



Applicant: Paddington
Churches Housing
Association

Application No:
08/0214/FULWNN

Date Registered:
21.08.2008

Expiry Date: 20.11.2008

Ward: Headlands

Northampton UDA Planning Committee Paper

Report by Director of Planning Services

Date of Committee Meeting: 09/03/2010

Agenda Item: 4

Description: Development of 111 no. affordable residential properties with alterations to access, associated parking and infrastructure works Address: Land at Booth Rise and Lumbertubs Way, Northampton, Northamptonshire

1. Recommendation

1.1 That the application be **APPROVED**, but that the issuing of the planning permission be delegated to the Director of Planning Services or Appointed Officer subject to securing the following:

- Submission of a further amended layout drawing to incorporate changes agreed between the applicant and the Crime Prevention Design Advisor
- Resolution of Section 106 discussions with applicant and submission of Section 106 Legal Agreement

And subject to the planning conditions below, for the following reason:

The proposed application would make an important contribution to the delivery of much needed affordable housing where there is an indentified significant shortfall. The associated impacts that the development would create can be adequately mitigated against through the use of appropriate planning conditions and Section 106 Agreement and therefore the development would not have any significant visual, transport, flood risk or other impact that would warrant the refusal of planning permission. As such the application is considered to be consistent with policies 1, 2, 3, 11 and 13b of the East Midlands Regional Plan (2009), policies E1, E6, E20, E40, H7 and H32 of the Northampton Local Plan (1997) and the

objectives of PPS1, PPS3, PPS9, PPG13, PPS23, PPG24 and PPS25.

2. **Summary**

- 2.1 This is a full planning application for the erection of 111 affordable residential units at Land off Booth Rise in Northamptonshire.
- 2.2 The application site is land controlled by the Homes and Communities Agency (HCA), formerly English Partnerships, and the land has been in their ownership following the establishment of the Commission for New Towns, the body which inherited all land from the previous New Town Development Corporations. However, the applicant is Paddington Churches Housing Association, part of Genesis Housing Group who *“are one of the largest and most diverse housing groups in the UK, owning or managing over 38,000 homes.”*
- 2.3 This site first came forward for a development akin to the current proposal in 2006 as part of the now largely completed Challenge Fund II programme. The principal aim of this programme was to increase the delivery of affordable housing in settlements with substantial projected growth rates, i.e. growth areas such as Northampton. Members may recall two other sites that came forward under this programme, Shelfleys in West Hunsbury and Great Billing Way in Ecton Brook, which have been given planning permission by WNDP and are now largely complete. The site although no longer part of the Challenge Fund project remains within the ownership of the HCA and is identified by them as a suitable and appropriate site for the provision of affordable housing.
- 2.4 The application before Members was submitted in August 2008. Following public consultation a number of technical objections and concerns were raised with the application, including, but not limited to, highway matters, ecological matters, air quality and Flood Risk Assessment. Over the last 12-15 months the applicant has been working with and engaging key stakeholders (e.g. Northamptonshire County Council Highway Authority, Natural England etc) to overcome these matters. As part of this process the following matters have changed / been updated:
- The quantum of development has been increased by 3 units to 111.
 - The layout of the scheme has been revised, with subsequent alterations to a number of plots
 - The access arrangements have been revised and updated.
 - The highways technical note has been updated
 - The Design and Access Statement has been updated
 - The ecological information has been updated
 - An air quality assessment addendum report has been submitted

- 2.5 The applicant now contends that the technical issues raised in relation to the application have been addressed and planning permission should now be granted. As such, and based on the revised / updated information, WNDP have undertaken a further round of public consultation, which formally ended on the 18/01/2010. Both the original and further consultation responses are reported below.
- 2.6 The main issues for Members to consider are the principle of the development in this location, design and layout issues, highway matters and other associated material planning considerations. Members should note that Officers have been in discussions with the applicant regarding the appropriateness and level of financial contribution required as part of this scheme should planning permission be granted, and that whilst these discussions have made good progress, they are yet to be concluded.

3. Description of Proposal

- 3.1 The proposed development is for 111 no. affordable residential properties with alterations to access, associated parking and infrastructure works at land at Booth Rise and Lumbertubs Way in Northampton
- 3.2 The applicant proposes predominantly a mix of semi detached and terraced two storey houses, but also includes two three storey flat blocks; the 111 properties leads to a density of 42 dwellings per hectare (DPH).
- 3.3 The applicant proposes the following mix of properties:
- 2 x 1 bedroom/2 person flats,
 - 10 x 2 bedroom/4 person houses,
 - 22 x 2 bedroom/3 person houses,
 - 35 x 2 bedroom/4 person houses,
 - 3 x 2 bedroom/4 person Mews houses,
 - 6 x 2 bedroom/4 person Mobility houses,
 - 19 x 3 bedroom/5 person houses,
 - 5 x 3 bedroom/5 person Mobility houses,
 - 9 x 3 bedroom/6 person houses.
- 3.4 The applicant proposes that all of the new properties would be 'affordable', aimed at local people and first time buyers. 50% would be for shared ownership and 50% for social rent.
- 3.5 A single point of access is proposed off Booth Rise. 146 car parking spaces are proposed, at a ratio of 1.3 per dwelling.

4. Description of Site

- 4.1 The application site is located off Booth Rise and Lumbertubs Way in the North East of Northampton Town, within the Headlands area. The application site is an open piece of private land, mostly flat but with a gradual slope towards Lumbertubs Way. The site is generally open with some low level landscaping around the perimeter, except for the southern boundary which has some large mature landscaping that includes a Group Tree Preservation Order (TPO). Northampton Town Centre lies approximately 5 Km to the South West.
- 4.2 The application site sits within a predominantly residential area. The surrounding pattern of development along Booth Rise is that 1930s properties but with no specific vernacular. Lumbertubs Way (the A43) lies to the east of the application site and is a busy dual carriageway, with the connecting roundabout situated to the North. The residential properties along Booth Rise and Burford Avenue / Burford Crescent lie to the south but are separated by the aforementioned mature landscaping.
- 4.3 The application site is designated in the extant Northampton Local Plan (1997) saved policy E6 as Greenspace. The site is not within a designated floodplain, nor is it in a Conservation Area or the curtilage of any Listed Buildings.

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 Planning Policy Guidance

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

- PPS1 – Sustainable Development
- PPS1 – Sustainable Development: Planning and Climate Change
- PPS3 – Housing
- PPS9 – Biodiversity and Geological Conservation
- PPS10 – Planning for Sustainable Waste Management
- PPG13 – Transport
- PPS23 – Planning and Pollution Control
- PPG24 – Planning and Noise
- PPS25 – Development and Flooding

6. Development Plan:

- 6.1 The Development Plan documents for the area comprise;
- The East Midlands Regional Plan (RSS8) (2009);
- The Milton Keynes and South Midlands Sub-regional Spatial Strategy (MKSM) (2005);
- The Northamptonshire County Structure Plan (NSP) (2001) (saved policies);
- The Northampton Borough Local Plan (NLP) (1997) (saved policies).
- 6.2 **East Midlands Regional Plan (RSS8) (2009) relevant policies;**
- Policy 1 (Regional Core Objectives);
- Policy 2 (Promoting Better Design);
- Policy 3 (Distribution of New development);
- Policy 11 (Development in the Southern Sub Area);
- Policy 13b (Housing Provision (Northamptonshire));
- Policy 18 (Regional Priorities for the Economy);
- Policy 29 (Priorities for Enhancing the Region's Biodiversity);
- Policy 39 (Regional Priorities for Energy Reduction and Efficiency);
- Policy 40 (Regional Priorities for Low Carbon Energy Generation);
- 6.3 **The Milton Keynes and South Midlands Sub-regional Spatial Strategy (MKSM) (2005) relevant policies;**
- Policy 1 (Spatial Framework Locational Growth);
- Policy 3 (Sustainable Communities);
- Northamptonshire Policy 1 (The Spatial Framework);
- Northamptonshire Policy 2 (Northampton Implementation Area).
- 6.4 **The Northamptonshire County Structure Plan (NSP) (2001) (relevant saved policies);**
- SDA1 Strategic Development Areas
- 6.5 **The Northampton Borough Local Plan (NLP) (1997) (relevant saved policies);**
- Policy E1 (Landscape and Open space)
- Policy E6 (Greenspace)
- Policy E20 (New Development)
- Policy E40 (Crime and Vandalism)
- Policy H7 (Housing Development)
- Policy H32 (Affordable Housing)

7. **Supplementary Planning Guidance (SPG) and Supplementary Planning Documents (SPD)**

7.1 Northamptonshire County Council Planning Out Crime (2005);

Northamptonshire Minerals and Waste Development Framework: Development and Implementation Principles SPD (2007);

Other non-statutory documents

7.2 WNDC Planning Principles (2009):

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.

