood storage on the site due to the development. The HCA have funded and completed the Upton Flood Attenuation Area which provides a storage capacity of 1.08 million cubic metres of water at the 200 year flood event. The loss of flood storage capacity at the site is calculated to be 101,600 cubic metres.

- A surface water drainage strategy incorporating Sustainable Urban Drainage Systems (SUDS) to ensure that surface water run off rates are no greater than greenfield levels. Due to impermeable capping required for the former landfill area, this SUDS system relies primarily upon permeable paving with inbuilt storage capacity, as opposed to swales and open water features.

9.73 The Environment Agency broadly accept the flood mitigation strategy and the link between the flood mitigation undertaken at Upton and the brownfield initiative sites. However, further issues have arisen following the publication of the Level 2 Strategic Flood Risk Assessment which has been produced for the West Northamptonshire Joint Planning Unit as part of the evidence base for the emerging Local Development Framework. The SFRA examines the flood defence infrastructure across the area but also assesses the impact of a failure of those flood defences - Flood Breach Analysis.

9.74 In relation to Ransome Road, this flood breach analysis showed that the area would be at high risk as a result of a flood breach in the Southbridge area where an existing sluice gate adjacent to the Carlsberg site is identified as a potential weak link in the flood defence system. The Flood Breach modelling categorises the level of risk based upon a matrix showing the potential depth of flood water and the velocity at which it would be travelling. Parts of the Ransome Road site are identified as high risk, potentially effecting properties and emergency services accessing the site. The SFRA breach modelling does not take account of the proposed increase in land levels as a result of the development at Ransome Road. Therefore, the applicants are required to test the impact of their proposals against the flood breach model.

- 9.75 The HCA have carried out further flood breach analysis and a number of meetings have been held with the Environment Agency. In effect, the EA are concerned that any increase in land level at the Ransome Road site will have knock on implications for surrounding residents in Far Cotton i.e. any water prevented from flowing onto the site would be displaced elsewhere, exacerbating the problem for existing residents. The HCA therefore were asked to demonstrate that the "post development" impact, including the Upton attenuation scheme and raising land levels at Ransome Road, would result in no negative impacts on existing residents over and above the "pre-development" scenario, with no Upton attenuation and no increase in land levels at Ransome Road.
- 9.76 However, the initial modelling runs demonstrated that the impact of raising land levels would worsen the situation for existing residents in a flood breach situation, even accounting for the Upton attenuation. Consequently, the HCA need to devise an engineering solution to allow any flood water to pass through their site, without impacting on other properties. The conclusions of this work have not been reached at the time of writing but it is likely to involve amending the land levels across the site and re-modelling the existing water channels. Halcrow, the engineers acting for the HCA advise that a technical solution is possible but the EA will need to see the finished modelling before confirming their views on this matter. Therefore, any resolution at this committee must be subject to a satisfactory conclusion in relation to Flood Breach modelling. This recommendation is made notwithstanding the conditions set out in this report.
- 9.77 It should be noted that the flood breach modelling examines a worst case scenario of peak flood levels combined with a failure in the flood defences at the specific point near the site. The probability of this sequence of events occurring is therefore relatively low. In general terms, the strategy put forward, particularly the significant up front infrastructure funding of the Upton attenuation scheme, has had a beneficial impact on the town in flood risk terms.
- 9.78 As discussed above, the EA have yet to comment formally on the updated FRA and are awaiting further information from the HCA in terms of breach modelling. Should this issue be resolved satisfactorily, it is likely that the EA will require a number of conditions to be attached to any planning consent, relating to the Flood Risk Assessment and its associated measures. At the present time, these conditions are not therefore set out within the recommended conditions within this report. Members are requested to note the recommendation which seeks delegated authority to the Director of Planning to negotiate and attach any appropriate conditions in this regard, following consultation with the EA.

### *Water Supply and Sewerage Capacity*

9.79 In response to the application Anglian Water have requested that a number of informatives are attached to any decision. These confirm that there is sufficient water resource to supply the development and that the foul sewerage system has adequate capacity to accommodate flows from the scheme to Great Billing STW which also has capacity to treat the foul drainage. Any future developer would need to requisition Anglian Water to undertake reinforcements to the water supply network in order to supply the scheme. Anglian Water anticipate that these works would take 6-12 months to complete. Advisory notes are recommended by Anglian Water regarding this procedure.

## **Sustainability**

9.80 The position in relation to building sustainability remains as set out in the previous report to committee in 2007. The HCA have updated the sustainability chapter of the ES and put forward their proposals. Effectively, this states that any dwellings constructed will comply with the relevant sustainability standards in force at the time, particularly in relation to the Code for Sustainable Homes. The level of information within the present submission in relation to specific details is minimal. Equally, it is acknowledged that the question of national and local sustainability standards is likely to evolve significantly over the lifetime of a development of this size. At the present time, the HCA have confirmed that the early phases would be built to Code Level 4 of the Code for Sustainable Homes, a level which is above the statutory minimum for residential development. Any subsequent development in later phases would meet the national standard in force at the time. WNDG's Sustainability Manual uses a benchmarking matrix to provide a guide to required standards. The current proposals put forward are considered to meet these standards at the present time.

9.81 In order to ensure that each phase of development takes into account sustainable construction measures, it is recommended that a Sustainability Strategy should be secured through any s.106 agreement. This would include details of construction standards, on-site renewable energy generation, waste reduction, recycling and management measures. In line with the Sustainability Manual, the s.106 agreement and Sustainability Strategy for the site will need to examine the balance between on site renewable energy generation and off-site contributions (carbon off-setting). The Sustainability Manual acknowledges that on-sites with particular constraints and viability issues, the ability to meet on-site renewable requirements may be constrained and, subsequently, these aims better achieved through off-site strategies. For example, a financial contribution could be targeted towards improvements in the existing housing stock.

9.82 In the wider sense, it is considered that the layout and location of the development provides a sound basis from which to build a sustainable community. The site is well located in relation to existing employment, retail and leisure opportunities and the

masterplan provides key links to adjacent areas and will enhance existing ecological assets. The proposed package of travel plan measures and public transport incentives discussed above will help to guide travel choices for future residents. The scheme also represents an efficient use of a significantly constrained brownfield site and will bring about the remediation of substantial contamination left by previous uses. Therefore, subject to the s.106 securing a sustainability strategy for each phase of the scheme, the development should offer the opportunity to deliver a genuinely sustainable environment, in line with the principles of PPS1.

### **Education Provision**

- 9.83 The position in relation to education provision has changed significantly since the previous committee resolution. At that time, Northamptonshire County Council, as the education provider, were satisfied that there was sufficient capacity within existing town centre primary schools to accommodate children from within the development. Based upon population statistics and projected school rolls this is no longer considered to be the case. For the town as a whole, current predictions indicate that there will be a shortfall of 260 primary places for the intake year of 2013/14. In the Far Cotton, Briar Hill and Delapre primary schools i.e. those closest to the site, there is predicted to be a shortfall of 38 places in the same intake year.
- 9.84 This change in position is largely down to a significant increase in the birth rate in the local area. Between 2001 and 2005, the average number of annual births in the Briar Hill, Delapre and Far Cotton wards was 163, in the last two years, the average number of births in these wards was 236, an increase close to 50%. The County Council have therefore confirmed that the four schools serving this area; The Abbey, Briar Hill, Delapre and Queen Eleanor, will be full in reception in 2010 and in subsequent years. The schools in question are generally on constrained sites and are not considered suitable for expansion.
- 9.85 NCC's position is therefore that the Ransome Road and Avon/ Nunn Mills sites will require an on-site primary school to serve the pupils generated from within these developments – at the time of the previous round of consultation NCC estimated that 170 primary school aged children would be generated by the two applications covering the Ransome Road, Avon and Nunn Mills sites. This level was based upon an overall number of units of 2050 with a high proportion of apartments. The SDF work envisages that the overall quantum of residential development will fall to approximately 1600/1700 units but there would be a higher proportion of family housing. Thus, NCC education officers are of the view that the level of school aged children is likely to require a primary school to serve the site. Based on the evidence put forward, WNDC planning officers accept this advice.
- 9.86 The Strategic Design Framework (commissioned by WNDC to set out its key design and land use aspirations for the site) makes provision for a 2 form entry primary school

centrally located to the north of the safeguarded rail line at the junction between the Ransome Road/ Nunn Mills Road crossing. Given the significant infrastructure constraints faced by the sites, the land take suggested for the school is based upon an urban school, with play facilities detached from but close to the school. It was envisaged that the play facilities would form part of a shared resource with other controlled public access. From a design perspective, the preferred location was therefore not on the Ransome Road site but on land owned by Avon Cosmetics.

- 9.87 At present, there is no agreement between landowners regarding primary school provision and no consensus over a preferred location. This has implications for the Ransome Road planning application, particularly as the scheme is being brought forward for determination in advance of any proposals to the north of the railway line. The HCA have accepted the need for the development to contribute towards education provision and, at the present time, envisage that this would be in the form of a financial contribution to off-site provision. In order to provide an acceptable solution in terms of providing a school, any financial contribution within a s.106 agreement needs to be made with a high degree of certainty that a deliverable site is available, or will be available within the timeframe of the development.
- 9.88 There are effectively three scenarios that may be considered in order to deliver a school within the Avon Nunn Mills and Ransome Road sites. The first preference, in Masterplanning terms is to locate the school on Avon Cosmetics land, centrally positioned for access from dwellings across the sites to the north and south of the railway line. In this situation, the Ransome Road planning application could proceed with a financial contribution towards the cost of the school, on a proportionate basis. However, this would also require some form of equalisation between the three main landowners regarding the value of the land taken up by any school. This approach would clearly require further discussion between the key parties.
- 9.89 A second option would be for WNDC to utilise its land holding to the north of the railway line, in order to help deliver a school to serve the three sites. The land within WNDC's ownership is not in a position or configuration that would be suitable for a primary school. The possibility of a land swap to secure a site in the preferred location is an option that may be considered.
- 9.90 Finally, if no agreement between key landowners and WNDC, as Planning Authority, can be reached regarding a site to the north of the railway line, the HCA would need to examine the option of providing a site within the Ransome Road development. This option would clearly require amendments to the present application, an assessment of the impacts of any changes, and further reconsultation.
- 9.91 At the time of writing no clear solution to the issue of primary school provision has been found. As set out in the recommendation at the beginning of this report, officers

request that delegated authority is given to the Director of Planning to secure a satisfactory resolution to this issue through the s.106 agreement.

### **Crime and Disorder**

- 9.92 The Police have commented on the application and have not objected to the principle of the scheme but have made a number of detailed points regarding the eventual design of the scheme. Essentially, these comments relate to the design of proposed car parking courtyards, the on-going management of public spaces, the need for clear definition between public and private space, and the need to avoid segregated footpaths/cycleways.
- 9.93 Many of these issues are matters of detailed design that will be covered through the use of design codes and the police will be consulted fully throughout this process. The s.106 agreement will ensure that all areas of public open space will be properly managed. In addition, it is a requirement of the HCA that all developments achieve Secured By Design accreditation and this will ensure that the built fabric takes account of opportunities for crime and vandalism.

### **Community Facilities**

- 9.94 The planning application makes provision for a community building located at the western end of the site, at the junction between the new development and the existing community. The reasoning behind the location of the facility is to provide a link between the new and existing community and to enable existing residents in the Far Cotton area to make use of the community facilities. The lack of existing community hall and facilities was an issue highlighted through various consultation events regarding the application. The exact make up of the building is yet to be finalised but it is envisaged that this would cover a range of uses, including community hall, health facilities and potential accommodation for emergency services.
- 9.95 The PCT have not commented formally on the updated application and the future position regarding the requirement for on-site health facilities is not certain. The Police have responded and suggest that an on-site facility may be required but have not confirmed this at the present time. Therefore, in relation to potential service use within the building, the s.106 approach should seek to provide a range of uses, allowing flexibility in approach in the eventuality that one or more service providers do not wish to occupy the building on-site.
- 9.96 The community hall will need to be secured through the s.106, along with provisions for its future maintenance, either through a management trust arrangement or through transfer to a public body. In terms of phasing, the building is indicated within the final phase of development. Given the present uncertainties regarding the delivery of

services, there is not considered to be an over-riding need to deliver this facility in the early phases of development and this approach is considered to be acceptable.

- 9.97 A further leisure/ community facility building is proposed adjoining Delapre Lake and the intended function of this building is to provide leisure, food retail (restaurant/ café) and/or community facilities associated with the open space and recreation space in the surrounding area. As above, the s.106 will need to secure this building and its associated uses due to the importance of providing a balanced development to meet the needs of the new community. However, a flexible approach to the range of uses will need to be accommodated.

### **Waste Management**

- 9.98 The ES submitted with the scheme highlights the potential impacts of Waste Management associated with the development, in both the construction phases and through the lifetime of the development. All wastes occurring during the construction phase are classified as “Controlled Wastes” and any developer will be required to operate a Site Waste Management Plan in order to comply with Waste Management Legislation (SWMP Regulations 2008).
- 9.99 With regards to operational waste, the layout and design of the scheme can have a significant impact by ensuring suitable bin storage provision and access to recycling facilities. The scheme is arranged around a perimeter block structure, with dwellings fronting directly onto the street. The ES notes that the refuse will be collected street side, rather than within the private courtyards/ gardens to the rear. In this context, it is essential that careful thought is given to refuse and recycling storage and collection in the early stages of detailed design. NCC have produced Good Practice Guidance *Waste Minimisation in New Developments* and *Designing for Waste Management (2006)*. A condition is recommended to ensure that the design of the scheme accords with good practice in this regard.

### **Environmental Impact Assessment**

- 9.100 An Environmental Impact Assessment has been undertaken and the results of this have been compiled within an Environmental Statement (ES), divided into 17 chapters, in order to fully assess the potential environmental effects of the scheme and put forward any necessary mitigation measures. The topic areas covered within the ES are as follows:

- Socio-economic effects
- Biodiversity
- Landscape and Visual Effects
- Ground conditions and Contamination
- Waste Management
- Water Resources

- Noise
- Air Quality
- Archaeology and Cultural Heritage
- Transport, Movement and Access
- Sustainability
- Cumulative Impacts
- Residual Effects

9.101 The ES was fully updated in 2009/ early 2010 in order to ensure that the background data and methodology behind the EIA are based on current baseline conditions and standards. The topic areas have not been amended and the scope of these is still considered to cover all of the potential significant environmental effects. No additional items or topics have arisen since the submission of the original ES that would necessitate a change to the breadth of the EIA.

9.102 The assessment of the application within this report has taken account of the issues raised within the ES and a number of conditions and obligations in relation to s.106 have been recommended in order to mitigate any impact that may arise. The recommended Heads of Terms of the s.106 agreement and the suggested conditions are set out below. Subject to this mitigation, it is considered that the residual impact of the scheme will not result in any significant environmental effects that would have a material impact in terms of determining the application. In other words, there would be no significant adverse environmental impact that would warrant the refusal of the scheme.