7.3 WNDC Planning Obligation Strategy (POS):

The Planning Obligations Strategy sets out WNDC's approach to planning obligations, in particular, the arrangements for a 'Standard Charge' to be applied, initially, to new residential development within WNDC's area. The principal objective of the Strategy is to ensure that development contributes appropriately, both financially and/or in kind, towards the infrastructure needed across WNDC's area to deliver sustainable growth. Funding from planning obligations will be used, alongside other funding sources, to ensure that essential infrastructure, facilities and amenities are brought forward at the appropriate time, so that the growth and regeneration outcomes sought for the area can be achieved.

The POS is currently subject to review by WNDC.

7.4 WNDC Manual for Design Codes:

The West Northamptonshire Manual for Design Codes sets out a framework within which to develop a Design Code whilst emphasising the urban and rural characteristics of West Northamptonshire. The manual aims to provide clarity and consistency in the formulation of Design Codes.

8. **Relevant Planning History**

8.1 WN/2006/0184 – Development of 108no residential properties with alterations to field access, associated parking and infrastructure works (full) – Not registered as application

8.2 93/0611 Proposed food retail store and petrol filling station (outline) – Refused 27/04/1994

8.3 88/0741 Erection of four dwellings and associated infrastructure (full) – Refused 07/09/1988

- 8.4 87/1236 Residential development (outline) – Withdrawn 03/05/1988
- 8.5 86/0813 Erection of four dwellings (full) – Refused 29/12/1986

9. Consultations

- 9.1 **Northampton Borough Council (NBC):** The application has been put before NBCs Planning Committee twice; on both occasions Officers have recommended that NBC raise no objections to the development, subject to particular matters being resolved. When NBCS Planning Committee first debated the application in November 2008 the Borough Council raised no formal objection to the principle of the development but did request that WNDC defer determination of this application until such times as the following is undertaken:

1. A full ecological assessment, a survey regarding existence of protected species and a green infrastructure survey means in order to evaluate the amenity derived from the existing green space in accordance with PPS1 – Delivering Sustainable Development and Policy E6 of the Northampton Local Plan. Without such an assessment it is not possible to comment on the principle of developing this established area of green space for housing or to assess the likely significant environmental impacts.

2. A revised air quality assessment to fully assess the impact of the development on pollution levels as required by PPS23 – Planning and Pollution.

3. An arboricultural method statement and plan in accordance with BS 5837 (2005) be submitted to enable an assessment to be made regarding the impact of the development on the trees contained within the site, as well as the trees covered by TPO 157 as required by Policy E11 of the Northampton Local Plan.

4. An Environmental Impact Assessment is submitted or a negative screening opinion being undertaken in accordance with the requirements of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

If WNDC is minded to approve the application the following is requested:

1. A sum of £216,000 to be secured by means of a Section 106 Agreement in order to provide enhancements for existing open space in the general vicinity in order to compensate for the loss of open space as a result of allowing this application.

2. Suitable planning conditions should be attached to any approval notice requiring the submission of a scheme to identify any contaminants on the site and a scheme for their effective remediation as required by PPS23 – Planning and Pollution Control

3. Suitable planning conditions should be attached to any approval notice requiring the submission of a sound insulation scheme in accordance with PPG24 – Planning and Noise.

4. Suitable planning conditions should be attached to any consent requiring the construction of the development to Code for Sustainable Homes Level 3 and 10% of the development should be constructed as mobility units as outlined in the applicant's Design and Access Statement and in accordance with PPS1 – Delivering Sustainable Development.

5. WNDC is advised that prior to determining the application, clarification is sought regarding the proposed type of dwelling on Plots 73 and 88 due to inconsistencies on the submitted plans.

6. WNDC is requested to ensure that all matters arising from consultation with Northamptonshire County Council Highways Section are taken into consideration when determining this application.

Following a further round of public consultation the application was put back before NBCs Planning Committee in February 2010. NBC Officers advised Members that the matters requested for deferral had been resolved, with the exception of their request for an EIA Screening Opinion to be submitted, and recommended that no formal objection be raised. However, notwithstanding this recommendation the Borough Council have objected to the development, making the following statement:

The excessive volume of the built development proposed as a proportion of the site and its detrimental impact upon the quality and quantity of open space to be retained within the development; the impact upon air quality; the impact upon noise levels, particularly for those properties to be sited adjacent to Lumbertubs Way; traffic issues with respect to the Round Spinney and Lumbertubs roundabouts and access into the site; the lack of an Environmental Impact Assessment and connectivity issues (i.e. lack of sustainable transport links and permeability links to surrounding developments).

They further note that if WNDC is minded to approve the application a number of matters as previously set out (financial contributions etc) are secured.

- 9.2 **NBC Environmental Health:** raised initial concerns with the Air Quality Assessment submitted but on receipt of further information from the applicant has now confirmed that the application is acceptable in this regard. Has recommended conditions covering land contamination and noise.
- 9.3 **NBC Tree Officer:** raised a range of initial concerns with the application in relation to its relationship with TPO trees on the southern boundary. These concerns included the proximity to the TPO trees, whether the proposed properties would interfere with the canopies of the trees, the overshadowing of the properties by the trees and whether this would necessitate their being cut back in future years. However, these concerns have now been addressed by subsequent revisions to the approved plan and is now satisfied that the proposed development would not have an adverse impact on the protected trees. Planning conditions are recommended to ensure this is the case.
- 9.4 **NBC (Housing):** supports the application as it will provide 108 (now 111) affordable

homes to meet the housing needs of the town, especially with regards to the socially rented properties; notes that providing a mix of shared ownership and socially rented properties would enable the scheme to promote integration of social and economic groups, allowing for a sustainable development. States that all homes should achieve Level 3 of the Code for Sustainable Homes.

- 9.5 **NCC (Highways):** raised initial concerns with the application in terms of the submitted Transport Assessment, the proposed access and layout insofar as its suitability for adoption was concerned. Also stated that consideration should be given for a dedicated footway/cycleway on Booth Rise to link into the existing cycleway network, contributions for public transport improvements and a Travel Plan to be required.

However, on receipt of further information from the applicant, namely the updated Transport Assessment and highway drawings, has now withdrawn those concerns and confirmed that the application is acceptable in their view. Recommended a number of mitigation measures, including financial and non-financial obligations to be sought through a Section 106 Agreement, and planning conditions to cover other matters including a Travel Plan.