### **Planning Obligations.**

9.103 The above report has identified the various different matters that are required to be covered by a S106 legal agreement balanced against the fact that the site has significant abnormal costs that, in the current market conditions, pose as a constraint on development. These include significant contamination costs, infrastructure requirements relating to the road network, bridges need for linkages to the surrounding area which is recognised to be above the normal financial costs of bringing a redevelopment scheme forward of this scale.

9.104 The previous committee resolution was to approve the application subject to the Heads of Terms set out in the report to committee (see Appendix 1). Following this resolution further discussions took place regarding the s.106 in the context of the financial appraisal that had been undertaken at the time. However, no agreement was reached with the HCA over the content of the s.106 and therefore, no decision was issued.

9.105 Following the submission of the updated information early in 2010, the HCA have submitted a further financial appraisal which has been audited independently by a QS appointed by WND. It is reasonable to comment, in the light of further information, that the economic circumstances in the period between 2007 and now have not brought about an improvement in the viability of the scheme. The issues faced by the

development in terms of the high abnormal costs still have a substantial bearing upon the feasibility of profitably delivering the scheme were the full package of Standard Charge s.106 obligations imposed. Notwithstanding this point, in order to be acceptable in planning terms, the proposed development needs to adequately mitigate its impact in a number of areas. Consequently, it is recommended that the approach to s.106 on this site is to examine the infrastructure requirements needed to ensure the scheme is acceptable in planning terms and to secure these items through a site specific s.106.

- 9.106 The site viability assessment has shown that the Discounted Standard Charge, put forward within WND C's Planning Obligations Strategy would, if applied to this scheme, result in a development that was not viable. The POS does recognise that where a scheme has exceptional constraints impacting on viability, a deferred contributions mechanism may be appropriate, reviewing viability at phases throughout the development. The protocol for considering viability constraints proposed by the POS (paragraphs 2.42-2.44) has been followed in this case.
- 9.106 This scheme offers significant benefits in delivering development plan and WND C Corporate objectives for the regeneration of the area, including remediation of this strategic brownfield site and creating a sustainable community. These benefits should be given significant weight in determining this application and in considering whether an exception to the headline level of contributions (or timing of payment) set out in the POS is warranted.
- 9.107 The Community Infrastructure Levy Regulations 2010 came into force in April 2010. They require (reg.122) 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.
- 9.108 In the context of CIL, the proposed s.106 Heads of Terms set out below would be fully compliant. The Heads of Terms outlined are proportionate to the development, directly related to the scheme and are considered to be necessary to make the proposal acceptable in planning terms.

### **s.106 Heads of Terms**

- 9.109 The recommended S106 Heads of Terms are set out below, based upon discussions held to date regarding the financial appraisal and officer advice on the measures required to secure an acceptable planning consent, in the context of the viability issues faced by the site:

#### Affordable Housing

The level of affordable housing is recommended at 22% across the development, based upon the previous resolution. Although the current requirement from NBC Housing, based upon the Housing Market Assessment is for 35%, the viability issues are such that any provision above 22% would not be achievable, when balanced against other s.106 requirements. However, this reduced level of provision should not enable the benefit of current market conditions to be 'banked' and applied when development viability may have materially improved. In line with the POS, a deferred obligation should be imposed.

The Director of Planning Services should be delegated authority to select the appropriate mechanism for this, in negotiation with the applicant. The following should also apply:

- 22% affordable housing provided across the sites.
- Office development help provide key worker accommodation.
- Tenure split to be agreed to the satisfaction of the Director of Planning
- Cluster size to be between 6 and 15 units and know one cluster adjacent each other.
- The affordable housing clusters will need to be set out in a master plan/design code document.
- Free and serviced land.

#### Sustainable Transport Measures

- Public transport bus subsidy. This will be based upon a phased approach with the subsidy continuing until 2 years post completion.
- Travel Plan measures to secure modal shift, including monitoring and failsafe mechanisms to ensure compliance with Travel Plan targets.
- Footpath links and cycleways to Delapre Park and Avon sites.

#### Physical Transport Infrastructure

- Railway bridge crossing – 50% of costs, remainder funded by development at Avon/ Nunn Mills. If this bridge is not required, the cost level to be used to fund other infrastructure items.

#### Education Provision

Financial contribution towards the delivery of a primary school within the Ransome Road/ Avon Nunn Mills development.

Contribution towards secondary provision, dependent upon site viability.

#### Sustainability Strategy

This document will need to be submitted and agreed before reserve matters applications are submitted and comply with the WNDK Sustainability Strategy document.

Measures to include on-site energy generation and compliance with Code for Sustainable Homes.

#### Community Buildings

Provision and transfer of community building to shell and core specification at nil cost or delivery of fully serviced site and financial contribution to deliver the building.

Provision to be available within the building for police and health/ medical service requirements.

#### Open Space, Sport and Recreation

Equipped areas for play to be provided within the development, in accordance with a strategy to be submitted and agreed.

Financial Contribution to enhancement of off-site sport and recreation facilities

#### Construction Futures

Construction training programme in line with Construction Futures Initiative

#### Ecological Management Plan

Ecological management plan required to deliver the mitigation measures outlined in the ES and considered necessary by the Director of Planning Services (Note: further survey and mitigation work currently in process)

#### Management Arrangements/ Community Trust

Requirement for the development to provide for a Community Trust or similar management vehicle that will include responsibility for the following on-going maintenance of the following areas:

- Management and maintenance of public realm and landscape areas/public open space
- On-going management of ecological habitat, in line with ecological management plan
- Management of SUDS systems, if not adopted

#### Monitoring and Legal Costs

- Contribution towards WNDK legal fees and monitoring costs, to be agreed in consultation with applicants.

- 9.110 The phasing of payments within the s.106 will have a critical impact upon the viability of the scheme and the ability to secure a start to development on site. The phasing of development will be based around the highways constraint which dictates that no more than 450 units can be serviced from the London Road junction alone. Beyond that level, the link to Bedford Road will be required. It is therefore anticipated that the approach to phasing in the s.106 will reflect this approach. In other words, the contributions and works will be examined to reflect what is needed to deliver the first phase of development, up to 450 to enable a commencement to be made.
- 9.111 However, although the approach to s.106 will be constructed around a phased mechanism, linked to delivery, the approach at the outset needs to consider the deliverability of the entire scheme. Mechanisms for the provision of key items of infrastructure required beyond 450 units, such as the bridge link or primary school, need to be embedded within the contributions mechanism for the early phases to ensure that the burden is shared throughout the scheme and to prevent an unrealistic high cost burden being left until later phases.
- 9.112 Similarly, in the light of the recommended approach to s.106 based upon viability constraints, it is considered necessary to embed the opportunity to review the viability of the scheme, and subsequently the s.106 contribution, at phases throughout the scheme. This will enable each phase of development to take account of any reduction in development cost associated with the scheme, or any wider improvements in economic conditions (or vice-versa). For example, the position at the present time regarding the road bridge link to Nunn Mills Road adds a significant cost burden to the development. If the position regarding the safeguarded rail line is reviewed during the lifetime of development, the need for the bridge may be removed, potentially improving the viability of the scheme. Equally, further investigation into land remediation techniques may result in a reduction in the cost burden for dealing with contaminated land.
- 9.113 In this scenario, it is reasonable to reflect any uplift in viability in terms of the terms of any s.106 obligation reflecting mitigation. In simple terms, a reduced s.106 contribution has been accepted on the basis of the significant regeneration benefits of the scheme and the high infrastructure cost associated with it. For example, affordable housing provision at 22% is considered to be the best that can be achieved in the current context, despite being below the current local housing policy target of 35%. Similar approaches have been taken towards education and open space/ sports provision and a number of Heads of Terms that would be covered within a Standard Charge Obligation are not included within the recommended Heads of Terms set out above. In a situation where viability improves, it is reasonable to review the level of s.106 contribution. A number of items of off-site infrastructure have not been requested within the suggested heads of terms that would ordinarily be required for a development of this size in terms of the WNDP Planning Obligations Strategy. These are set out below:
- Library service contributions
  - Secondary school contributions

- Town centre enhancement
- Burial ground contributions
- Voluntary sector contributions
- Police service start up costs.

9.114 In a situation where viability improves it is reasonable to review the level of s.106 contribution. Therefore, the reduced s.106 contribution should take effect as a deferred contribution subject to assessments of each phase to confirm whether set values have been realised above a threshold that warrants either part or the whole of the outstanding, full, contribution to be paid for that phase.

## 10. Conclusion

10.1 In line with the assessment outlined above, it is considered that the proposed scheme will bring significant regeneration benefits to the area by reusing and remediating highly contaminated area of brownfield land in close proximity to existing communities and associated amenities. In planning policy terms, the scheme is compliant with National Policy and complies with the aims of Policy D17 of the Northampton Local Plan in terms of regeneration of the brownfield initiative sites.

10.2 Any impacts can be adequately mitigated through the use of the conditions set out below and through obligations in accordance with the s.106 Heads of Terms identified above. There are significant viability issues associated with bringing forward this scheme, as evidenced by the substantial amount of public money invested to bring the site forward and the length of time taken and difficulty in securing an acceptable and viable planning consent. The application has been reported to the relevant planning committee twice previously and approved, subject to conclusion of a s.106 agreement. In recommending this scheme for approval, there are clearly difficult choices to make and the ability of the site to contribute to infrastructure through s.106 is limited. However, in line with the terms and approach set out above, it is considered that the current proposal can adequately mitigate its impact and bring forward a high quality, sustainable, residential scheme.

## 11. Conditions

(1) Development shall not commence until details of:

- a) the layout of the new development;
- b) the scale of the new development;
- c) the appearance of the new development;
- d) the means of access, not approved by this permission; and

e) the landscaping of the site.

(hereinafter called the reserved matters) have been submitted to and approved in writing by the Local Planning Authority

Reason: As the application is in outline only and is not accompanied by detailed plans and by virtue of Sections 91 to 95 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- a) Urban Framework Plan [Fig 2.1, February 2010]
- b) Land Use Plan [Figure 3.1, February 2010]
- c) Building Footprint, Density and Use Plan [Figure 4.1, February 2010]
- d) Building Height Parameters [Figure 6.1, February 2010]
- e) Movement Plan [Figure 9.1, February 2010]
- f) Key Dimensions Plan [Figure 5.1, February 2010]
- g) Phasing Strategy [Figure 4.3, February 2010]
- g) up to 800 dwellings
- h) community building (comprising health and community uses within Use Classes
- i) lakeside leisure facility (within Use Classes

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

- (5) Development shall not be begun on any Phase of development until a Design Code has been submitted to and approved in writing by the Local Planning Authority for the area in which the phase is located [Fig 4.3, Phasing Strategy, February 2010].

Thereafter, all the reserved matters shall be prepared in accordance with the approved Design Code for the area in which they are located. The Design Code for each area shall include details of the following:

- 1) a movement network (to include access and circulation connections (including public transport), pedestrian, cycleway and bridleway networks; highways/estate road design and car and cycle parking;
- 2) phase layout principles (to include urban structure, form and layout of the built environment, existing and proposed levels, building heights, visualisations, continuity, enclosure, articulation, density, legibility, and gateways, character areas, landmark and key buildings and groups);
- 3) areas within the public realm, including landscaping, hard surface treatments, boundary treatments, means of enclosure, street furniture (including external lighting) and public art;
- 4) servicing (including design for the storage and collection of waste and recyclable materials, in accordance with condition 7, location/type of utility boxes and SuDS);
- 5) external materials (to include a palette of wall and roof finishes, windows, doors, porches, heads, sills, chimneys, eaves and verges, and rainwater goods);
- 6) detailed sustainability measures in accordance with the Sustainability Framework approved pursuant to condition 7 including, but not limited to building orientation and water butt provision; and

Each subsequent reserved matters application shall be accompanied by a statement demonstrating how the scheme complies with the approved Design Code. The development shall be carried out in conformity with the approved Design Code.

Reason: To ensure an integrated approach to the design of this large scale development, bringing consistency across each development phase, in the interests of visual amenity and good design, in accordance with Policy E20 of the Northampton Local Plan and the principles outlined within *PPS1 – Delivering Sustainable Development*.

- (6) No development shall commence until a Green Infrastructure Management Plan (GIMP) has been submitted to and approved in writing by the Local Planning Authority. The GIMP shall include details of:

- a) an ecology masterplan showing areas of existing and proposed habitats in relation to the proposed phases of the development (being those areas as defined within the Environmental Statement and Design and Access Statement submitted with the application, including the Railway Dyke Ecological corridor, Delapre Brook, Delapre Lake and its surroundings within the site, and the pond adjacent to Delapre Brook);
- b) proposals for habitat creation, enhancement or restoration including a description and evaluation of the proposals;
- c) a timetable of works linked to the approved phasing of the development;
- d) details of a scheme of management (including who is responsible) for all areas of Green Infrastructure, including the structural landscaping approved pursuant to conditions 11 and 12, for a period of 15 years from the point of first occupation of each phase of development;
- e) a mechanism for audit and review of the plan;

Thereafter, the habitat creation / enhancement works shall be carried out in accordance with the Green Infrastructure Management Plan.

No Phase of development shall commence until the requirements for that Phase contained in the Green Infrastructure Management Plan have been implemented. Those details shall be maintained as part of the Development.

Reason: To mitigate for disturbance and loss of habitat in the interests of ecology and in accordance with PPS9, policies E2, E17, E18 & L16 of the Local Plan and to provide mitigation for the proposals, as outlined within the Environmental Statement submitted with the application.

(7) The development shall not be begun until a Site-Wide Sustainability Framework has been submitted to and approved in writing by the Local Planning Authority. The Sustainability Framework shall include a site-wide Renewable Energy Strategy and Waste Strategy, with each reserved matters application including details to demonstrate the following:

- a) provision for renewable energy for all elements of the development to include a minimum of 10% of site-wide energy needs from decentralised and renewable or low-carbon sources;
- b) an initial design stage assessment by an accredited assessor for The Code for Sustainable Homes demonstrating that a minimum of Level 3 of the Code for Sustainable Homes is achieved, or higher Code Level pursuant to an adopted policy at the time of submission of reserved matters applications;

- c) how the non-residential elements will meet BREEAM very good level, or higher pursuant to an adopted policy at the time of submission of any reserved matters application;
- d) cycle storage ;
- e) sustainable design measures, including but not limited to, building orientation, sustainable materials sourcing, passive solar gain and sustainable landscape design;
- f) rainwater harvesting systems and other water efficiency measures;
- g) a scheme for the provision of water butts, composters, wormeries for dwellings with gardens;
- h) a Water Consumption Management Plan;
- i) a waste and Re-cycling Strategy & Management Plan to include the provision of the storage of recyclable materials in dwellings;
- j) a scheme to provide a Waste Management User Guide for future residents;

The development shall thereafter be implemented in accordance with the approved Sustainability Framework.

Each subsequent reserved matters application shall include a Statement demonstrating how the proposals are consistent with, and implement, the approved Site-Wide Sustainability Framework.

Reason: To ensure that the design and construction of the development takes account of sustainability principles, in accordance with Planning Policy Statement 1 (Planning for Sustainable Development) and its supplement (Planning and Climate Change) and Planning Policy Statement 22: Renewable Energy

(8) Prior to the commencement of development, other than remediation of contamination :

- a) A Desktop study shall have been carried out on all parts of the site including the identification of previous site uses, potential contaminants that might reasonably be expected to be present given those uses and other relevant information. And using this information a textural and diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall have been produced.
- b) Ground investigations shall have been designed for the site using the information obtained from the desktop study and any textural and diagrammatical representations (Conceptual Model). The detailed scope of works for the ground investigation shall be

submitted to, and approved in writing by the Council prior to investigations being carried out on the site. The investigations shall be comprehensive enough to enable:

- Quantitative risk assessments to be undertaken relating to human health, groundwater and surface waters located on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of Method Statements detailing the remediation requirements.

c) The site investigations shall have been undertaken in accordance with details approved by the Council and risk assessments have been undertaken and approved by the Council.

d) A Method Statement detailing the remediation requirements, including an assessment of the measures to address the impact on human health, groundwater and surface waters, using the information obtained from the Ground Investigation shall have been submitted to the Council. Landfill gas mitigation measures shall also be included within the Method Statement. This shall be approved in writing by the Council in consultation with the Environment Agency prior to that remediation being carried out on the site.

Reason: To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies E3 of the Northampton Local Plan and the requirements of PPS23- Planning and Pollution Control.

(9) No development approved by this planning permission other than that directly associated with the remediation of contamination present on the site shall be commenced until actions have been taken to remediate the site. The development of the site shall be carried out in accordance with the approved Remediation Method Statement (s).

Reason: To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies E3 of the Northampton Local Plan and the requirements of PPS23- Planning and Pollution Control.

(10) 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 Local Planning Authority) shall be carried out until the developer has

submitted to, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement shall detail how this unsuspected contamination shall be dealt with. No Development shall recommence until any remediation identified in this Method statement is carried out.

Reason: To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies E3 of the Northampton Local Plan and the requirements of PPS23- Planning and Pollution Control.

(11) Upon completion of the remediation detailed in the Method Statement and prior to development commencing a report that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s) shall be submitted to the Local Planning Authority. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met.

Reason: To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies E3 of the Northampton Local Plan and the requirements of PPS23- Planning and Pollution Control.

(12) An area of land shall be identified for the provision of a pump and treat installation, details of which shall be submitted to and approved in writing by the Local Planning Authority. No built development other than that directly associated with the remediation of contamination present on the site, shall be carried out in the area unless otherwise agreed in writing by the Local Planning Authority following approval from the Environment Agency that a pump and treat installation will not be necessary.

Reason: To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies E3 of the Northampton Local Plan and the requirements of PPS23- Planning and Pollution Control.

(13) Prior to the commencement of any development the applicant shall carry out a full archaeological evaluation of the site of the Battle of Northampton, in accordance with an "Evaluation Brief" that shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of assessing an archaeological remains on the site of the battlefield of Northampton in accordance with policy E38 of the Northampton Local

Plan.

(14) Prior to the commencement of any development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify provision for the following:

- Dust mitigation measures during the construction period;
- Control of noise emanating from the site during the construction period;
- Hours of construction work for the development;
- Details of contractors compounds and other storage arrangements;
- Provision for access, parking and turning arrangements for vehicles during the construction period (including site workforce, visitors and construction traffic);
- Arrangements to minimise the deposit of mud and other material on the public highway
- Routing arrangements for construction traffic.

Thereafter, construction of the development shall be carried out in accordance with the approved details.

Reason: To ensure that development at the site is controlled in the interests of highway safety and residential amenity of adjacent occupiers.

(15) Prior to the occupation of any units approved by this permission, the junction improvements at the Ransome Road/ London Road/ St. Leonards Road (as approved by WNDP under Planning Permission reference 10/0089/REPWNN or any subsequent amended consent) shall have been implemented in full in accordance with the details so approved.

Reason: To ensure satisfactory access and egress arrangements into and from the site in the interests of highway safety.

(16) No more than 450 units shall be occupied until such time as a secondary vehicular access is provided to connect the site with Bedford Road, together with a cycleway/ footway over the railway to connect with the Avon/ Nunn Mills development. Prior to the commencement of any phase of development in excess of 450 units, full engineering, drainage, signal and constructional details of the secondary access and footway/cycleway connection shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the access shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory access and egress arrangements in the interests of highway safety.

(17) Prior to the commencement of construction work for each respective phase of development full details of all roads and sewers including cross sections, longitudinal sections, highway boundaries and proposed ground and floor levels shall be submitted to and approved by the Local Planning Authority.

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

(18) Prior to the commencement of each respective phase of development full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients shall be submitted to and approved by the Local Planning Authority.

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

(19) Prior to the commencement of each respective phase of development, full details of the pedestrian crossing bridges connecting the site to Delapre Park (as shown on the Movement Plan Figure 9.1, February 2010) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include elevations and cross sections, construction details and details of finished materials. Thereafter, the approved bridges shall be completed and available for use prior to the completion of the respective phase of development in which they are located.

Reason: To ensure that adequate links are provided between the site and adjacent areas of recreation, in the interests of sustainability and the amenity of prospective occupants.

(20) Provision shall be made for bus stops and shelters within the highway in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and implemented concurrently with the construction of the roads unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure provision of adequate public transport facilities in the interests of sustainable development.

(21) Prior to the commencement of construction work for each individual phase of development full details of all sewers, services and soakaways shall be submitted to and approved by the Local Planning Authority and implemented concurrently with the

development.

Reason: To secure a satisfactory standard of development.

(22) In association with the submission of reserved matters a minimum of 10 % of all the residential units hereby permitted shall be available for people with disabilities and constructed to the Borough Council's mobility housing standards and thereafter maintained.

Reason: To ensure adequate provision is made for people with disabilities in accordance with policy HI7 of the Northampton Local Plan.

(23) The development shall not be begun until a Site-Wide Landscape Strategy has been submitted to and approved in writing by the Local Planning Authority. The Site-Wide Landscape Strategy shall include:

- a) a plan to identify areas of hard and soft landscaping and planting across the whole development;
- b) a phasing plan to set out the timing of the hard and soft landscaping including the identification of the areas where it will be undertaken in advance of the separate phases of development.

(24) The reserved matters details for each respective phase of development shall demonstrate how the development fits the approved Site-Wide Landscape Strategy and shall include:

- a. a survey of existing trees (in accordance with BS5837:2005) and hedgerows;
- b. details of trees, hedgerows, orchard, grassland and other landscape features to be removed, retained, restored or reinforced;
- c. details of measures to protect the existing trees, hedges and hedgerows to be retained on the site;
- d. schedules of proposed trees and plants, location, species, sizes and densities;
- e. details of construction methods in the vicinity of retained trees and hedges, including protection measures in accordance with BS4428 and BS5837:2005 and details of pit design for tree planting within streets or areas of hard landscaping;
- f. existing and proposed ground levels comprising spot heights, gradients and contours, grading, ground modelling, and earth works;
- g. details of proposed services above and below ground in relation to new and existing tree planting;

- h. details including locations and specifications and product literature relating to materials for pedestrian and vehicular areas, artefacts and street furniture including signs, seats, bollards, cycle racks, bus shelters, lighting columns; planters, refuse bins, play areas and equipment;
- i. existing and proposed services above and below ground; and
- j. details of planted boundary treatments and means of enclosure, including measures to provide screening and security to any residential properties directly abutting landscaped areas;
- k. details of the footpaths, cycleways and any street furniture proposed within open space and Green Infrastructure (GI).

Thereafter, the development shall be implemented in strict accordance with the approved Site Wide Structural Landscape Strategy.

Reason: To ensure satisfactory hard and soft landscaping of the public amenity areas across the site, in the interests of visual amenity and good design, in accordance with Policy E20 of the Northampton Local Plan and the principles outlined within *PPS1 – Delivering Sustainable Development*.

(25) The reserved matters submissions to be submitted for each phase of development in accordance with Condition 1 (a-c) shall include full details of existing ground levels, finished ground levels and finished floor levels for properties within that phase. Any details pursuant to Phase 1 of the development shall include existing ground levels, proposed ground levels, finished floor levels, and cross sections, at a detailed scale (1:50 or 1:100) showing the relationship between the proposed development and the existing dwellings at Claughton Road.

Thereafter, the development shall only be carried out in accordance with details approved within any reserved matters submission.

Reason: To ensure that the impact of any change in land levels is properly assessed in the interests of residential amenity, in accordance with Policy E20 of the Northampton Local Plan.

(26) The details to be submitted in accordance with Condition 1 above in relation to reserved matters applications for any phase of the development shall include full details of any Local Area for Play, Local Equipped Area for Play, Neighbourhood Equipped Area for Play and incidental open space within that phase, in accordance with *Fields in Trust* guidance. Those details shall include:

- a) location and layout
- b) design and specification of any equipment or feature
- c) boundary details

d) construction details.

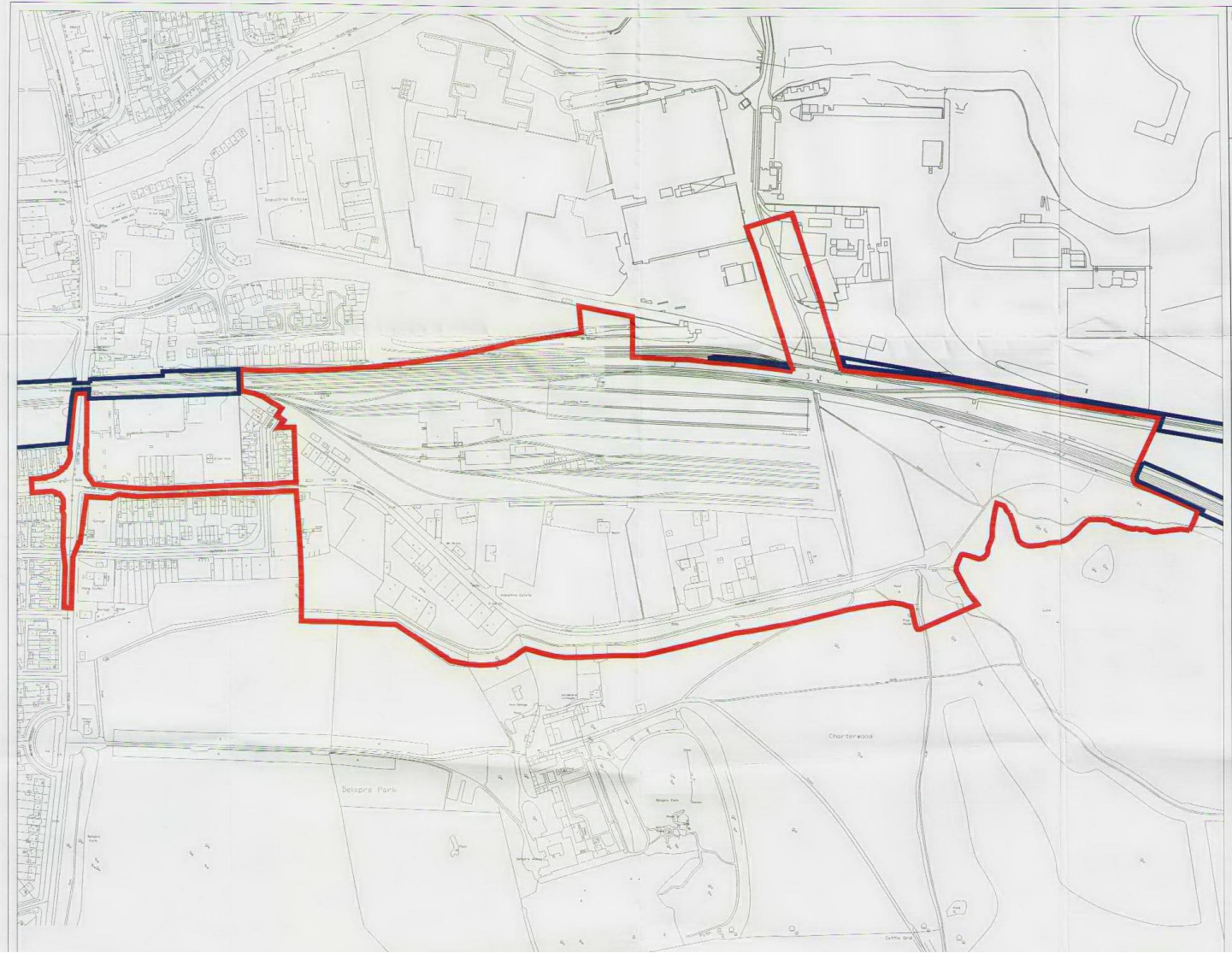
Reason: To ensure that areas for play and recreation are incorporated into the development, in accordance with Policy H14 of the Northampton Local Plan and the principles of PPG17- *Planning for Open Space, Sport and Recreation*.


(27) The reserved matters application for each phase of development shall be accompanied by a noise assessment, prepared in accordance with a brief that shall first be submitted to and agreed in writing by the Local Planning Authority. The noise assessment shall take account of the levels of noise generated from any existing industrial/ employment uses that remain on the site, assess the potential impact upon proposed residential properties within that phase and, where necessary, put forward mitigation proposals to ensure that adequate levels of residential amenity for prospective occupants is maintained.

Thereafter, the development shall only proceed in accordance with the approved details.

Reason: To ensure that the impact of any remaining employment uses is taken account of, in the interests of residential amenity.

Site Location Plan



<p>Report of Director of Planning</p> <p>West Northamptonshire Development Corporation</p>	
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<p><b>Applicant:</b> English Partnerships/Network Rail</p>	<p><b>Application No:</b> WN/2006/0016</p>
<p><b>Description:</b> Residential, community facilities and associated development, access improvements and retention of operational railway line.</p>	
<p><b>Date Registered:</b> 6 April 2006</p>	<p><b>Address:</b> Land off Ransome Road</p>
<p><b>Expiry Date:</b> 6 July 2006</p>	<p><b>Ward:</b> Delapre</p>

1. **Recommendation:**

1.1 **APPROVE**, subject to a Section 106 agreement to secure the production of and subsequent compliance with, or the provision of contributions towards, the following:-

- (i) Affordable Housing
- (ii) Design Code Document
- (iii) Highway Design Guide
- (iv) Sustainability Strategy
- (v) Public Art Strategy
- (vi) Infrastructure Provision
- (vii) Community Trust
- (Vii) The phasing and mix of land uses.

and the conditions listed at the end of this report, for the following reason:

The proposal would result in the re-use of previously developed, contaminated land for a large residential development with associated community facilities, in accordance with regional and sub-regional guidance and local planning policies. The scheme would therefore contribute towards meeting the housing needs of Northampton, and facilitate the provision of improved infrastructure and services in the locality, together with significantly

enhancing the living environment for local residents, and improve the biodiversity value of the area. With the exception of the loss of a small area of recreational land, which will be offset by contributions being made towards improved leisure facilities to serve a wider area, the scheme would accord with the policies of the development plan, and is considered acceptable.