- 9.6 **Highways Agency:** no objection subject to a condition requiring a Travel Plan
- 9.7 **Environment Agency:** raised initial concerns with the application on the grounds of local sewerage capacity but on completion of the Outline Water Cycle Strategy and Anglian Water's consultation response now have no objection subject to planning conditions.
- 9.8 **Anglian Water:** no objection subject to informatives
- 9.9 **Natural England:** raised initial concerns with regards to bat, badger and reptile surveys undertaken by the applicant but upon receipt of further information now have no objection.
- 9.10 **The Wildlife Trust:** raised initial concerns with regards to bat, badger and reptile surveys undertaken by the applicant and in relation to the provision of Green Infrastructure but upon receipt of further information now have no objection subject to conditions.
- 9.11 **Northamptonshire Fire and Rescue Service:** no objection, detailed comments regarding design of site and dwellings
- 9.12 **Police:** no objections to the planning application in its present form other than to suggest a number of recommendations which, if implemented, would reduce the likelihood of crime occurring.
- 9.13 **Boothville Residents' Association:** strongly objects to the application on a number of issues, including: previous applications on this site for housing and a supermarket were refused planning permission by Northampton Borough Council [Details of which have been submitted]; the access into the site is unsuitable for the proposed development a similar application (the old Ventalite site) approximately 100m away from the

application site was turned down for this reason; the local road network does not have the capacity, and furthermore, is not designed, for the additional traffic generated by the application – particular concern is at the AM and PM peak times when congestion is very heavy; the data used by the applicant is out of date; vehicle speeds regular exceed the designated limit; concern over access for emergency vehicles; NCC interactive mapping system show there have been 8 reported accidents on Booth Rise in the last 3 years; the land is contaminated; solely affordable housing will create a ‘ghetto’ and does not fit in with the local area, also in terms of character, design and density; there have been too many developments recently, question whether the proposed one is required; question whether these is adequate school provision for the development; concerns over archaeology, onsite trees and pollution; an application for a takeaway at the Post Office has recently been turned down at appeal on traffic grounds; there are more suitable sites that should be developed.

Has included the submission of a CD containing a large number of photos that highlight the traffic problems in the area.

- 9.14 **Thorpeville Residents’ Association:** object to the application on the following grounds: Greenspace: the updated Open Space, Sport and Recreation Needs Assessment and Audit indicates that there is insufficient provision of natural and semi-natural open space and that by 2026 growth in population will exacerbate the shortfall; this application would add to that situation. The site is a natural habitat for wildlife with protected species, i.e. badgers, present. This and other space around the Round Spinney roundabout form a buffer zone and should be retained as such. The Transport Assessment submitted is totally unacceptable. A detailed critique of this document has been produced by setting out concerns with this. There is concern over the wider infrastructure that would support this ad other developments, such as schools, doctors and dentists etc; concerns over the density of the development and further concerns that the number of units has increased by 3, which will exacerbate this; there is too much reliance on car travel in this regard and also because of the lack of infrastructure; concern over carbon emissions and whether the proposed development complies with the latest DfT Guidance ‘Delivering Sustainable Low Carbon Travel: AN Essential Guide for Local Authorities’ (2009); overall does not consider that this is a sustainable development, there are other and more suitable sites that should be developed.
- 9.15 **Ms S Keeble MP:** has written in on behalf of a number of her constituents who have raised the following concerns: traffic and highway concerns; impact in green and open space, in particular NBCs ‘view’ that there is presently inadequate provision; lack of infrastructure to support the housing; impact on local amenities as a result of the construction of a number of much higher density housing. Is also concerned about WNJPU’s recent plans to ear mark land to the north of the town for approximately 5,000 units and the further impacts this may have.

- 9.16 **Cllr D Garlick:** concerns over access and highway matters, and specifically refers to the A43 and the potential for this road to be altered and the traffic implications of this with the development
- 9.17 **Cllr M Hallam:** strongly objects to the application predominantly based on highway and traffic concerns, and also concerned that the number of dwellings has increased.
- 9.18 **Cllr P Wilson:** concerns over access and highway matters
- 9.19 **Cllr A Simpson:** objects to the application on the grounds of designation as Greenspace; planning history of site and recent decisions taking at Thorpeville and Venatlite; application is contrary to policy T9 of the Local Plan in terms of traffic; proposed housing mix does not comply with WNJPU Affordable Housing SPD or policy H32 of the Local Plan; the density of the site exceeds the minimum guidance put down in PPS and is above that of the local area and also contrary to Government guidance in Housing Density and Gardens SN/SC/3827; concern raised about the loss of land that would be needed for future developments such as traffic management improvements.
- 9.20 **Cllr A Wright:** attended the Boothville Residents Association meeting and reports that concerns were raised in relation to the sites Greenfield designation, refusal of planning permission by NBC at Thorpeville, concern over traffic levels and that all previous applications have been rejected because of traffic concerns. On this basis urges rejection of the application.

10. Notifications and Responses

- 10.1 The application was advertised by press notice and site notice and approximately 163 neighbouring properties were notified of the application by letter.
- 10.2 70 responses were received in response to the first public consultation undertaken; 79 were received in response to the second. However, due to the fact that a sizeable proportion of this letters are from the same occupiers (i.e. two or three letters per occupier), there are 106 registered objectors to the application. The objections received are summarised as follows:
- Development on Greenfield land, the site is designated as Greenspace
 - Application site has ecological value; it could be tidied up and kept as some sort of nature reserve; there is a badger sett on the site
 - The Planning Statement asserts that over the next 5 years there will be shortfall of 3115 affordable units – the 108 [now 111] proposed in this application represents just 3% of this and therefore will not make a significant and important contribution; as such a larger and more suitable site should be found
 - Local Planning Authorities should give priority to developing Brownfield sites; the proposed development would lead to ‘urban cramming’ and not ‘urban renaissance’.

- Development is being planned for over 700 alternatives sites; there are '300' hectares of Brownfield development to be built on, including a 1,000 empty factory units.
- There are '3,500' empty homes in the Borough, these should be filled before any development takes place
- Previous applications for houses (at that time only 4 were proposed) and a supermarket at this site have been turned down by the local planning authority
- Concern raised that the housing proposed is 'affordable'; potential impact upon house prices in the area; potential impact upon crime levels
- Traffic, access and parking problems, in particular:
 - Concern over the junction of Thorpeville with the A43
 - Traffic is heavily congested in the weekday AM and PM peaks; the traffic survey submitted notes that some roads are already operating above capacity and therefore this application should not even be considered
 - Traffic speeds regularly exceed the 30mph limit along Booth Rise
 - Other residential development currently being built, i.e. Twigden Homes at Parklands and Genesis at Great Billing Way and the expansion of Northampton and Moulton Colleges, will add to the traffic problems in this area along with the proposed development
 - Proposed access into the site from Booth Rise, being on a sharp bend, would be highly dangerous; it does not take account of the topography of the land
 - Round Spinney roundabout is highly dangerous, there have been accidents in the past and that is why there are traffic lights; similar concerns raised for Boothville roundabout
 - The level of car parking provision will not in reality limit the number of cars on the site; vice versa, the level of car parking will not support the number of cars on the development
 - Traffic from the development will contribute to increased CO₂ and NO₂ emissions
 - Questions over whether the planned improvement to the Kettering Road will be affected by the proposed development
 - The additional traffic generated by this development could be considered a 'health and safety breach'
 - It is already difficult for emergency vehicles to respond at peak times, this application will exacerbate that issue

- Lorries regularly use Booth Rise
 - Issues associated with emergency vehicles, noting that the Fire Service and Ambulance Station is located close by
- Development should / does not fit in with surrounding area. Existing properties on Booth Rise are typically detached bungalows set in large and spacious gardens. The proposed density of 39 dwellings per hectare (DPH) is out of keeping with Booth Rise, which has a density of 13 DPH; reference to planning application N/2007/1124 which was refused permission by NBC for a number of reasons, including density and overdevelopment
 - Design of development that includes 2-3 story buildings where predominantly there are bungalows presently
 - Comments that whilst the site is close to existing industrial estates/parks it is not thought that the companies located at these are currently recruiting, therefore lessening the sustainable credentials of the application
 - Issue of this site as a 'gateway' into Northampton and the potential impact on ones perception when visiting the town
 - Comparison with the development of other towns in the UK, notably Milton Keynes, Norwich and Worcester – states that these towns have concentrated on their 'history and core architecture' in contrast to Northampton; the proposed development follows that trend. Milton Keynes, Norwich and Worcester have protected their existing village communities and allowed new housing developments to be based on an outer ring road system; furthermore, these towns have valued greenspaces.
 - The previous Development Corporation left no enduring legacy which generates civic pride, citing the eastern district as an example. WNDC should not make the same mistake
 - Planning application for 38 units at Thorpeville has been refused by NBC, this application should also be rejected.
 - Lack of facilities to support the development: the local post office has shut down, there are no schools that have capacity within easy walking distance and bus services are not available in the evenings and weekends; doctors surgery places
 - There is evidence of a roman settlement and iron age remains at this site but no archaeological assessment has been undertaken
 - Concern over the TPO trees on the southern boundary of the site
 - Concerns over noise and dust created during construction works
 - Concern over future development on adjacent land; this development would set a precedent for further building

- Concern about drainage and flooding in this area
- The proposed wormeries could become attractive to flies and vermin
- Loss of privacy for residents of Burford Avenue and Bibury Crescent because of the differences in levels
- Loss of view
- The Environment Agency have objected to the development
- The application submitted in 2006 included a report by Ian Farmer Associates that indicated the site had higher than normal arsenic levels
- The public consultation [presumably referring the that undertaken by the applicant] was flawed – numerous residents did not receive the leaflets that were allegedly sent out
- This land could be better used, for example providing a Skateboard arena for young people or Mini cycle course

11. **Evaluation**

The following matters are relevant to the determination of this application:

Principle of development

Visual impact, design and layout and landscaping

Neighbouring amenity

Environmental Impact Assessment

Environmental impacts

Highway matters

Flooding

Ecology

Crime and Safety

Archaeology

Sustainability

Section 106

Other matters

Principle of Development

- 11.1 The application site falls wholly within the built up urbanised area of Northampton, some 5 km to the north east of the Town Centre. The site is within an area that is predominantly residential, although the application site itself is designated as Greenspace (under policy E6) within the Northampton Local Plan (1997). In terms of the principle of development there are a number of issues to consider, which are not inherently mutually exclusive – the compliance of the proposal with the current Development Plan for this area; emerging planning policies; and what, if any, other material considerations are relevant to this, in particular the need for the development.
- 11.2 In terms of considering the principle of the development in this location it is noted that section 38(6) of the Planning and Compulsory Purchase Act 2004 states “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” In this instance it is considered that the Development Plan is made up of the East Midlands Regional Plan 2009 (RSS8)(including the Milton Keynes South Midlands (MKSM) Sub Regional Strategy), the Northampton Structure Plan 2001 and the saved policies of the Northampton Local Plan 1997.
- 11.3 Current development plan policy in the East Midlands Regional Plan (2009) and the MKSM proposes new growth and sustainable patterns of development in several locations in Northamptonshire and provides a broad strategy for development up to 2026. It identifies the scale and distribution of development particularly in relation to the provision of new housing across the County. Policy 13b (Housing Provision: Northamptonshire) identifies that 62,125 new houses need to be delivered across West Northamptonshire and of this 40,335 need to be delivered between 2001 and 2026 in Northampton alone. The current annual growth target for this sub-period (2006-2011) is 1,450 dwellings (Policy MKSM SRS Northamptonshire 2). MKSM indicates that in terms of locating this development sustainable growth will take place both by means of intensification of the built-up area and expanding onto greenfields through one or more sustainable urban extensions.
- 11.4 The Northamptonshire County Structure Plan was adopted in 2001 and covers the period 1996-2016. The majority of its policies were superseded by the East Midlands Regional Plan (2009) when it was adopted in March 2009. The one remaining extant policy is not considered relevant to the consideration of the principle of this development.
- 11.5 The Local Plan was adopted in 1997 (and subsequently formally altered) and covers the period 1993-2006. Whilst it clearly no longer provides a complete up to date policy framework, a number of policies have been ‘saved’ beyond September 2007 and therefore still carry significant weight as part of the current Development Plan framework. Policy H7 relates to proposed housing development that sits outside of

designated areas within the Local Plan, of which this application does. The policy states that such development will be acceptable in principle subject to a number of caveats, including design, character, highways and the acceptable loss of the current land use (whether it be parking facilities, recreational areas etc). Furthermore, policy E6 relates to the sites designation as Greenspace; this is relevant and is discussed later in this section along with H7.

- 11.6 As set out above the East Midlands Regional Plan sets out broad policy support for new residential development in West Northamptonshire and identifies significantly strengthening the role of Northampton as a Principal Urban Area through urban intensification (p40). The proposed development is for 111 affordable residential units within the built up area of Northampton and therefore it is considered that the development would be consistent with the policy objectives of the Regional Plan. This document, as well as being generally supportive of new residential development, emphasises that an adequate supply of affordable housing is important for the performance of the economy at a regional level and to promote social inclusion. The East Midlands Regional Plan states (p44):

“The planning system plays a role in increasing the supply of affordable housing, creating a greater choice of housing types and balanced communities. Other Government policies have reaffirmed this approach through additional funding and greater partnership with employer and public and private sector landlords.”

- 11.7 Members will note that the proposed application is for solely affordable housing with no open market units. The local need for affordable housing units in Northampton is extensive. NBC Housing have reported to WNDC Officers that the emerging draft Strategic Housing Market Assessment identifies that in the period 2008-2026 8,900 socially rented affordable properties are needed to be provided within the Northampton Implementation Area, an annual requirement of 495 properties. Furthermore, there are currently 1,710 applications on the housing register for family accommodation from a total of approximately 7,000 applications in total. Comments have been received that the actual contribution this site would make to the delivery of affordable housing is insignificant and a larger and more suitable sites should be found. Whilst these are noted they are not agreed with; each site that makes a contribution to meeting this need is important and the proposed development would make a significant contribution in Officers view.

- 11.8 It is important to note that Government policy on providing on affordable housing, as set out within PPS3, emphasises the need for more affordable housing of all types, including socially rented and intermediate, in recognition of the social benefits increased delivery will bring.

“The Government is committed to providing high quality housing for people who are unable to access or afford market housing, for example, vulnerable people and key

workers as well as helping people make the step from social-rented housing to home ownership.” (PP53, p10)

- 11.9 Comments in relation to policy H32 of the Local Plan are noted. This sets out that on developments of 40 or more units that an element of affordable housing will be negotiated. NBC Planning Policy Statement on Affordable Housing is noted. This updates policy H32 in that it sets a requirement of affordable housing on any development of more than 15 units. Clearly, this site is for all affordable housing and therefore it is considered that the proposal is consistent with these policies.
- 11.10 It is considered that in light of the above, in particular the significant current demand that exists for affordable housing in Northampton, that the delivery of such housing must be given significant weight as a material planning consideration when determining this application.
- 11.11 However, as noted above saved policy H7 of the Local Plan only accepts the principle of residential development outside of the designated areas where the proposed development would not result in the loss of existing land of significant amenity value. Related to this, the site is designated in the Local Plan under saved policy E6 as Greenspace. It is noted that a significant number of residents have objected to the development on the basis that it is allocated as Greenspace and should be retained as such.
- 11.12 In relation to areas of Greenspace the Local Plan notes that these (p7) “... may include land used for agriculture, land once designated for road building and now no longer required, land used for burial and cremation, river valley flood plain and the grounds of large institutions. Such areas may form natural links with open countryside, open space within the river valley, linear corridors of open space, green "spaces" around development or "islands" of open space in the urban area. However this does not mean that any development in an area subject to this policy will not be permitted. The essential test will be whether or not proposals are considered to have a detrimental effect on the function of the overall area subject to the policy.”
- 11.13 An important distinction to highlight from this text is that in designating this site as 'Greenspace' policy E6 does not inherently preclude or imply that no development on this site (or indeed any other site allocated as Greenspace). Instead, policy E6 states planning permission (for any form of proposed development, be it residential, commercial or other) will only be granted where it is considered that the development would not unacceptably prejudice the function of the Greenspace (as set out in Appendix 2 of the Local Plan). The appendix sets out different categories of Greenspace; the site at Booth Rise (reference 4.6) is labelled as a site which forms a green space around development. The appendix describes these as (p140):

“These areas serve to create space between development and surrounding areas. In many instances strategic areas of open space have been established to screen and reduce the impact of existing business development. In other cases such spaces are

the result of land remaining undeveloped and which has now developed an important function of providing a buffer of open space between different land uses. It is important that these are maintained, and areas surrounding proposed development identified and reserved in order to reduce future impact of such development upon surrounding areas.”