2. **Summary:**

- 2.1 Outline permission is sought for the redevelopment of this underused and contaminated site for residential purposes, with ancillary community facilities.
- 2.2 The development would secure a range of benefits, including the provision of relatively high density housing close to the Town Centre; new community facilities and enhanced recreation provision; improved linkages to the Town Centre and to adjacent areas, including Delapre Park; flood mitigation works, drainage and environmental improvements; and enhanced infrastructure and services.
- 2.3 The proposal generally conforms to regional and sub-regional guidance, as well as local plan policy, and it is recommended that permission be granted, subject to a Section 106 agreement to secure contributions necessitated by the development and the production of and subsequent compliance with various strategies and documents, and conditions.

3. **Description of Proposal:**

- 3.1 The application seeks outline permission for residential development with community facilities, with all matters reserved for future consideration. The development comprises the following elements:
- Provision of up to 800 new dwellings in a mix of tenures and densities;
  - New community facilities to cater for new and existing residents; flexible ground floor space for commercial uses and/or convenience and/or health uses;
  - The primary access to the site by an improved junction at Ransome Road/London Road and also by a link from Bedford Road that runs through the Nunn Mills/Avon Cosmetics development site;
  - Remediation of previously developed land;
  - Improved lakeside access;
  - Improved linkages between Delapre Park and the Town Centre;
  - Improved flood mitigation;
  - Environmental improvements to watercourses; and
  - Retention of the operational railway line.
- 3.2 A “Master Plan : Development Framework” document and Planning application update report have recently been produced in support of the application, in respect of which

a reconsultation exercise has been undertaken. The application is accompanied by an Environmental Statement.

#### 4. Description of Site:

- 4.1 The Ransome Road site measures some 23ha and consists of railway line; railway sidings that are primarily disused; a large area of mixed industrial uses such as HGV haulage, open storage, breakers yard, warehousing and offices; and an area of open space including land previously used for motor-cross sport. It is situated to the southern side of Northampton town centre, and to the east of London Road. With the exception of the access through to Nunn Mills Road, the northern boundary of the site is marked by the former Northampton – Bedford railway line. The southern boundary of the site is marked by the Delapre Brook, which is the northern most part of Delapre Park, and Delapre Lake to the south eastern edge.

#### 5. Policy Considerations:

##### WNDC Purpose:

- 5.1 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.

##### National Policy:

##### *5.2 PPG3 – Housing*

PPG4 – Industrial & Commercial Development & Small Firms

##### *PPG13 – Transport*

PPG14 – Development on Unstable Land

##### *PPG15 – Planning & the Historic Environment*

PPG16 – Archaeology and Planning

PPG17 - Planning for Open Space, Sport and Recreation

PPG24 - Planning and Noise

PPG25 - Development and Flood Risk

PPS1 – Delivering Sustainable Development

PPS3 – Housing (Effective from 1 April 2007 – see below)

PPS6 – Planning for Town Centre

PPS9 – Biodiversity and Geological Conservation

PPS22 - Renewable energy

PPS23 – Planning and Pollution Control

PPS25 – Development and Flood Risk

### **Planning Policy Statement 3 (PPS3): Housing**

PPS3 was issued in November 2006, but Local Planning Authorities are not formally required to have regard to it as a material consideration when making decisions on planning applications until 1 April 2007. However, the statement is capable of being a material consideration in particular circumstances prior to this date.

Of specific relevance to the current proposal is the commitment to improve the affordability and supply of housing in all communities, and the re-affirming of the need to ensure that housing is of a high quality, especially in design terms with a good mix in respect of tenure, price and type, reflecting the accommodation of specific groups, including families and older people. The definition of affordable housing is also to be changed to exclude low-cost market housing, which should be delivered as part of the overall housing mix. In addition, housing density policies should be decided at a regional and local level, and residential parking policies should be developed by Local Planning Authorities.

## **Development Plan:**

### **5.3 RSS**

1 Regional Core Objectives

2 Locational Priorities for Development

3 Sustainability Criteria

4 Promoting Better Design

5 Concentrating Development in Urban Areas

13 Spatial Priorities for Development in the Southern Sub-Area

17 Regional Housing Provision

18 Regional Priorities for Affordable Housing

- 20 Regional Target for Re-using Previously Developed Land and Buildings for Housing
- 22 Regional Priorities for Employment Land
- 31 Regional Priorities for the Historic Environment
- 32 Regional Priorities for Sports and Recreational facilities
- 33 A Regional Approach to the Water Environment
- 34 Regional Priorities for Strategic River Corridors
- 36 A Regional Approach to Managing Flood Risk

## 5.4 MKSM

### Strategic Policies

- 1 The Spatial Framework – Locations for Growth
- 3 Sustainable Communities

### Northamptonshire Policies

- 1 The Spatial Framework
- 2 Northampton Implementation Area

## 5.5 Structure Plan

- GS1 – Provision of housing and other development
- GS2 – Best use of brownfield land within urban area
- GS3 – Land use and transportation
- GS4 – Compact urban growth and transport choice
- GS5 – Design quality
- GS6 – Infrastructure, facilities and services
- H1 – Provision for housing
- H2 – Housing directed to urban areas
- H6 – Housing density
- H7 – Mix of dwelling size, type and affordability

NPA1 – Provision for housing in Northampton Policy Area

TCR2 – Location of retail development

RT2 – Open space and play areas

T1 – Integrated Transport Strategy

T2– Transport strategy sub areas

T3 – Transportation requirements

T5 – New road improvements

T6 – Provision for the bus

T8 – Walking and cycling

T9 – Parking standards

T10 – Maximum parking standards for dwellings

AR2 – Landscape character

AR3 – Biodiversity

AR5 – Measures to prevent loss of Biodiversity

AR6 – Cultural heritage

AR8 – Flood risk and protection

AR9 – Water resources

RN1 – River Nene Regional Park

RN2 – Riverside development

W1 – Waste management strategy

## **5.6 Local Plan**

E1 – Development affecting character and structure of the landscape

E2 – Development alongside the River Nene

E3 – Development affecting watercourses

E4 – Water environment

E6 – Greenspace

E8 – Landscape features

E9 – Locally Important Landscape Areas

E11 – Loss of trees or hedgerows

E12 – Replacement of trees and hedgerows

E14 – Principal corridors of travel

E17 – Nature conservation protection

E18 – Sites of acknowledged Nature Conservation Value

E19 – Provision of infrastructure, services & amenities

E20 – New development

E21 – Noise and emissions

E22 - Demolition

E23 – Development affecting a Listed building

E25 – Setting of a listed building

E37 - Archaeology

E38 – Ancient monuments, historic landscape and Northampton Battle site

E40 – Crime and Vandalism

H7 – Residential Development

H12 – Design and layout

H13 – Satisfactory Residential Environment

H14 – Amenity space and play facilities

H15 – Density and character

H16 – Housing for the Elderly

H17 – Mobility Housing

H20 – Residential amenity

H32 – Affordable housing

B2 – Land allocations for business and industry

B14 – Alternative uses on Business sites

B31 – Relocation of business use

B32 – Environmental Impact of business development  
T4 – Development requiring road improvements  
T9 – Provision of highway infrastructure  
T10 – Highway safety and road design  
T12 – Manoeuvring and servicing space  
T14 – Safeguarding rail corridors  
T15 – Bus services  
T17 – Parking  
T20 - Cycling  
T21 – Pedestrian movement  
T22 - Provision for people with disabilities  
L1 – Loss of open space  
L4 – Provision of sports facilities in residential developments  
L5 – Open space provision  
L6 – Maintenance of open space  
L16 – River Valley Policy Area  
L22 – Loss of public footways or bridleways  
L23 – New footways or bridleways  
L29 – Development in the River Valley Policy Area  
D17 – Southbridge Development Site

**SPGs SPDs:**

5.7 *The following Supplementary Planning Guidance has been adopted by the Borough Council and is relevant to these applications:*

- *Affordable Housing Policy (NBC – 2004);*
- *Parking (NCC – 2003);*
- *Planning out Crime in Northamptonshire (NCC – 2004);*
- *Development and Flooding (NBC 2000);*
- *Securing enhanced levels of public transport in association with new development (February 1999)*

*The County Council adopted its Planning Obligations and Local Education Authority School Provision in June 2004. This document is also relevant.*

#### Other Material Considerations

#### Interim Policy Statement – Nunn Mills/Ransome Road

*The Interim Policy Statement for the Ransome Road / Nunn Mills Development Area was adopted by the Borough Council in December 2003. It states that “The comprehensive redevelopment of the Ransome Road area is supported to enable the area to be principally developed for new housing of mixed tenure to meet the objectives of the Government’s Sustainable Communities Plan.”*

”Provision should be made for:

- access to Delapre Lake and Park from Ransome Road;
- local playspace
- open space / recreational improvements to surrounding parks
- appropriate flood mitigation measures
- highway and pedestrian links
- safeguard the railway line
- provision of a reserve site for a community building, or funding towards the establishment of community facilities within Delapre Abbey.

Contributions should be sought for:

- Education;
- Public art;
- Improvements to parks including interpretation of the Northampton Battle site;
- Off site highway improvements; and
- Public transport subsidy.”

## 6. Site History:

- 6.1 Numerous applications submitted in relation to the various uses on the site, in particular for employment, storage, the sale of motor vehicles or sui generis employment activities, plus proposals for plant and machinery for the processing of minerals. A series of permissions have been granted for the redevelopment of the Southbridge site for residential purposes (i.e the land to the immediate north of the railway line), the latest being in August 2002. This development is now nearing completion.
- 6.2 In September 2002 the Borough Council and English Partnerships signed a Joint Initiative for the regeneration of three key sites within Northampton, including the application site. The objectives of the initiative were to secure the full regeneration of the sites, to make better use of under utilised assets, to rediscover and enhance the river valley, and to provide improved facilities for the community of Northampton.
- 6.3 The Borough Council's Planning Committee on 18 August 2004 resolved to approve the application subject to it being referred to the Secretary of State, the legal agreement being finalised, and the conditions included in the report being attached to the decision. The Secretary of State subsequently confirmed that he did not wish to determine the application. As negotiations on the legal agreement were not concluded the responsibility for finalising the application was passed to WNDC on 6 April 2006.

## 7. Consultations:

- 7.1 The Parish Council, Highways Agency, Environment Agency, Anglian Water, Open Spaces Society, Ramblers Association, Sport England, Northamptonshire Wildlife Trust, Network Rail, Strategic Rail Authority, English Heritage, English Nature, Countryside Agency, Northampton Health Authority, NHS Executive, Northamptonshire Police, the Battlefields Trust; plus County Highways, Planning, Rights of Way, Built and Natural Environment, Heritage, Education; and NBC Planning Committee, Environmental Health, Housing, Estates, Landscape and Planning Policy were consulted on the application.

## Statutory Responses

### 7.2 *Environment Agency:*

The Agency acknowledges the importance of developing the Joint Initiative sites to bring about and accelerate the regeneration of this part of Northampton. It recognises the careful and intensive consultations over many months. The Agency considers that the sustainable development of these sites would represent a 'good practice' example to other developers in the East Midlands region where the issues raised are addressed through the appropriate agreements.

Flood Risk/Drainage;- Site partly in Zone 2 and partly in Zone 3 of the Agency's 2004 Flood Zone Maps. The Agency is now satisfied that the development would not prejudice options for a catchment wide strategy for development envisaged around Northampton and within the wider sustainable communities plan. The Agency has no objections from a flood risk perspective, subject to conditions ensuring that flood risk and drainage works are developed in accordance with the Flood Risk Assessment and Addendum dated 30 June 2004. It is also considered important that legally binding agreements are provided to maintain the relevant infrastructures and commitments regarding the future strategic drainage strategy for the catchment.

Ground Water and Land Contamination:- The Agency has no objection in principle to the development from a groundwater and contaminated land perspective as submitted, subject to the receipt of further information that can be conditioned.

### 7.3 Anglian Water:

Are in discussions with the applicant's consultants regarding existing and proposed drainage. No involvement with surface water at this stage as overall designs have not been finalised with the Environment Agency.

### 7.4 *English Heritage:*

Effect on registered Battlefield should be reduced to a minimum. Elevations of new development should be at a scale with adjacent buildings (i.e. below tree line) to protect the view across the valley from the scheduled Eleanor Cross).

### 7.5 *The Wildlife Trust:*

#### Original comments

- The cumulative access issues relating to natural greenspace and the adjacent amenity area which will result from this application and the adjacent planning application to the north (Nunn Mills) need to be addressed.
- Requested a statement on green infrastructure. An integrated access and green space strategy for the long term use of the green infrastructure would provide a method for dealing with concerns about providing maximum access to natural greenspace whilst minimising the impact of that access.
- Given the location of the application site we do not believe that the interception of rainfall is likely to have a detrimental effect on Barnes Meadow Local Nature Reserve, but it does provide for the opportunity to consider enhancement of the wet grassland and possibly Hardingstone Dyke to provide some of the off-site mitigation that is referred to in their other applications.

### Comments in respect of additional details

- Reference to the concept of Green Infrastructure (GI), as integrated into the Milton Keynes & South Midlands Growth Area Strategy, should be included in the Development Framework document and within the design of the scheme.
- The Northamptonshire Biodiversity Action Plan and English Nature's ANGST Standards should also be referred to in the Development Framework document and used to provide species and habitats action plan targets for the scheme.
- There are a number of existing designated wildlife sites of various types within the locality of the site and several potential new sites (since 2004), which should be taken into account. The scheme should allow for the retention, protection, buffering and linkage of the established and identified natural assets and the incorporation of these potential areas.
- Future provision for the management of the green spaces throughout the site should be made, possibly via Ecological Management Plan.
- All soft landscaping should be with native species of local provenance.
- Welcome the production of the Planning Application Update report. Are pleased to see that a recent walkover survey has taken place and there has been a review of the previous assessments. Recommend that the pond on the eastern end of the lake be retained and enhanced. Support the recommendation that future protected species surveys be carried out.

#### 7.6 **English Nature**

##### Original comments

No objections.