- 11.14 This policy states that planning permission will only be granted where the proposed development does not prejudice the function of the area. Members will be aware that much of the surrounding areas to the north of the application site are also allocated as Greenspace in the Local Plan, and these areas combined serve to create a buffer between the Round Spinney Industrial Estate and surrounding residential areas. It is not considered that the proposed development of the site would inherently affect the overall function of the Greenspace as a large buffer would remain. Clearly, were all of these sites to come forward it is likely to be the case that the overall function of the Greenspace in terms of providing a buffer would be compromised. However, it is not considered that such a point is reached by virtue of the current proposal and this case has to be considered on its own merits.
- 11.15 On this basis it is considered that the weight given to policy E6 in this case should be limited when taken into account with other material planning considerations discussed above. The provision of affordable housing is a significant strategic issue for the town and the current significant shortfall makes this consideration of affordable housing to have even greater weight and a significant material consideration. Then there is also the general presumption in favour of residential development within the built up area of the town by national, regional and local planning policies.
- 11.16 It is noted that policy H7 sets out that permission will only be granted where *“The development would not be piecemeal in nature or would prejudice the future development of a larger site”*. It is not considered that this application would prejudice the future development of any larger area.
- 11.17 Therefore, Officers consider the principle of development is acceptable in this case as the greater weight should be given to the provision of affordable housing, when there is a significant shortfall and the lack of provision coming forward over recent years, and the policy basis in favour of residential development generally, against the loss of the Greenspace which in itself is given limited weight by virtue of the adjacent significant areas providing this function.

Other policy matters

- 11.18 It is noted that this site formed part of NBCs Urban Housing Capacity Study 2003. Within that document the site was considered for residential purposes and at that time it concluded that a development of between 104 and 148 units would be appropriate.

- 11.19 NBC have undertaken a review and update of the Open Space, Sports and Recreation Needs Assessment and Audit in 2009 (updating the 2006 document). This sets out that the Booth Rise site is classified as 'natural and semi-natural' space. The document defines this type of space as:

"This type of open space includes woodlands, orchards, scrubland, grasslands (eg meadows and other non-amenity grassland), wetlands and river corridors, nature reserves and brownfield land with a primary purpose of wildlife conservation and biodiversity within the settlement boundaries. Much of this open space will be recognised in Local or Potential Wildlife Sites, a non-statutory site system maintained by the Northamptonshire Biodiversity Partnership.

Natural and semi natural open space can frequently be found within other open space types, and in some instances there may be some sites classified as amenity green space or parks that play a similar role to natural and semi natural open space sites. This serves to highlight the overlap between typologies. Natural open spaces also fulfil similar roles to country parks."

- 11.20 The 2009 update identifies that within the analysis area for this site (area 4) there is a surplus of this type of land. Furthermore, NBC have highlighted that this site was assessed as only having an average quality level.

- 11.21 It is important to stress that this land is privately owned and is not open for public use. It is considered that limited weight can be given to the argument for retaining the application site as undeveloped on the basis of the above assessment and due to its non-public use.

- 11.22 A number of comments have been received that state this site is not needed for development because some 700 sites have already been identified through West Northamptonshire Joint Planning Unit's (WNJPU) draft Strategic Housing Land Availability Assessment (SHLAA). In relation to this comments have been received that state that the Brownfield sites such as redundant factories should be developed in advance of this site. It would appear that this document has been somewhat misunderstood in its concept and scope. In order to clarify this, and to establish the weight that can be given to it in planning terms when determining this application it is important to set out the objective of the study (original emphasis):

"The purpose of the Assessment is to identify where and how many new housing sites could be developed over a 5, 10 and 15 year period. It will then be used to inform the preparation of the West Northamptonshire Local Development Framework (the plan making process) so the policy makers can assess the available land against all the other policy considerations which have to be taken into account.

The Strategic Housing Land Availability Assessment cannot deal with issues for the plan making process, for example, where housing growth is located, infrastructure issues etc. It is very much a fact finding exercise aimed at people who are promoting sites.

The inclusion of a site in the Strategic Housing Land Availability Assessment DOES NOT decide if it should be allocated for development. The Assessment has NOT taken into

account, nor applied, any policy considerations; this will come later in the plan making process.” (Draft Strategic Housing Land Availability Assessment, background information)

11.23 Clearly, the draft SHLAA is not an adopted DPD or SPD that forms part of the LDF at this time, and its weight in planning terms is therefore considered to be very limited. That the Booth Rise site is included in the draft SHLAA as a potential development site is of no more consequence as there are other sites that are put forward for residential development.

11.24 A number of comments have been received that state the application does not comply with WNJPU's Affordable Housing SPD 2009. This document was in the process of being prepared by the WNJPU but so far has not been adopted, mainly on the basis that such an SPD cannot come forward prior to the adoption of the full Joint Core Strategy (JCS). In terms of the weight that can be attached to the document it is noted that the Government has issued guidance in the Planning System: General Principles (Supplement to PPS1); paragraph 17 states:

“In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD.”

11.25 Where planning permission is to be refused on grounds of prematurity, the local planning authority must demonstrate clearly how the grant of permission for the development concerned would prejudice the outcome of the DPD process. PPS1 also states (in The Planning system: General Principles paragraphs 18 and 19) that in relation to the weight to be given to emerging policies:

“18. Otherwise, refusal of planning permission on grounds of prematurity will not usually be justified. Planning applications should continue to be considered in the light of current policies. However, account can also be taken of policies in emerging DPDs. The weight to be attached to such policies depends upon the stage of preparation or review, increasing as successive stages are reached. For example:

- Where a DPD is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of the delay which this would impose in determining the future use of the land in question.*

- Where a DPD has been submitted for examination but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. The converse may apply if there have been representations which oppose the policy.*

However, much will depend on the nature of those representations and whether there are representations in support of particular policies.

19. Where planning permission is refused on grounds of prematurity, the planning authority will need to demonstrate clearly how the grant of permission for the development concerned would prejudice the outcome of the DPD process.”

- 11.26 On this basis it is considered that very limited weight can be given to the Affordable Housing SPD as a material planning consideration.
- 11.27 Comments that the proposed development is for affordable housing only and as such would not create a sustainable mixed environment are noted. However, whilst it is the case that all of the proposed units would be affordable these would be split between 50% shared ownership and 50% social rent. With respect to the shared ownership units, over time a proportion of these are likely to be taken into the private sector through the staircasing of the ownership of the unit (although clauses would be imposed in the S106 to ensure that they were retained by RSLs in the first instance). Furthermore, it is considered that the overall context of the area would allow for the affordable units to fit into the wider area.
- 11.28 A significant number of comments have been received that highlight that previous applications for both residential development and a supermarket on this site have been refused planning permission, mainly for highway related reasons; accordingly, the objectors advocate that this planning application should also be refused. These comments are noted. Members will note from section 8 of this report that between 1986 and 1994 it is true that such applications were submitted (by a previous incarnation of the current landowner) and refused by NBC. Furthermore, a review of these consents' confirms that highway concerns were raised and was indeed a reason for refusal of the applications. However, the planning system, in both its primary legislation and leading policy documents, has changed significantly during this time, the last of which was taken some 16 years ago. On this basis it is considered that these decisions carry very little weight in our determination of this application.
- 11.29 A comment has been received that there are approximately 3,500 empty existing properties in Northampton (source not given) and these should be filled before any further development takes place. Whilst this comment is noted it is not considered it can be given significant weight in the determination of this planning application in light of the above policy framework.