### Comments in respect of additional details (Now Natural England)

- Satisfied that the information contained in the biodiversity chapter of the ES and the Ecological addendum is still largely valid.
- The pond adjoining the eastern end of Delapre Brook should be protected and opportunities for habitat creation and/or enhancement should be incorporated. A condition or obligation should require an ecological management plan to be submitted and approved to achieve this.
- Habitat mitigation measures as recommended in the ES must be fully implemented.
- The presence or otherwise of bats in the railway sheds in the marshalling yard, and the extent that they may be affected by the proposed development must be established before the application is determined. Object to the application until adequate information is submitted to show that bats would not be affected, or that potential effects would be avoided or mitigated.

#### 7.7 **Sport England:**

Note that the former Trax site is to be redeveloped for housing and that leisure/recreation facilities are to be provided elsewhere on the development site.

#### 7.8 **Highways Agency:**

The development is of a size and type that could generate significant additional levels of trips on the adjoining highway network. A full and detailed assessment of how trips to and from the development might affect the highway network should be carried out. Directs that the planning authority shall not grant permission for the application at the present time. Wish to ensure that the A45 trunk road continues to serve its purpose as part of a national system of routes for through traffic, by minimizing disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety.

Further discussions have been taking place largely around a travel plan and the mechanism needed to bring about a modal shift away from the use of the car. The earlier “direction” has not been renewed on the basis of a commitment from WNDC to support the delivery of the travel plan targets through the use of appropriate provisions within the S106 agreement. A formal response from the HA is therefore expected prior to the meeting.

#### 7.9 *Highway Authority (NCC):*

No objection to the principal of the development with regard to transport matters. Details of the Ransome Road/London Road Intersection, the road bridge over the railway line and the emergency access through Delapre Abbey must be submitted for approval. Further, the junction improvements to Nunn Mills Road and Bedford Road junction must be subject to further technical and safety audit approval.

Recommend that no more than 450 units are served off the improved Ransome Road/London Road junction prior to the provision of the road bridge over the railway and the Nunn Mills Road/Bedford Road junction improvements. The improvements to the Ransome Road/London Road junction should be undertaken prior to the occupation of any units on the development.

The foot/cycle bridge connecting the application site with the development at Nunn Mills should be provided within a time frame that supports both developments.

The developer should fund a bus service for 5 years; it is Council policy that the operational rail corridor be retained; a site should be reserved for a future rail station; bus stops and shelters should be provided throughout the development and a maintenance sum paid; the bridge over the railway line would enable bus services for this site and the Avon site to be linked.

## 7.10 Sustainable Development Section (NCC):

### Original comments

No objection in principle however would like to make the following observations:

- This and the Nunn Mills application should be treated comprehensively given their scale and interdependence on one another on several aspects and also given the Milton Keynes South Midlands Sub-Regional Strategy (consultation draft 2003) that identifies the Nunn Mills area as a potential for an urban hub –unclear how the applications relate to the proposed area action plan identified in the Northampton Development Framework Draft Local Development Scheme (April 2004.)
- Potentially significant buried archaeology in the southern part of the site – possibly cruciform medieval church that could have been a precursor to the Delapre monastic site. The site's location adjacent to the Registered Battlefield of Northampton and the listed buildings of Delapre Abbey should be noted.
- A number of buildings may be associated with the Midland Railway that opened in 1866 and these should be subject to evaluation and recording prior to removal.

### Comments in respect of additional details

- Confirms that there is little archaeological potential apart from the early medieval church.
- Conditions should be attached to facilitate the recording of the historic engine shed and to ensure further archaeological evaluation of the unquarried areas, with additional archaeological recording as necessary.
- Since the previous consultation the Northamptonshire Waste Local Plan has been adopted and is relevant. Conditions should be imposed in respect of how waste management facilities will be incorporated into the design and layout of the development, and how the waste generated by the site clearance/development will be managed.
- A local waste management facility to serve this and the adjacent development could be provided.

## 7.11 *Education Services (NCC):*

### Original comments

Wish to seek S106 contributions towards improved education facilities.

School provision is currently going through a major reorganisation. The main phase of building work will take place between 2005 and 2007 through a Private Finance Initiative scheme.

The planning and provision of school places arising from the review has taken into account the expected house completions for the Northampton area. The funding will

come from a number of sources including PFI Revenue receipts, Government, Council revenue funding, capital receipts and contributions from schools, however it was also the intention that S106 developer contributions should also go towards the fund.

Children from the new development are likely to attend primary schools in Far Cotton and Mereway secondary school. Request contributions in line with proposals in the Draft Supplementary Planning Guidance for Education Facilities that the County Council has recently published for consultation. The multiplier seeks (per dwelling) :-

Secondary 11-16 £1669.

16+ £422

Developer contributions will not be sought from one-bed dwellings, sheltered or elderly housing, or student accommodation. 50% contribution will be sought from 2 bed units.

The NCC is seeking developer contributions for additional secondary places at 11-16 and 16+.

With regard to Safe Routes to Schools, the audit provides a reasonable description of the routes likely to be taken. Support the safety measures being taken and agree with the recommendation relating to the re-surfacing and lighting of the pedestrian link between Parkfield Crescent and London Road.

#### Comments in respect of additional details

- The Schools Service has a dilemma with respect to primary places. Would prefer to relocate Queen Eleanor School to either the Ransome Road or Nunn Mills site, but this does not appear to be financially viable. Existing schools are likely to have sufficient spaces, but children will have a relatively long journey to primary school.
- For secondary school provision the development should contribute towards additional places being provided at Mereway Community College, based on supplementary planning guidance (adopted June 2004 and updated February 2006) which requires different contributions by the type of dwelling.
- The development should include access to innovative play space and not just fixed play equipment.
- With regard to Safe Routes to School, welcome improvements to the Ransome Road/London Road junction, but are disappointed that previous discussions about providing a shorter pedestrian route to the schools via Delapre Park and

the pedestrian crossing at the end of Delapre Crescent have not been taken into account in the masterplan.

7.12 Rights of Way (NCC):

Public footpaths HW27 and HW28 are affected by the application. The rights of way should not be damaged or obstructed during the course of any works. Would welcome dialogue to discuss issues surrounding these paths.

7.13 The Battlefields Trust:

Not opposing the scheme but would request that a full archaeological survey take place with the battle and battlefield in mind.

7.14 BRTA:

Wish to see the Northampton – Bedford rail link reopened and ensure adequate space is protected either side of the railway line for Over Head Line electrification and for a double track access into Northampton. The reinstatement of a bay platform for Northampton Castle Station would be welcomed. The railway land at Cloughton Road (part of this site) should be retained for railway purposes.

7.15 *NBC Property and Promotional Services:*

The proposal shows a pedestrian/cycle route and retained woodland through the site subject of an application for Mencap to the south of Ransome Road.

7.16 *NBC Housing Strategy:*

Original comments

- General advice on affordable housing need in area. 22% affordable housing sought

Comments in respect of additional details

- 35% affordable requirement = 280 units
- 70/30 rented/ newbuild homebuy
- 50% of the affordable units to be houses
- pepper potting of the houses to be no more than 15 affordable units together with no less than 15 private units between each block (dependent of design layout)
- Affordable units to meet housing corporation SDS standards and eco-homes very good or as required at time of build
- 10% to meet NBC mobility standards (unless a superior standard is adopted i.e lifetime homes, then the mobility requirement would be commuted)
- 1% of the affordable to meet full wheelchair standard to be social rent.
- RSL to be agreed with NBC.

**7.17** *NBC Outdoor Environment Manager:*

The proposal lies in the vicinity of the Green Corridor Project and the initiatives should be linked with the nearby regeneration schemes to provide value and passageway through the town.

**7.18** **NBC Planning Policy:**

Original comments

The site is allocated within a larger area designated as Development site D17. The application does not contradict the contents of the current local plan, or the interim policy on Ransome Road and Nunn Mills, but it is noted that a primary school is not included in either this application, or the Nunn Mills scheme.

Comments in respect of additional details

- Local Plan policy D17 allocates the site for a mix of residential, business and leisure uses. It is important to provide uses other than residential development, otherwise there is a danger of creating an isolated community. Links across the river and with surrounding areas should be maximised.
- Part of the site should be designated to accommodate flexible units (similar to the approach applied at Upton). These could accommodate work units, commercial uses or simply be capable of adaptation in the future.
- The scheme includes a high proportion of apartments. The mix of dwelling types should be informed by the Housing Market Assessment, which is due to be published in January. PPS3 states that “In planning at site level, Local Planning Authorities should ensure that the proposed mix of housing on large strategic sites reflects the proportions of households that require market or affordable housing and achieves a mix of households as well as a mix of tenure and price.” Although the Nunn Mills site includes a greater mix of houses, the high proportion of flats within this development is a concern.
- The Council’s Policy Statement on Affordable Housing requires that 35% of new housing on sites of 15 dwellings or more are affordable.
- The Council has prepared an Open Space Sport and Recreation Assessment in accordance with PPG17. The Assessment sets standards for open space provision which should be applied to this development.
- The development should take account of English Partnerships’ good practice guidance “Car Parking – What Works Where”. This promotes the idea that a range of solutions to accommodating car parking should be applied to developments. Given the very formal nature of the development the inclusion of parking on-street including within squares would be appropriate. This would provide both traffic-calming and maximise the activity between the street and the house.

- The Central Greenway appears rather grand in terms of scale and has the look of a rather windswept space, which is not enclosed by buildings or trees. It is not clear how the space would be used and there is a danger that there would be a lack of activity within it.
- Development should meet high standards of environmental sustainability, including on-site renewable energy generation, and waste/water reduction and recycling measures.

## 7.19 NBC Environmental Health

### Original comments

Requests clarification on numerous points.

### Comments in respect of additional details

- The northern area of the site has the potential to be affected by noise from the railway. It is appreciated that the track is not currently operational but until a firm decision has been made about the future of the track it is recommended that the layout of dwellings in this area of the site should be designed to afford protection from noise to those dwellings located close to the line.
- Given the number of dwellings proposed on the development and on the adjacent site it is anticipated that the main routes through the site will be subject to significant levels of traffic noise. Noise mitigation and attenuation measures will need to be considered as part of the development at the detailed application stage.
- The air quality assessment that was carried out as part of the environmental impact assessment for the site is now around three years old. In the interim an Air Quality Management Area has been declared on Victoria Promenade (which is close to the site and receives traffic flows from London Road and from Bedford Road). In addition some of the assumptions that underlie that assessment have also changed and it is therefore recommended that a condition is imposed on any consent granted requiring the updating of the air quality assessment and the submission for approval and implementation of any mitigation measures indicated to be necessary by the assessment.
- The suggested contamination conditions included on the original planning application are generally considered to be satisfactory. However we would request that a specific reference to landfill gas mitigation measures should be included.
- A condition should be imposed requiring the submission and implementation of a construction impact mitigation scheme. This should address noise, vibration and dust control.

7.20 **NBC Planning Committee (22.11.06) -**

(1) Noted the updated situation regarding the determination of the application by WNDC.

(2) The Committee wish to see the retention of the railway goods sheds for community use, and the World War II historical buildings (included on the national lists of World War II sites).

*7.21 Richard Conn and Co (on behalf of Wreford and Sons Limited):*  
Wreford and Sons are significant freeholders and occupiers of Leasehold Land within the application site.

Concern regarding the re-location of their own and their tenants' businesses. Current levels of employment should not be prejudiced through the lack of any forward planning.

*7.22 Allan N Hertz (on behalf of Ashtead Plant Hire Company Limited):*

Concerned about securing an alternative property to operate business from within Northampton.

*7.23 Fuller Peiser (on behalf of Carillion PLC):*

Substantial area of land within site is occupied through a long lease by Centrac, a subsidiary of Carillion. Site is surplus to requirements and fully support regeneration of area.

*7.24 Brocklehurst Architects (on behalf of First London Group):*

- Concerns regarding the roundabout proposals on our client's site at junction of Ransome Road and London Road.
- Proposal would result in loss of 13% of the site area reducing the options for redevelopment and erodes the physical and practical significance of the site. Proposal will change site from that of a gateway to a passing place and reduce success of any commercial enterprise.
- Positioning of roundabout would alter vista from St Leonard's Road and would give greater prominence to the Netto car park.

**8. Notifications and Responses:**

8.1 The application was advertised by press notice, site notice and 209 residents/adjacent businesses were notified of the application.

8.2 *NCC Cllr Kalyan, 71 Euston Road, Far Cotton:*

Traffic situation very bad on Ransome Road and London Road, both developments will produce more traffic. Grave concerns about Ransome Road application. Traffic issues should be addressed properly to allay the fears of residents. The benefit of the proposals is that derelict land and buildings will be removed and the area will become more environmentally friendly.

8.3 Friends of Delapre:

Original comments

Request funding via a S106 agreement for equipment required to stage future events.

Comments in respect of additional details

Delapre Park is a historic park which needs protection. Wildlife in the park will be affected and may rapidly disappear. Development should not commence during the nesting season and no works should encroach into the parkland. Concerned about the planning application boundary line which incorporates Delapre Brook and the trees along the Charterwood boundary. The brook and tree line should be left alone to protect the parkland. Links from the development into the park will result in the removal of trees and branches and destroy the park and Abbey's ambience and character and open the park to vandalism.

8.4 *Far Cotton Residents Association:*

- The development needs to take into account the safety of the existing residents of Far Cotton.
- Concern regarding capacity of present surface water drainage system as residents have been told it is collapsing. Concern that SUDs as a solution will increase rather than decrease flow as these will fill very quickly.

8.5 *10 Cloughton Road:*

Original comments

- Residents in Far Cotton opposed to project in general, especially opening up of Ransome Road, Cloughton Road and possible railway.
- Strong concerns regarding the antiquated drainage system.
- Concern regarding flooding as effects of the last flood are still being suffered.
- Opening up of Cloughton Road will mean more traffic which will shatter current peace and quiet, increase speed of road and put pets in danger.
- Object to overlooking from houses and loss of natural daylight.

- Existing back gardens only 6ft and residents would like to purchase additional land to extend gardens. As a disabled person it would be nice to sit in a garden.
- Do not want council tenants as currently the road is not well known and it is reasonably safe and free of break ins.
- Concerns regarding Compulsory Purchase Order as house is adapted for disabled living and another house may not be suitable or large enough to convert.
- Negative equity could occur leading to unsustainable ambience, dereliction, people moving out and squatters moving in.

Comments in respect of additional details

- The walkway between the site and Cloughton Road is not welcome and will result in anti-social behaviour, and the residents will not feel safe.
- Properties in Cloughton Road do not sell due the proposed housing project.

8.6 *19 Cloughton Road:*

- Do not object to proposal in principle.
- Concern that proposal will open up property that is currently secured within railway land and that highway is proposed abutting primary elevation that has main ground floor windows.
- Also concerned regarding the proportion of private and affordable homes and their location.