Visual impact, design and layout and landscaping

- 11.30 The site is not allocated for residential development and therefore is subject to Saved Policy H7 of the Local Plan. This policy sets out that outside of Primarily Residential areas planning permission for residential development will only be granted where:

- a) A satisfactorily residential environment can be achieved;
 - b) The development would not be of a scale and density that would be detrimental to the character of the surrounding area or would result in the overdevelopment of a site.
- 11.31 As noted above the application site is currently a relatively flat piece of land, mostly enclosed by a small perimeter fence and low level landscaping but also with significant mature landscaping on parts of the boundary. The sites predominant public frontage is along Booth Rise, with the southern boundary and the boundary with Lumbertubs Way mostly obscured by the aforementioned existing landscaping. On this basis it is considered the proposed residential development would have some visual impact, in particular along Booth Rise.
- 11.32 The application proposes 111 residential properties, mostly two storey houses but also with two small three storey flat blocks. The Booth Rise outlook would consist mainly of the frontages of two storey properties in groups of one, two or three dwellings interspersed with two small car parking courts (with no direct access onto Booth Rise). As noted the land is relatively flat and this elevation would form a continuation of the residential development that runs along Booth Rise. Within the site the houses are broadly laid out in perimeter blocks facing onto internal courtyard parking. The properties on the eastern boundary of the application face inwards with the backs of these properties adjacent to the A43 road.
- 11.33 It is noted that a significant number of objections have been received from local residents stating that the proposal is out of keeping with the current character and density of the area. These concerns are noted and it is accepted that the proposed development is of a slightly different design and character to the predominantly detached bungalows that characterise Booth Rise presently.
- 11.34 However, when considered in the context of Booth Rise the proposed development does form a continuation of the properties fronting onto the main road. Whilst not akin to the predominantly detached bungalows of Booth Rise the majority of this frontage would not have a direct relationship with those properties, facing onto the open space opposite the site. In this context the proposal is considered acceptable.
- 11.35 A significant number of objections have been received stating that the proposed development would be out of keeping with the existing residential development because it would be overly dense; 'urban cramming' has been used to describe it by a number of residents.
- 11.36 These concerns are noted; the proposed development of 111 dwellings on a 2.65 ha site would lead to a density of 42 dwellings per hectare (DPH). Officers have undertaken an assessment of the surrounding mix of development and can report the following:
- Booth Rise – 11 DPH
- Cubleigh Close / Ferene Field / Moulton Way South – 16 DPH

Burford Avenue / Bibury Crescent – 22 DPH

Popular Court / Yewtree Close – 25 DPH

- 11.37 It is noted there are mix of development styles in the area, reflecting the evolution of the area, and that this is highlighted in the various densities of the sites. It is accepted that the Booth Rise proposal would be of a density higher than the surrounding developments, reflective of current planning policies, but not of a density that would be inherently unacceptable. It is noted that PPS3 in particular identifies 30 DPH as an indicative minimum threshold (paragraph 47), although ultimately this is a matter for the local planning authority to determine on a case by case basis. In this case it is considered that the site can accommodate the level of development proposed and as such is in accordance with policy H7 and that the relationship of the development with adjacent areas is acceptable.
- 11.38 In terms of the proposed design of the development the applicant has set out in their Design and Access Statement how this would represent a good quality scheme that picks up on some local characteristics whilst maintaining its own independent identify. They have stated:
- “The elevation design of the development will be a subtle mixture of materials with 3 brick colours and timber cladding. Render will also be used in specific locations to create visual emphasis. The mix of materials creates a clear distinction between spaces such as the formal nature of the street and the varied character of the courtyard areas. The design approach is again intended to draw on the surrounding context using a palette of subtle materials intended to create enough variety whilst still retaining a distinct character to the scheme. Two roof tile colours and several roof pitches are proposed which are intended to emphasise particular areas and create a visually diverse roofscape. Bay and Oriel windows to the houses will be used to articulate focal points and enhance natural surveillance.”*
- 11.39 The proposed design of the development is considered acceptable. As noted above the predominant public relationship to Booth Rise is that of the properties facing onto this road and providing an active frontage. There are two three storey flat blocks proposed but these would sit within the site itself, i.e. not fronting onto Booth Rise directly, and therefore these would have limited impact in visual terms. The design of the properties is considered positive. Whilst not inherently mimicking the properties on Booth Rise the mix of materials and design is considered acceptable in this context, which as already set out is mixed in nature.
- 11.40 Within the site itself the properties are proposed in a layout that reflects sound urban design principles. That is, the properties are proposed in perimeter blocks with parking courts overlooked by the properties and as a result there is a minimum of non-active frontage, i.e. side walls and boundary treatment.
- 11.41 The development would be framed in a mix of hard and soft landscaping. The existing TPO trees to the south of the application site are to be retained and the design of the

development has ensured that these trees would not be adversely impacted by any new properties. In terms of the site as a whole the applicant has set out in their Design and Access Statement:

“A variety of surface treatments will be used to create a clear hierarchy for the roads and parking courts. Within the parking courts shared surfaces are proposed with a block paved finish. For the main roads and pavements, there will be a mixture of tarmac and contrasting raised block paving in key areas. This together with additional vehicular speed reducing devices will ensure that there is a feeling of pedestrian priority within the development.”

11.42 The soft landscaping would also include a number of mature trees planted at strategic positions within the site to add to the character of the development, in particular along the main spine road that would run through the middle of the site. Some concerns have been raised in relation to the proposed trees insofar as them potentially overhanging the public highway. However, on further discussions with NCC Highways consensus has been agreed on the principle of having these trees and the details of the exact location would be finalised through a planning condition and a Section 38 Agreement with the County Council.

11.43 A number of residents have raised concern regarding the potential impact on the adjacent TPO trees that lie to the south of the site. Concern had also been raised by NBCs Arboricultural Officer in relation to these trees. Whilst the proposed development would not have automatically necessitated any works being undertaken to these trees, a concern was raised that due to the relationship of the proposed houses to the canopies of the protected trees that in the future they would need to be cut back so that the occupiers could enjoy their properties. A number of meetings have taken place between the applicant and NBCs Arboricultural Officer to try and resolve this concern and this has in turn led to a slight revision in the proposed layout (this in part led to a further round of consultation being undertaken by WNDC). The revised layout would ensure that the relationship between the proposed houses and the existing protected trees would be acceptable in the NBCs Arboricultural Officers view. They have recommended a number of planning conditions to ensure that the trees are protected during the construction of the site should permission be granted.

11.44 A small area of communal open space is proposed within the site, which would be well overlooked by the adjacent residential properties. It is noted that NBC have raised some concerns in relation to this stating that:

“The excessive volume of the built development proposed as a proportion of the site and its detrimental impact upon the quality and quantity of open space to be retained within the development.”

11.45 Whilst this comment is noted Officers are unclear at the rationale behind it. The application was considered by NBCs Planning Committee in November 2008 and, whilst some matters were identified that needed to be resolved, no objection to the

principle of the development or indeed the level of space being developed or undeveloped was made. The objection as made is noted but as discussed above Officers consider that the proposed development is acceptable in terms of the density of the development. It is noted that NBC have identified a need for a financial contribution in lieu of a greater size of space and this is discussed further below in this report.

- 11.46 A planning condition is recommended that would secure the provision for some onsite play equipment on the site should permission be granted.
- 11.47 Overall it is considered that the proposed design of the development, its layout and its impact on the wider landscape is acceptable. It is considered that the proposed development would make a positive impact on this area of the town. The development would pick up on some local features but broadly speaking would have its own distinct character. Details of the precise materials make up of the development should be sought by way of a planning condition which is recommended below.