8.7 *6 Cloughton Road:* Raises concerns regarding;

- The number of houses proposed – is there enough land or will it be like a rabbit warren?
- Concern regarding flood defences.
- The Close should be kept tranquil and peaceful with little crime as it has been for last 11 years.
- Would like to purchase some of the land behind rear yards to extend garden and to ensure privacy.
- Concern regarding problems with main sewer and drop in water pressure since development of Southbridge East.
- Concern over the operational railway and its effect on noise and people pollution – what measures would be put in to safeguard tranquillity.
- What facilities would be put in place – chemist – post office - local shops? Existing amenities are dwindling and being replaced by takeaways.
- How will the traffic congestion be resolved – it is already diabolical.

8.8 **1 Cloughton Road:** concerns: – high rise flats that could become areas similar to those experienced on other estates in the County; Increased vehicular movements; adequate parking facilities off road; adequacy of road surfaces e.g. potholes; adequate drainage systems for control of surface water drainage; safe pedestrian walkways with possible short underground paths for main roads, that all services like gas, electricity with underground cables are co-ordinated to cut down digging up of roads.

Benefits:- Ransome Road becomes an area that improves life for homo-sapiens but includes areas for displaced wildlife and makes a fitting entrance to Delapre Abbey and Park . Use is made of railway to take pressure off road transport; that community facilities are placed centrally to residential areas; development should benefit whole of Northampton, if local residents are listened to by those making the decisions. Want to see essential services of transport, health etc and also increase in Police and security.

8.8 Park Cottage, Delapre Abbey: Concerns regarding proposed walkway past my home.

8.9 216 Weedon Road – Concerned re safety and capacity of highway network and junctions.

8.10 47 Euston Road – concern re increase in traffic, the area at rush hour and on Sundays is gridlock. However, I do believe that the two areas should be redeveloped for the good of the town.

8.11 3 Gardeners Cottage (following recent reconsultation exercise) -  
As recent purchasers of the property had no prior knowledge of the scheme. Support the overall principle but are concerned that the layout of the development and the height of the proposed buildings may result in a loss of privacy. Have concerns about security if an entrance is made into the park from Ransome Road. A secure boundary is needed for the Mencap site.

8.12 *Public Consultation Exercise (1)*:- Landmark Planning was commissioned by the Borough Council to carry out an independent public consultation exercise between 17 July and 1 August 2004 in relation to this application (Ransome Road) and the application to the north (Nunn Mills/Avon). The aim of the exercise was to inform residents of the proposals by an exhibition and public meeting, to provide planning advice and to co-ordinate letters of representation. 54 people attended the exhibition and 25 people attended the public meeting. The responses in summary are:-

- General support for principal of development of housing and removal of unsightly buildings and contamination
- Concern regarding details such as heights of buildings and co-ordination of provision of utilities.
- Impact of traffic on highway network.
- Traffic flow – particularly at London Road/Ransome Road junction.
- The new roads will act as a relief road to the town and become a main traffic route.
- Query proper assessment as to potential traffic on what would be a new bypass, particularly of heavy vehicles seeking to avoid town centre congestion.
- Roads need traffic calming measures planned into design.
- Lack of school on site will lead to congestion from school traffic.
- Concern how Ransome Road and London Road junction can actually be achieved.
- Query lack of link across lake area to Nene Valley Way.
- Opposed to opening up of Cloughton Road as a new development access.
- Query need for bridge over railway especially given level crossing at London Road. Should be level crossing with bridge constructed at later date if line effectively re-opened.
- Benefit in decrease of HGVs
- Better access to town will result.
- Favour railtrack being kept open – potential to take pressure off road transport.
- Track not used
- All year round cycle track to Hardingstone and Brackmills should be provided.
- Footpath from Ransome Road to Delapre Park result in loss of privacy and nuisance issues – will worsen vandalism to old stable buildings associated with Delapre Abbey.
- Need safe pedestrian walkways with underground paths for main roads.
- Require new surgery/post office/education facilities and play areas.
- Community facilities should be central to residential areas.
- Need increase in police and security.
- Does not address needs of young people. – Need to protect an area of land for potential needs.
- Concern about adequacy of drainage system, potential flooding and surface water run off to existing properties as these will be on lower ground level to those proposed.
- Improvements to parks needed, need fitting entrance to Delapre and Park, need for areas for displaced wildlife.

### 8.13 Public Consultation Exercise (2)

In November 2006, partly as a result of the time which had elapsed since the public were first notified of this scheme and partly to give the public the opportunity to

inspect the overall master plan for the Ransome Road, Avon and Nunn Mills sites, the developers jointly arranged a further public consultation exhibition in the Guildhall over a three day period. The exhibition was carried out by Dialogue, a company specialising in communication. 3000 leaflets were delivered to local households and businesses and the exhibition was advertised in the local press. 28 people completed a questionnaire and over 40 people used the comments book in the exhibition. The main conclusions were:-

- There was strong support for the regeneration of the area.
- People were generally enthusiastic about the provision of 22% affordable housing, but some felt a higher proportion should be made available.
- The majority of people were very supportive of Avon's plans to stay in Northampton.
- The majority of people were in favour of the proposals.
- Concern about the increased risk of flooding, and the need for the existing infrastructure to be supported.
- The development should become a community hub, not just a commuter base.
- There should be no erosion of open land, and facilities for Delapre Park should be maintained and provided.
- Travel generated by the development should be sustainable, linking into existing cycleways and not exacerbate existing traffic problems.
- New architecture should be integrated with the old.

## 9. Appraisal:

1. Policy considerations
2. Layout and visual impact
3. Access and Transport
4. Impact on residential amenity
5. Open space/leisure/recreation
6. Biodiversity
7. Cultural impact
8. Community
9. Noise, contamination and geo-technical issues
10. Flooding and water resources
11. Sustainability
12. Other matters
13. S106 provisions
14. Conclusions

### *Policy considerations*

- 9.1 Having regard to the consultation responses and the local community representations, Regional Planning Policy, Development Plan Policies and the County Council's local Transport Plan, then the general policy principle for redevelopment is acceptable. The site is one of the largest brownfield sites in Northampton and has a significant role to play in the regeneration of this part of the town, but also for the Northampton as a whole. The overall site has been allocated for redevelopment in the Local Plan since 1997. It has been recognised for a long time that the overall site could only come forward with private and public sector bodies working in partnership. This has mainly been due to the issues of land contamination costs and the need to put in extensive infrastructure, including flood attenuation measures upstream, road and bridges to link the sites together. This in turn does affect the financial viability of the site.
- 9.2 The majority of the site forms part of the wider Southbridge area, designated in the Local Plan for redevelopment purposes (Policy D17) as being suitable for residential, business and leisure uses. The Local Plan states that the whole Southbridge area presents an opportunity for major regeneration projects to provide new homes, jobs, leisure and community facilities, together with landscaped open spaces linking nearby parkland and adjacent water courses. The later interim policy for the area re-iterates the suitability of the Ransome site for residential purposes with community facilities.

The eastern side of the site forms part of an area of land designated as existing recreation/leisure in the Local Plan. Policy L1 states that the loss of such recreation land will normally be opposed, unless alternative provision is made.

- 9.3 The principle of developing the site primarily for residential purposes would conform to surrounding land uses and would meet objectives of the Government's Sustainable Communities initiative. The proposal does not contain the mix of uses which the adopted plan promotes, but the Nunn Mills application includes an element of retail, and the Avon Cosmetics application will provide employment opportunities. Land is also to be reserved as part of this scheme for community facilities. Some existing Ransome Road business uses have already relocated to alternative sites within the Borough, and it should be possible to accommodate others elsewhere within the area. Although the interim policy states that active consideration should be given to the need for a primary school on the land the Education Authority have concluded that this is not financially viable, and therefore only seek contributions towards secondary school provision, which will be secured by way of a legal agreement.
- 9.3.1 The comments of NBC's Planning Policy section are noted in respect of the need to ensure that the mix of housing is informed by the soon to be published Housing Market Assessment, and to avoid an over provision of apartments. However, part of the site is not suitable for family housing with gardens due to the previous landfill and associated management of contamination issues. This will have a bearing upon the overall mix of units within the development. The scope for the development to deliver affordable housing has been subject to testing. Whilst it is recognised that the

Council's current policy statement on Affordable Housing stipulates 35% provision the financial appraisal concluded that this level of provision could not be sustained in this case. There is a previous commitment by the Borough Council to require 22% as per previous policy, which will be provided in accordance with a S106 agreement relating to the development. Furthermore, in line with the requirements of the recently issued PPS3 low cost market housing is to be excluded from the affordable housing definition, and it will be necessary to ensure that a full range of properties in terms of type, size and tenure are incorporated into the development, including low cost dwellings.

- 9.5 The issue of the loss of existing recreation space and the limited provision of on site areas of open space is addressed below. Overall the proposal is considered acceptable in policy terms and will also assist in facilitating extensive remediation measures for this contaminated site which was in part formally used for landfill purposes. Hence, the scheme will contribute towards WND's regeneration objectives for this part of Northampton, whilst also complying with regional and sub-regional planning policies to secure additional housing development for Northampton.

#### Layout and visual impact

- 9.6 The application has been submitted in outline only and thus there are no detailed designs for residential units. An illustrative layout/Master Plan and a Development Framework document have however been submitted, showing the broad disposition of proposed uses within the site and setting out the design concepts and development strategy for the scheme. The broad parameters of the development have been used to inform the assessment of impacts in the environmental assessment.

Clearly, the proposal will have a significant visual impact in the immediate and wider area, by transforming an unsightly, semi-derelict site into a new residential area. The application does indicate that up to 800 homes could be accommodated on the land which would be a density of about 35 per ha, in line with current Structure Plan policy, and will involve up to 4 storey blocks. The Environmental Statement submitted with the application shows that the most significant visual impact would be at the entrance to Delapre Abbey where the vista will change, especially during the construction stage, and the outlook of the immediately adjacent residential properties. However, the illustrative masterplan places emphasis on high quality contemporary design, good public realm and provision of key public spaces, both soft and hard in form, with character areas and landmarks being achieved. The woodland area adjacent to the lake would be expanded to the north, with additional planting along the Delapre Park and lake boundary and other key boundaries, to create a visual screen and integrate buildings into the landscape.

- 9.7 It is therefore envisaged that the development would provide a good quality environment, of significant benefit in visual terms to the local area. To ensure that

there is consistency of design quality throughout the development it will be a requirement of the S106 agreement that a Design Code document be submitted and agreed together with a jointly developed highway design guide to support the adoption process. Together with the Development Framework all subsequent reserved matters applications must be informed by these documents.

#### Access and transport

- 9.8 It is proposed to access the site primarily by upgrading the existing junction at London Road/Ransome Road, but also by providing a link over the railway to Nunn Mills Road and leading out, via an improved junction onto Bedford Road.
- 9.9 It is acknowledged that the traffic in the vicinity of Ransome Road, London Road and Cotton End is already highly congested. Highway engineers have considered the capacity of the junctions carefully and have accepted that a design that is capable of accommodating the increased level of traffic can be achieved. The detailed design of the junction is not for consideration as part of this application.
- 9.10 It is intended at present that the road linking this site to the Nunn Mills development would have a 30mph speed limit and be open to all forms of traffic, including commercial vehicles. If the amount of HGVs or other traffic using the road as a cut through becomes a nuisance, a TRO could be imposed to limit its use for certain types of traffic.
- 9.11 Two major rights of way pass through the site. One roughly follows the line of Nunn Mills Road and runs north – south, the other roughly follows the line of Ransome Road and runs east – west. Both of these have been recognised in the current master plan and can be accommodated as part of the development proposals although temporary closure orders may be necessary. There is no objection from the County Rights of Way Officer.

- 9.12 As a brown field regeneration site, emphasis must be given to sustainable forms of transport, improving linkages and reducing walking/cycling distances to the town centre. The development must therefore incorporate cycle routes from London Road to Bedford Road and a pedestrian/cycle only route through the centre of the site and over the railway via a foot/cycle bridge. Links out from the site include a proposed cycle link adjacent to the public right of way to link up with the cycle paths at Brackmills to the south and also recreational routes around Delapre Lake. It will be a requirement of the S106 agreement that a Highway Design Guide be produced to assist future developers to adopt a consistent approach in the layout of the highway, footway and cycleway network serving this site.
- 9.13 The developers will need to provide a contribution to public transport measures, and bus stops will need to be provided within the development, in line with the requirements of the S106 agreement. The construction of the vehicular bridge over the railway line will enable buses to travel through the site between Bedford Road and Ransome Road. It is proposed that the bridges over the railway will be constructed concurrently with Phase Three of the development, in accordance with details submitted as part of the Planning Application update report (November 2006). This will need to be addressed in the S106.
- 9.14 Additionally, in line with the policies of the Development Plan and the aspirations of Network Rail and the Strategic Rail Authority, the railway corridor will be maintained as an operational railway and land is to be reserved for a railway platform should the rail link to Bedford be reopened. Network Rails commitment to the scheme is a concern as agreements unclear in the context of comments made by the train operators but need not delay the determination of this application.
- 9.15 The Highway Authority are satisfied that the proposed safe routes to school are acceptable, and it is suggested that a recommendation to re-surface and light the pedestrian link between Parkfield Crescent and London Road is secured as part of a legal agreement. The applicants have agreed to this.
- 9.16 The Highway Agency originally opposed the application on the grounds that the development in conjunction with the Nunn Mills application would have an adverse impact upon the A45 and surrounding area, in terms of traffic generation and congestion. Discussions have taken place and a Green travel plan has now been submitted. Further discussions are on going to ascertain how more stringent targets can be put in place to achieve a significant modal shift. A better mechanism to encourage this modal shift is also required, and may require a financial fund or bond that can be drawn on to achieve these targets. The fund or bond will help towards either public transport or highway high occupancy vehicle lanes schemes currently being considered by the Northamptonshire County Council.

- 9.17 The review and monitoring of the Travel Plan will require funding for 5-10 years, and the final Travel Plan needs to be agreed with NCC and WNDC. It is understood that the Highways Agency has not renewed their earlier direction preventing a decision on the application being made subject to measures being put in place to secure modal shift targets to be set out through a stretching green travel plan. This will require a more creative approach to demand management possibly involving measures such as car clubs and car share schemes which may have to be administered through a local trust or similar body. The basis for monitoring and enforcing modal shift targets will need to be addressed through the S106.

#### Impact on residential amenity

- 9.18 Existing residents of Far Cotton have raised concerns about the density of the proposed development, particularly in relation to high blocks of flats which they see as synonymous with areas of high crime rates. Whilst the proposal is to be relatively high density, and the heights of buildings may range from 2 to 4 storeys, the development will need to be in line with the provisions of the recently issued PPS3. Hence, a mix of different types of housing, including flats and houses, rented, owned and shared ownership will be provided, unlike many of the housing estates of the past. It is therefore considered that the scheme will result in a well balanced and integrated community.
- 9.19 The other comments and concerns of local residents have been noted. However, it is considered that a well planned development of the nature proposed, with improved and new infrastructure will address the majority of their concerns, and they will ultimately see significant benefits associated with the development. It is recognised that some would prefer the site to remain undeveloped, or developed at a considerably reduced density, but in accordance with current government guidance and planning policy this is not a feasible option.
- 9.20 Concerned residents will have further opportunities to consider the scheme at the reserved matters application stage. The production of a design code document will further ensure that the scheme is designed with proper regard to the impact upon the amenity of adjacent dwellings to the west and north of the site. It must be noted that the Master Plan indicates that a strip of land along the western extremity of the site will be made available for garden extensions to the properties on Claughton Road which have very short rear gardens and currently abut the site. This is welcomed as a means of reducing any impact upon the occupants of those dwellings and is a matter to be resolved between the applicant and the property owners.

## Open Space/ Recreation/Leisure

- 9.21 The eastern most part of the site falls within the River Valley Policy area and also has an existing leisure designation in the Local Plan.

The relevant policies of the Local Plan seek to;

- prevent the loss of leisure use;
- prevent development except for that associated with agriculture, leisure or recreational uses;
- prevent harm to the amenity value of the open space;
- pay regard to the natural character, wildlife features of the area and make provision for public access and tourism facilities.

- 9.22 This part of the site was formerly used for four wheel drive off-road activities but is now disused. The undulating levels of the ground make this area unfit for most other leisure purposes and due to its man made nature does not pay regard to the natural character or wildlife features of the locality. Whilst the area is planned to be redeveloped for residential in the illustrative master plan, and is consequently a departure from the Local Plan, it also shows a swathe of landscaped open space bordering onto Delapre Lake. It is considered that the development is likely to draw more people to use the lakeside area for recreational activities than at the present time, especially as more open access will be available. Hence, there would be an overall gain for leisure, recreation and tourism as a result of this element of the proposal. Therefore, the consequences of the departure from policy are not considered to give rise to any significant harm to opens space and recreation interests within the area.

- 9.23 Hard and soft landscaped public spaces will also be provided within the development for people to meet, sit and for children to play. These spaces will be designed with art provision in mind, in accordance with a Public Art strategy, to be agreed under the terms of the legal agreement for the site as a whole. Four equipped play areas are to also be provided, as required by the legal agreement, but larger areas of open space are not proposed as part of the scheme given the abundance of parks surrounding the site. Instead monies in lieu of on site space, secured by way of the S106 agreement, could be used to upgrade nearby spaces, particularly Delapre Park.

## Biodiversity

- 9.24 The Environmental statement suggests that the existing biodiversity value of the site is limited due to the predominance of mainly urban land uses. The areas of existing wetland and woodland and associated vegetation are to be mostly retained and enhanced, and additional planting is proposed, with particular emphasis on the area

along the edge of Delapre Lake.

- 9.25 Given the elapsed time since the preparation of the ES chapters, a review of the findings of the ES has recently been carried out to ascertain the extent to which the habitats on the site have changed since the submission of the original Environmental Statement and Ecological Addendum. It has revealed that although holes have been discovered in part of the site they are not active badger setts. Overall, the updated survey concludes that the originally submitted biodiversity information is still largely valid, but the railway buildings should be inspected for bat roosts prior to demolition. Natural England has raised an objection on the grounds that this inspection should be carried out prior to the determination of the application. This is unlikely to be achievable due to the timescales involved, but the applicant's comments are awaited. Furthermore, it can be a requirement, by way of condition, that the survey be carried out prior to the commencement of development.
- 9.26 A condition is also recommended to require the submission of an Ecological Management Plan, as referred to by the Wildlife Trust and Natural England. The applicant's have also been advised to update the Development Framework to include reference to the documents highlighted in the Wildlife Trust's consultation response.

#### Community

- 9.27 A site of 0.34 ha to the west of the site would be reserved for community provision in response to consultations outlining some form of community need, primarily from existing residents. At the present time no specific request has come forward from a user despite consultations with stakeholder's e.g. religious groups, the Primary Care Trust and Education providers. Consequently the S106 agreement will require the land to be reserved to enable a building(s) to meet the needs of residents to be identified in due course (e.g. health related facilities, meeting place, pre-school provision or social care etc). There is also an opportunity for some form of leisure provision on the edge of the site next to the lake.
- 9.28 Youth provision, public art, community buildings, moorings, bridges, footpath and cycle linkages and CCTV are important in achieving a quality sustainable environment, and will be required to be provided by the S106. It will also be a requirement of the legal agreement that a Community Trust or similar management scheme be set up to manage the development in the long term, taking responsibility for inter alia, the maintenance of the public open spaces and community buildings, the establishment of community facilities, ensuring that CCTV is installed and managed, setting up car clubs, the enhancement of adjacent public open spaces etc. there will be a need to ensure that the proposed management arrangements for both sites are similar.

## Cultural Impact

- 9.29 Whilst there are no historic buildings within the site, regard must be had to the setting of the listed locomotive shed on the Nunn Mills land to the north of the railway. In this regard it is considered that due to the respective separation distance involved and the intervening railway land there will not be an adverse impact.
- 9.30 Similarly, Delapre Abbey and features within the parkland to the south are either Grade II or II\* listed. Whilst the development will have an impact visually upon the parkland this can only be of benefit in the long term, as a result of transforming a poor quality, unsightly commercial area into a high quality residential location.
- 9.31 The south eastern corner of the site falls within a much larger area that forms the site of the Battle of Northampton of 1460, and is identified as an area of archaeological importance. Consideration was given to this within the original ES. Some of the buildings on the former railway land may also have some historic interest. However, subject to an archaeological investigation being carried out, and a historic buildings survey on the former railway land being undertaken, it is considered that the development will not have an adverse impact upon the cultural environment.
- 9.32 The Borough Council's request that the historic World War II buildings on the site should be retained is noted. Whilst it may not be practical in layout terms to ensure their incorporation into the scheme a condition should be imposed requiring their recording prior to demolition.

## Noise, contamination and geo-technical issues

- 9.33 The site comprised a former gravel extraction site, which was subsequently used for landfill, and it is also known that unauthorised tipping has taken place. Tests have indicated the presence of elevated levels of potentially hazardous substances (including heavy metals, hydrocarbons, ammonia, manganese and ground gases/vapours) within the made ground and landfill deposits across the site as well as in the ground water.
- 9.34 Geo-technical issues at the site relate to the non-engineered construction of the landfill deposits. Several possible foundation solutions have been considered, including piling of structures, vibro-concrete columns and geo-grid reinforcement to provide a formation for the roads and hard standings. Gas protection measures will also be

required, together with mitigation measures to reduce contaminants.

- 9.35 Overall, the Environment Agency is satisfied that mitigation measures will overcome the problems on the site. It must be noted however that significant planting will not be possible on the former landfill part of the site, in order to preserve the solid capping which will be required over this area.
- 9.36 In line with the Borough Council's Environmental Health Section's comments a condition is also recommended to require an updated air quality assessment to be carried out, and any appropriate mitigation measures approved and implemented. The rail and traffic noise issues raised are however matters to be taken into account at reserved matters stage.

#### Flooding and water resources

- 9.37 As much of the Far Cotton area flooded in the Easter 1998 Floods, this is seen as one of the primary issues relating to development of housing on this site. The applicants have carried out a Flood Risk Assessment which has been considered by the Environment Agency. The consequence of these discussions and the Flood Risk Assessment makes the following key points:-
- The Ransome Road site is essentially an existing brown field site which is being redeveloped and development of the site will not increase the risk of flooding;
  - The current level of protection provided by the Northampton Flood Alleviation Scheme of 1 in 200 year level will be maintained;
  - Surface water runoff drainage schemes have been designed to ensure that the development would discharge flow at the same rate as the original land with a maximum controlled discharged flow rate equivalent to a 1 in 2 year storm;
  - Storage volume of about 4000m<sup>3</sup> for surface runoff which is equivalent to a storm of 1 in 200 year return period plus climate change will be provided;
  - Any potential disbenefit as a result of loss of flood storage volume in the defended floodplain at a number of developments sites, including Ransome Road site, is offset by the benefits offered by the Upton Way Flood Storage Reservoir Scheme;
  - Development of Upton Way Flood Storage Reservoir scheme will provide an additional 46076m<sup>3</sup> of flood storage volume. By making efficient use of the available floodplain storage, flood levels at Southbridge can be reduced by 68mm and at the Ransome Road site by about 38mm.
  - Maintenance access corridors will be provided adjacent to the Hardingstone Dyke and Hardingstone Drain wherever possible.

- 9.38 Hence, there is an overall benefit to the town in flood alleviation terms. The Environmental Statement and FRA have satisfactorily demonstrated that in the long term it is unlikely that there will be any significant impact on water quality or groundwater associated with the development. The Environment Agency is therefore satisfied that the development can be approved, subject to conditions.

#### Sustainability

- 9.39 To ensure that all reserved matters applications fully take into account the principles of sustainability, the S106 agreement will require a Sustainability Strategy to be submitted and agreed prior to the commencement of any development on site. The Strategy should include details of on-site renewable energy generation and waste/water reduction, recycling and management measures, together with details of how waste generated by the site clearance and development will be managed. The Strategy will be then be used as a starting point for the compilation of any subsequent reserved matters applications.
- 9.40 WNDC has a clear objective to achieve sustainable developments. Emerging PPS's (on climate change) and PPS1 alongside changes to the Building Regulations are likely to impact upon the detailed design of the development. At present, it is not clear how the proposal is working towards reducing carbon emissions. A sustainability strategy would clearly set out how this will be achieved on this site (through EcoHomes standards for example to offset carbon emissions arising from the development).

#### Other matters

- 9.42 The scheme has been carefully assessed against the environmental statement. Additional information and discussions have taken place since the application was submitted in April of 2004 to allow an up to date assessment to take place. That assessment has given due weight to the additional information over that time and carefully considered and consulted widely on.

#### Human Rights Act 1998

- 9.43 Concern has been expressed that the development gives rise to issues under the Human Rights Act. Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights (the Convention).

In recommending that planning permission be granted WNDG has duly considered the rights of individuals under the Convention, notably in the following Articles:

#### Article 1 of the First Protocol

This protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the relevant national and international laws.

#### Article 8

This protects private and family life, home and correspondence. No public authority can interfere with these interests except if it is in accordance with the law and is necessary in the interests of national security, public safety or the economic well being of the country.

In relation to the relevant Convention rights WNDG has been conscious of the need to strike a balance between the rights of the individual and the interests of the public. In light of the significant public benefit and facilities that would arise from the redevelopment of this site and the wider overall development scheme, WNDG has concluded that it would be appropriate to grant outline planning permission in accordance with the recommendation and that the grant of outline planning permission will not result in any unlawful interference with Convention rights.

## 10 S106 Heads of Terms

- 10.1 The above report has weighed carefully the various different matters that are required to be covered by a S106 legal agreement against the context that this site and the adjacent site has an extensive cost burden. That burden being made up of the significant contamination costs, infrastructure requirements relating to the road network, bridges need for linkages to each site and surrounding area which is recognised to be above the normal financial costs of bringing a redevelopment scheme forward of this scale. Therefore, bearing this in mind, a financial assessment was undertaken to identify the consequences of the exceptional financial burdens on the

development and the ability of the two schemes to generate sufficient funds to address the normal S106 provisions. The report concluded that if all those S106 provisions were met in full none of the schemes were likely to come forward.

- 10.2 In considering the approach to S106, it has therefore been necessary to look to address the S106 provisions in a different way and shift the financial costs where possible to later on in the development processes. This is achieved in two ways. Firstly, making sure the essential infrastructure takes place in an appropriate phased way. Secondly, by ensuring that where possible the normal S106 contributions are pooled in a way which will allow some cross subsidy to take place and for the payment to be reviewed in line with the phasing of contributions and any additional receipts arising from a more positive market outturn on the site than currently anticipated.

Advice is currently being secured on a different structure to the S106 agreement, which would provide for any additional uplift beyond a baseline level assumed in the appraisal to be captured and assigned to those areas, which would require contributions to support the delivery of the necessary infrastructure in normal circumstances. The following S106 heads of Terms are set out below, but are split into sections to allow the financial viability issues to be addressed.

10.3 *Section 106 - Heads of Terms*

Affordable Housing

- 22% affordable housing provided across the sites.
- Office development help provide key worker accommodation.
- Tenure split to be agreed.
- Cluster size to be between 5 – 9 units and know one cluster adjacent each other.
- The affordable housing clusters will need to be set out in a master plan/design code document.
- Free and serviced land.

Master Plan / Design Code document

These documents will need to be submitted and agreed before reserve matters application are submitted and complied with the suit of documents.

### Highway Design Guide.

To translate the Master Plan/Design Code documents into appropriate highway design standards for the site to support the adoption process.

### Sustainability Strategy

This document will need to be submitted and agreed before reserve matters applications are submitted and comply with the strategy document.

All residential development to achieved eco-homes excellent. Other building forms/types will be Bream very good or above.

CHP units to be investigated.

### Public Art Strategy

As above - to be submitted to and agreed.

The next two heads are inter linked and will require specific obligations to deliver some or all of the matters set out in each section. In line with the financial appraisal, these “heads” will have an overall financial figure set against the two sections; A and B.

### Infrastructure Provision

A. This will include the Travel Plan implementation, monitoring and a list of specific off site highway works. This will require a financial fund/bond to support/underwrite the implementation to ensure the commitments are delivered.

The following list will be provided as part of the development:-

Health centre site.

Bridges.

Safe routes to school.

Footpath links and cycle ways.

Works to manage impacts upon Hardingstone Dyke.

Play areas sites.

Public open space.

Community buildings, including the engine shed.

SUDS and contributions towards flood risks works if required

#### Secondary Infrastructure Provision:-

B.

Education support.

Library provision/support.

Youth provision.

Moorings.

Support to off site enhancement of open space/facilities

Support for existing voluntary interests on the site.

Employment co-ordination workers and other schemes related to skills provision,

#### Community Trust

The following section will require the developments together to provide for a Community Trust or similar management vehicle that will include responsibility for the following areas. The trust will require a WNDC director or other person to represent the corporation.

Management and maintenance of Public realm and landscape areas/public open space and it's maintenance of the areas and equipment and buildings within the site.

Re-use of the engine shed for appropriate commercial uses, community development or as the trusts offices.

CCTV

Community development which could involve the setting up of resident groups, welcome packs, innovation fund to help encourage the use of green technology's, help with the provision of public art, help with employment co-ordination.

Support for the promotion and development of safe routes to school

Establishment of a Car Club and management of other travel plan matters to help educate and change modal shift patterns.