Neighbouring amenity

- 11.48 It is noted that a number of local residents have objected to the grounds on the basis that their amenity would be affected by the proposed development.
- 11.49 Most of the proposed development would have no direct relationship with existing residential occupiers because it would be separated by a significant physical distance. The eastern elevation would be adjacent to Lumbertubs Way and therefore have no direct impact upon the any existing residential properties.
- 11.50 The properties along the southern elevation would share a boundary with no.62 Booth Rise. However, this property is detached from the proposed development by the existing protected landscaping and it is not considered that the proposed development would have any adverse impact upon it.
- 11.51 As noted above the development proposes several properties that front onto Booth Rise. Most of these would have no direct impact on any residential properties because of the significant distance between those. However, plots 1-6 would have a front to front relationship with existing properties no.55 to no.63 Booth Rise. However, again there would be a significant physical distance separating the two sets of properties – circa 45m to 70m – and being a front to front relationship there would be no issues of overlooking.
- 11.52 A number of residents in Burford Avenue / Bibury Crescent have raised issues with potential loss of privacy from the proposed development, and have pointed out the change in levels between the application site and their properties. It is noted that the application site sits at slightly higher level than these properties. However, the two sets

of properties would be separated by 75-90m, as well as having a significant landscape barrier in the form of the TPO trees.

- 11.53 Therefore given the relationship of the proposed development to existing residential occupiers it is not considered that there would be issues of overlooking, overshadowing or overbearing impact and therefore all nearby dwellings would remain sufficiently physically removed not to be impacted to any significant extent. Overall then the impact on neighbouring amenities is considered insufficient to warrant the refusal of planning permission.
- 11.54 It is noted that there would be some impact on existing occupiers during the construction of the development should Members be minded to grant it, and a number of comments have been received in relation to this. This is, of course, inherent in any new developments and the regimes for regulating these impacts largely fall outside of the planning process. However, it is considered appropriate to impose a condition requiring a Construction Environmental Management Plan (CEMP) on the permission that would require details of hours of working, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities) and the location of waste management and site compound areas within the site; such a condition is recommended below.

Environmental Impact Assessment

- 11.55 The development falls within the thresholds set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (the Regulations) whereby an Environmental Impact Assessment may be required to accompany the planning application for the purposes of assessing the likely significant environmental effects of the development.
- 11.56 Schedule 2 paragraph 10(a) of the Regulations states that proposals for industrial development of more than 0.5 hectares in area (which this application falls within) may require an (EIA). The applicant did not request a Screening Opinion for the development prior to submitting the application and therefore in accordance with the Regulations Officers have screened the development based on the planning submissions details. It is also noted that NBC have requested that an EIA assessment takes place; whilst this request is noted here for Members information, Members will also be aware that Officers would of course screen the proposal in any case.
- 11.57 As required pursuant to 4(5) of the Regulations and having regard to the criteria set out in Schedule 3, which provides criteria against which a local planning authority can consider whether an EIA is required, it was concluded that the characteristics of the proposal, the location of the development and the characteristics of the potential impact would be of a nature that did not warrant the submission of an Environmental Impact Assessment as it would not have a significant environmental effect.

Environmental impacts

- 11.58 NBCs Environmental Health Office (EHO) has been consulted on the application and has raised no formal objections to the development on contamination, noise or air quality impacts. A number of residents have raised concerns over land contamination especially with regards to potentially higher than normal arsenic levels being present on the site. Whilst these concerns are noted NBC EHO are satisfied that planning conditions can mitigate any potential impact from land contamination.
- 11.59 However, NBC EHO have raised a concern in relation to air quality in this area and the potential for the development to have an adverse impact on this. As such the applicant has undertaken a further assessment on this matter and has submitted an addendum to the Air Quality Assessment Report. This has been considered by NBC EHO and they are now satisfied that the residential properties would not be adversely affected in terms of air quality in this location.
- 11.60 It is noted that NBC as a corporate body have objected to the proposed development on the grounds of air quality and noise levels. This would appear to be a somewhat unsustainable position to adopt bearing in mind the advice of their own Officers that these issues have been satisfied and can be adequately controlled through planning conditions.
- 11.61 NBC EHO have recommended planning conditions be attached to any permission granted that would control noise and land contamination; these are recommended below accordingly.

Highway matters

- 11.62 There are a number of regional and local planning policies that consider the potential highway impacts new developments should have regard to. Policy 1 of the East Midlands Regional Plan (2009) identifies the need to ensure new development is located so as to reduce the need to travel, especially by car. Policy 2 promotes the use of public transport and non-car means of travel to new developments as well as stressing the need for highway and parking design that improves the safety and quality of public space.
- 11.63 The County Council has also produced a 'Transport Strategy for Growth' adopted September 2007 which sets out the integrated transport strategy to support the planned growth in the County and includes an overall target of 20% modal shift for new development.
- 11.64 PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of planning in creating sustainable communities, of reducing the need to travel, and encouraging

- public transport provision to secure new sustainable patterns of transport development.
- 11.65 PPG13 sets out the overall strategy for a sustainable transport system, with the objectives of integrating planning and transport at the national, regional, strategic and local level to:
- i) promote more sustainable transport choices for both people and for moving freight;
 - ii) promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
 - iii) reduce the need to travel, especially by car.
- 11.66 Members will have noted that a considerable number of local residents have objected to the application on the grounds that the development would have a significant adverse impact on the local transport network, particularly Booth Rise and the nearby Round Spinney Interchange and Boothville roundabouts. Booth Rise Residents Association (BRA) have submitted a number of photo's to WNDG which shows images of cars queuing and using the public highway in these locations, and the BRA state that these support their arguments in relation to the traffic congestion in the area. Concern has also been raised with the access arrangements into the site and out onto Booth Rise. It is fair to say that highway matters have been one of the most contentious and contested elements of the planning application. It is noted that NBC has also objected on traffic grounds.
- 11.67 A Transport Assessment (TA) that considers the traffic implications for the development has been submitted with the planning application. This document was an updated version of a document prepared in 2005 to support the application as it was to be submitted then. However, NCC Highways raised some concerns with this document. In summary they stated that the TA had a number of issues that needed to be addressed, namely the use of out of date traffic figures and incorrect queue lengths; and due to the existing traffic flows on Booth Rise and the number of dwellings proposed advised that a dedicated right hand turn facility should be provided on Booth Rise to access the site. A number of issues were also raised by the Highways Adoption Team that needed to be addressed to ensure that the roads could be adopted should the development go ahead.
- 11.68 In response to these concerns a number of meetings were held between NCC Highways, the applicant and WNDG Officers to resolve these issues. Based on these discussions the applicant has submitted a Traffic Impact Technical Note as a further update to the original TA. This document is essentially the traffic analysis that forms the basis of the original TA submitted with the application, and takes account of the traffic flow and trip generation data contained in the Northamptonshire Multi-Modal Study (NMMS – this was released following the submission of the original TA). Furthermore, revised highways drawings were submitted by the applicant, namely

drawings T01 Revision A which sets out the proposals for a dedicated right hand turn facility on Booth Rise into the site, and an updated Adoptions Plan (T02 Revision B).

- 11.69 WNDK Officers have undertaken a second round of public consultation on this application, to a large extent so members of the public are able to view the updated highway documents and proposals submitted by the application. The majority of the feedback from this consultation has been to raise similar and further concerns regarding the traffic and access implications of the development.
- 11.70 The TA and Technical Note submitted by the applicant are, inherently, quite technical in nature. However, it is worth drawing out the key conclusions from these documents, which have informed WNDK Officers, and importantly NCC Highways, evaluation of the highway impacts of the proposed development.
- 11.71 As an aside, both the TA and the Technical Note also refer to a separate planning application for 38 dwellings at Land adjacent to Gate Lodge, Thorpeville. The reason for this is this application, currently pending consideration by WNDK, is by the same applicant and is in relatively close proximity to the Booth Rise site. The applicant has therefore sought to analyse the impacts should both of these sites receive planning permission.
- 11.72 The impact of the proposed residential development on the operation of the local highway network has been analysed in the Technical Note for the following junctions:
- Round Spinney Interchange: Roundabout junction of Talavera Way (A5076) / Thorpeville Road (A43) / Stone Circle Road / Lumbertubs Way (A43) / Booth Rise (A5123);
 - Thorpeville Road: Thorpeville Road (A43) / Thorpeville cul-de-sac priority junction with Ghost Island;
 - Boothville Roundabout: junction of Booth Rise (A5123) / Lumbertubs Lane / Kettering Road North (A5123) / Moulton Way; and
 - Spinney Hill Roundabout: junction of Kettering Road (A5123) / Broadmead Avenue / Park Avenue (A5101) / Kenmuir Avenue
 - Booth Rise (A5123) Residential Development Site Access
- 11.73 The applicant has used the NMMS to estimate the likely Vehicular Trip Rates and Trip Generation from the proposed development. The table below sets out these predictions for the proposed development at Booth Rise (although it should be noted this is based on 108 dwellings, not 111).