Enhancement to adjacent public open spaces

### *Conclusions.*

In conjunction with the adjoining Nunn Mills and Avon land this is a key redevelopment site within Northampton. The proposed scheme would assist in transforming unsightly, contaminated land into a high quality, high density housing development, close to the Town Centre, in a sustainable location, set within a green environment, with enhanced infrastructure and services. Attention would also be paid to meeting the housing needs of Northampton, as well as the aspirations of local people.

The delivery of a clear resolution to the Committee has involved considerable discussion between officers and the applicants. The complex viability matters associated with delivery of this contaminated site will mean that a conventional approach to S106 contributions is not appropriate or achievable. The site cannot deliver the levels of contribution usually anticipated for greenfield sites. This shortfall needs to be balanced against the wider regeneration interests of the town, the policy objectives at local, regional and national level and the regeneration "purpose" of WNDC.

The approach proposed is considered to achieve a planning permission, which can be implemented for the site. There is a need for further work, on Ecology, design coding/master planning and travel and demand management. The development of the S106 has sought to offset some costs onto a community trust, who will manage the site into the future and provide a vehicle to achieve community cohesion. There remain however a number of areas where a pool of contributions which can be applied flexibly to priority needs will be required. A mechanism is therefore required to capture any “uplift” in values above that modelled in the financial assessment.

It is recommended that the Committee delegate approval of the planning application to the Planning and Development Director subject to both the conditions outlined below and subject to the completion of a S106 agreement, which is appropriate to secure the measures outlined above.

#### Conditions

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

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

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

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

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

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

**(4)** Prior to the commencement of development, details of a scheme for the provision of wildlife habitat, including along the riverside and lakeside, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with a programme to be firstly agreed in writing by the Local Planning Authority.

**Reason:** To mitigate for disturbance and loss of habitat in the interests of ecology and the amenity of the riverside area in accordance with policies AR3 & AR5 of the Structure Plan and policies E2, C4, E17, E18 & L16 of the Local Plan.

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

**Reason:** To mitigate for disturbance and loss of habitat on the site and in the surrounding area, in accordance with policies AR3 & AR5 of the Structure Plan and policies E2, C4, E17, E18 & L16 of the Local Plan.

(6) Prior to the commencement of any development a survey of all buildings on the site shall be carried out to investigate whether they are being used for bat roosts. If bat roosts are discovered mitigation details shall be submitted to and approved in writing by the Local Planning Authority and incorporated into the subsequent development.

**Reason:** To mitigate for disturbance and loss of habitat in the interests of ecology, in accordance with policies AR3 & AR5 of the Structure Plan and policies E2, C4, E17, E18 & L16 of the Local Plan.

(7) Prior to the commencement of development, precise details of the surface water drainage scheme including the design, provision, implementation and long term maintenance shall have been submitted to and approved in writing by the Local Planning Authority, and be fully in accordance with the requirements of the approved flood risk assessment (as amended by the addendum dated 30 June 2004).

**Reason:** To ensure there is no increase in flood risk in accordance with policy AR9 of the Structure Plan and policies E19 & E21 of the Local Plan.

(8) Prior to the commencement of development details for the provision for the long term maintenance of the drainage scheme, including SUDS and surface water attenuation features, shall have been submitted to and approved in writing by the Council.

**Reason:** To ensure the long term maintenance of the drainage systems in accordance with Planning Policy Guidance Note 25 to prevent increase in flood risk in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(9)** Prior to the commencement of development details of an implementation programme for the strategic mitigation and compensation measures for surface water run-off and flood water storage shall have been submitted to and approved in writing by the Council and no building shall be occupied until the scheme has been carried out in accordance with the approved flood risk assessment and the details so approved.

**Reason:** To prevent increase in flood risk in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(10)** Flood risk protection measures shall be implemented fully in accordance with the requirements of the approved Flood Risk Assessment and with the approved implementation programme. The applicant shall confirm the completion of the approved scheme in writing to the Local Planning Authority within one month thereafter.

**Reason:** To prevent the increase in flood risk in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(11)** Prior to the commencement of development a scheme for the amended hydraulic capacity and performance of the Hardingstone Dyke and Delapre Brook shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for access and easement corridors alongside both watercourses. The scheme shall be implemented prior to the commencement of construction development unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To mitigate for and to prevent the increase in flood risk around this critical ordinary watercourse in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(12)** Prior to the commencement of development, other than remediation of contamination :

a) A Desktop study shall have been carried out on all parts of the site including the identification of previous site uses, potential contaminants that might reasonably be expected to be present given those uses and other relevant information. And using this information a textural and diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall have been produced.

b) Ground investigations shall have been designed for the site using the information obtained from the desktop study and any textural and diagrammatical representations (Conceptual Model). The detailed scope of works for the ground investigation shall be submitted to, and approved in writing by the Council prior to investigations being carried out on the site. The investigations shall be comprehensive enough to enable:

- Quantitative risk assessments to be undertaken relating to human health, groundwater and surface waters located on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of Method Statements detailing the remediation requirements.

c) The site investigations shall have been undertaken in accordance with details approved by the Council and risk assessments have been undertaken and approved by the Council.

d) A Method Statement detailing the remediation requirements, including an assessment of the measures to address the impact on human health, groundwater and surface waters, using the information obtained from the Ground Investigation shall have been submitted to the Council. Landfill gas mitigation measures shall also be included within the Method Statement. This shall be approved in writing by the Council in consultation with the Environment Agency prior to that remediation being carried out on the site.

**Reason:** To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(13)** No development approved by this planning permission other than that directly associated with the remediation of contamination present on the site shall be commenced until actions have been taken to remediate the site. The development of the site shall be carried out in accordance with the approved Remediation Method

Statement (s).

**Reason:** To prevent pollution of ground and surface waters in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(14)** 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 Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement shall detail how this unsuspected contamination shall be dealt with. No Development shall recommence until any remediation identified in this Method statement is carried out.

**Reason:** To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(15)** Upon completion of the remediation detailed in the Method Statement and prior to development commencing a report that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s) shall be submitted to the Local Planning Authority. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met.

**Reason:** To prevent pollution of ground and surface waters and in the interests of health and the environment in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

**(16)** An area of land shall be identified for the provision of a pump and treat installation, details of which shall be submitted to and approved in writing by the Local Planning Authority. No built development other than that directly associated with the remediation of contamination present on the site, shall be carried out in the area unless otherwise agreed in writing by the Local Planning Authority following approval from the Environment Agency that a pump and treat installation will not be necessary.

**Reason:** To prevent pollution and in the interests of health and the environment in accordance with policies AR8 & AR9 of the Structure Plan and policies E3, E19 & E21 of the Local Plan.

(17) Prior to the commencement of any development on site an updated air quality assessment, together with details of any mitigation measures indicated to be necessary by the assessment, shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved scheme.

**Reason:** In the interests of the health and amenity of local residents and businesses, and the occupants of the units to be built on the site, in accordance with policies GS2 of the Structure Plan and E20 and E21 of the Local Plan.

(18) Prior to the commencement of any development a Construction Impact Mitigation Scheme, including details of noise, vibration and dust control, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented throughout the development phase.

**Reason:** In the interests of the health and amenity of local residents and businesses, in accordance with policies GS2 of the Structure Plan and E20 and E21 of the Local Plan.

(19) Prior to the commencement of any development the applicant shall carry out a full evaluation of the site, in accordance with an "Evaluation Brief" prepared by Northampton Borough Council's Conservation Team, or an other appropriate body, to establish the extent and nature of archaeological remains within the site.

**Reason:** In the interests of assessing an archaeological remains on the site, including the battlefield of Northampton in accordance with policy AR6 of the Structure Plan and policies E37 & E38 of the Local Plan.

(20) No development shall take place until the applicants, or their agents, or successors in title, have secured the implementation of a programme of building recording in accordance with a written brief provided by the Local Planning Authority and this record has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of assessing and recording any buildings of historic or archaeological interest in accordance with policy AR6 of the Structure Plan and policies E37 & E38 of the Local Plan.

(21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no demolition or development shall take place until the details of archaeological measures have been approved by the Local Planning Authority. Development shall take place in accordance with the approved details.

**Reason:** In the interests of archaeology in accordance with policy AR6 of the Structure Plan and policies E37 & E38 of the Local Plan.

(22) Prior to the commencement of any development, a management scheme shall be submitted to and approved in writing by the Local Planning Authority in respect of construction traffic entering and exiting the site. Details shall include the provision of wheel washing facilities during the construction period. The approved details shall thereafter be implemented whilst any construction works are taking place.

**Reason:** In the interests of highway safety in accordance with policies GS5 & T3 of the Structure Plan and policies E20 & T10 of the Local Plan.

(23) Prior to the commencement of any development full details of the Ransome Road and London Road intersection improvements shall be submitted to and approved in writing as part of a reserved matters application and implemented prior to the occupation of any of the residential units approved as part of this application.

**Reason:** In the interests of highway safety in accordance with policies GS5 & T3 of the Structure Plan and policies E20, H7 H12 & T10 of the Local Plan.

(24) Prior to the commencement of any development full details of the vehicular bridge over the railway and improvements to the Nunn Mills Road/Bedford Road junction shall be submitted to and approved in writing as part of a reserved matters application. The works shall be completed prior to the commencement of construction of the 451<sup>st</sup> unit approved as part of this application, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety in accordance with policies GS5 & T3 of the Structure Plan and policies E20, H7 H12 & T10 of the Local Plan.

(25) Prior to the commencement of any development details of the proposed foot/cycle bridge over the railway and the timing of its construction and completion shall be submitted to and approved in writing as part of a reserved matters application, and implemented in accordance with the approved details.

**Reason:** To provide an alternative route of transport to meet the needs of the

development in accordance with policies GS5 & T3 of the Structure Plan and policies E20, H7 H12 & T10 of the Local Plan.

**(26)** Prior to the commencement of construction work for each respective phase of development full details of all roads and sewers including cross sections, longitudinal sections, highway boundaries and proposed ground and floor levels shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of safety, amenity and to secure a satisfactory standard of development in accordance with policies GS5 & T3 of the Structure Plan and policies E20, H7 H12 & T10 of the Local Plan.

**(27)** Prior to the commencement of each respective phase of development full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of safety, amenity and to secure and satisfactory standard of development in accordance with policies GS5 & T3 of the Structure Plan and policies E20, H7 H12 & T10 of the Local Plan.

**(28)** Unless otherwise agreed in writing by the Council, the network of roads, footways, cycleways and associated bridges shall be implemented concurrently with each phase of the development, in accordance the phasing details set out in Planning Application Update, produced by Halcrow Group Limited, dated November 2006, and completed prior to the occupation of the first dwelling/building within that phase of development.

**Reason:** To ensure the provision of facilities and to secure a satisfactory standard of development in accordance with policies GS5 & T3 of the Structure Plan and policies E20, H7 H12 & T10 of the Local Plan.

**(29)** Provision shall be made for bus stops and shelters within the highway in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and implemented concurrently with the construction of the roads unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure provision of adequate facilities for sustainable development in accordance with policies GS5 & T3 of the Structure Plan and policies E20, H7 H12 & T10

of the Local Plan.

**(30)** Prior to the commencement of construction work for each individual phase of development full details of all sewers, services and soakaways shall be submitted to and approved by the Local Planning Authority and implemented concurrently with the development.

**Reason:** To secure a satisfactory standard of development in accordance with policy AR9 of the Structure Plan and policies E19 & E21 of the Local Plan.

**(31)** In association with the submission of reserved matters a minimum of 10 % of all the residential units hereby permitted shall be available for people with disabilities and constructed to the Borough Council's mobility housing standards and thereafter maintained.

**Reason:** To ensure adequate provision is made for people with disabilities in accordance with policy H7 of the Structure Plan and policy H17 of the Local Plan.

**(32)** All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first dwelling within each particular phase of development, or the completion of that phase of development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interests of amenity, in accordance with policies GS5 & AR2 of the Structure Plan and policies E11, E12 & E20 of the Local Plan.

### **Notes**

1. The rights of way within/adjacent to the site must not be damaged or obstructed during the course of any works and any improvement or repair to the routes must be done in consultation with the County Council.
2. Applications for the approval of reserved matters shall take account of the desirability of preserving important archaeological remains in situ or through additional archaeological recording where this cannot be achieved, and shall include full details of

the archaeological measures to be adopted.

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## **West Northamptonshire Development Corporation**

### **Northampton UDA Planning Committee**

**Held in public on Tuesday 16<sup>th</sup> January 2007**

Chair: Ann Tate

David Dickinson	Councillor Chris Millar
Councillor Brian Markham	Nick Thompson
Councillor Les Marriott	John Weir

Attended for all or part of the meeting:

Adrian Arnold	Head of Development Control
Mike Cole	Planning Officer (Consultant)- Hepher Dixon
Mike Hayes	Chief Executive
Brett Osborne	Planning Officer
Michele Vas	Denton Wilde Sapte
Penny Williams	Committee Manager

Approximately 60 Members of the public attended the meeting.

#### 01/07: Apologies

Apologies were received from Councillor Penny Flavell

02/07: Declarations of interest

Councillor Chris Millar as a County Councillor declared a personal interest in items 6, 7 and 8.

03/07: Minutes of the meeting of 12<sup>th</sup> December 2006

**Resolved:** that the minutes were agreed.

05/07: Application Number WN/2006/0016 English Partnerships and Network Rail

The Committee received a report (copies of which had been circulated) of an application from English Partnerships and Network Rail for a proposed residential, community facilities and associated development, access improvements and retention of operation railway line.

The Head of Development Control outlined the content of the report and drew the Committee's attention to the update sheet and revised recommendation.

The Committee discussed the need for home zones and the sites for parking.

**Resolved:** That the matter be delegated to the Planning and Development Director to negotiate a S106 agreement (detailed in paragraph 10.3) to achieve the matters below, then approve planning permission subject to conditions addressing the matters set out below and as set out in the report (or as modified as a consequence of valid representation or legal advice).

- 1.2 (i) Affordable Housing
- (ii) Design Code Document
- (iii) Highway Design Guide
- (iv) Sustainability Strategy
- (v) Public Art Strategy
- (vi) Infrastructure Provision
- (vii) Community Trust
- (VII) The phasing and mix of land uses

and the conditions listed in the report as item 4 and to include the added conditions required by the Environment Agency, for the following reason:

The proposal would result in the re-use of previously developed, contaminated land for a large residential development with associated community facilities, in accordance with regional and sub-regional guidance and local planning policies. The scheme would therefore contribute towards meeting the housing needs of Northampton, and facilitate the provision of improved infrastructure and services in the locality, together with significantly enhancing the living environment for local residents, and improve the biodiversity value of the area. With the exception of the loss of a small area of recreational land, which will be offset by contributions being made towards improved leisure facilities to serve a wider area, the scheme would accord with the policies of the development plan, and is considered acceptable.