	AM Peak (08:00 – 09:00)			PM Peak (17:00 – 18:00)		
	Arrival	Departure	Total	Arrival	Departure	Total
Trip rate	0.13	0.47	0.60	0.42	0.20	0.62

Trip generation	14	51	65	45	22	67
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- 11.74 This table indicates that there would be an estimated 65 vehicle movements in the AM Peak and 67 in the PM peak.
- 11.75 The Technical note then goes on to analyse the likely traffic distribution from the development, based on existing and predicted traffic flows, and the impact it would have on the aforementioned junctions. These predicted development flows have been added to the 2008, 2011 and 2021 base flows to provide with development traffic flow scenarios for 2008 (base year), 2011 (opening year) and 2018 (design year).
- 11.76 The full data set is contained within Tables 2 to 7 of the Technical Note and it is not appropriate to repeat in its entirety in this report – it is in the public domain for all to see. However, by way of an example two figures have been chosen to demonstrate the potential traffic impacts of the proposed development.
- 11.77 Table 4 of the Technical Note looks at the traffic flows in the Weekday AM peak in 2011, the year it is envisaged the development would be fully occupied. The total junction flow for the Round Spinney Interchange without either Booth Rise or Thorpeville developments is identified as 4795 vehicle movements. Booth Rise would add a further 27 movements (and Thorpeville 18) leading to a total of 4840, an increase of 0.93%.
- 11.78 Table 7 of the Technical Note looks at the traffic flows in the Weekday PM peak in 2018. The total junction flow for the Boothville roundabout without either Booth Rise or Thorpeville developments is identified as 2483 vehicle movements. Booth Rise would add a further 38 movements (and Thorpeville 4) leading to a total of 2525, an increase of 1.68%.
- 11.79 The Technical Note sums this up by stating that for all the junctions, with the exception of the proposed site access into Booth Rise, the increase in traffic is significantly less than 5% with the increases at the Round Spinney Interchange not exceeding 1% in any scenario. The maximum increase for the Boothville roundabout is 1.68% (for the 2021 PM peak). The increase at the proposed site access “is to be expected as this would be a new junction and therefore all development trips would pass through this location” (p6).
- 11.80 The applicant has also undertaken an operational analysis of the proposals, referred to as a PICADY analysis. This uses computer modelling software to predict capacities, delays at junctions and queue lengths for the Booth Rise access at the AM and PM peaks, again in 2008, 2011 and 2021. Given the technical nature of this analysis, it is helpful to set out how this works. The output from the PICADY programme provides a number of measurements to provide information about the operation of a junction. These relate to the ‘Ratio of Flow to Capacity’ (RFC), maximum queue length, and delay

in minutes per vehicle. The main indication of the performance of a junction is given by the RFC for each arm of the junction. The peak capacity is realised when the demand flow at the entry is great enough to cause a continuous queue of vehicles to wait on the approach. This is reached when the RFC attains a value of 1, although the optimal RFC value is 0.85, whereby there is surplus capacity to accommodate traffic flows associated with abnormal occurrences.

11.81 Tables 10 and 11 of the Technical Note set out the results of the PICADY analysis for the Booth Rise junction (into the development site). In essence, it shows that in no year would the proposed development lead to an RFC over 0.725, with most of the scenarios being well below this, therefore leading to no queuing. In the year 2021 at the AM peak a queue of 2 cars may form at any one time but these would be exiting the development site onto Booth Rise, therefore not affecting Booth Rise itself.

11.82 The Technical Note then goes on to offer analysis of the impact of the development upon capacity and queuing at all of the junctions' serving the Boothville and the Round Spinney Interchange roundabouts.

11.83 In terms of the Boothville roundabout the modelling indicates that whilst the roundabout is at capacity for the Lumbertubs Lane junction it is under capacity when approaching from Booth Rise and the Kettering Road. Referring to the Lumbertubs Lane approach only the Technical Note concludes (p11):

"...based on the modelling results, it can be noted that the addition of the developments [Booth Rise and Thorpeville] has a negligible impact on the operation of this arm or the queues forming, with queue lengths increasing by 10 and five vehicles respectively in the 2008 morning and evening peak traffic hours, nine and four vehicles in 2011 and eight and two vehicles in 2021...it is likely that these increases would be less than indicated due to the exponential increase in queues that occurs in the modelling package once an arm of the roundabout reaches capacity."

11.84 The Technical Note observes the similar although reduced capacity problems in relation to the Moulton Way approach. Here, the Technical Note offers the following conclusion in relation to this approach (p12):

"...the capacity problems experienced at this junction are an existing problem that occurs only during the peak traffic hours and the proposed developments would not significantly exacerbate the problems experienced, it is considered that the developments would not have a detrimental impact on its operation."

11.85 In relation to the Round Spinney Interchange a similar exercise (albeit using a different methodology) has been carried out, and the results of this are put forward in Tables 14 and 15 in the Technical Note. The conclusions of this analysis are stated as (p15):

"...the addition of the vehicular trips associated with the proposed Booth Rise and Thorpeville developments would have no perceptible impact on the operation of the Round Spinney roundabout, with the highest degree of saturation remaining

unchanged from the base case scenario. It is therefore considered that the Thorpeville and Booth Rise development trips would not have a detrimental impact on the operation of the Round Spinney Interchange.”

- 11.86 NCC Highways have evaluated the TA and Technical Note put forward by the applicant. It is important to note that NCC Highways are the authority that is responsible for maintaining and managing the local road network in Northampton, and ultimately for ensuring that traffic flows are not hindered. Part of their remit is to ensure that traffic is managed appropriately and as part of this they give advice on development proposals and how they could impact upon this. On this basis WNDK Officers consider that the views of NCC Highways must be given significant weight when assessing the transport implication from this (and other) proposal. It is worth setting out their views on the proposed development in their entirety:

“Further to my last response dated 14 October 2008 I can now confirm that the Technical Note dated 15 December 2009 addresses the concerns raised by the Council following a review of the initial Transport Assessment.

Whilst it is recognised that the Round Spinney roundabout junction currently operates close to capacity during peak hours it is shown that the proposed development would have no perceptible impact on this junction. It is also recognised that the Boothville roundabout operates over capacity during peak hours. However, as the proposed development would result in queue lengths at this junction increasing by only 1no vehicle, it is considered that this is a minimal increase. As such the development should not be expected to carry out the significant improvements that would have to be implemented to bring this junction within its operational capacity.

I did raise concerns over the operation of the site access from Booth Rise with the applicant’s highway engineers during an initial meeting indicating a requirement for a dedicated turning lane to be provided to address turning movements. The applicant has responded by submitting drawing T/01 indicating a general layout which is acceptable in principle but will be subject to a detailed design being submitted for approval prior to construction and should be secured by a legal agreement prior to development taking place.”

- 11.87 Residents assessment of the current traffic situation differs to that put forward in the TA somewhat. A significant number of objections have been received citing the traffic problems in the area, congestion along Booth Rise when approaching both roundabouts, and the wider traffic problems in the area. In particular, Thorpeville Residents Association have submitted a quite detailed and extensive critique of the TA. It is worth noting that this assessment has been undertaken by a local resident who appears to have considerable experience in transport and highway matters, being a former employee of NCC Highways and the Department of Transport (DfT) and holds a Masters degree in Transportation and Traffic Planning. The main point of this critique

is that the TA submitted with the application is invalid, unsound and insufficient because:

1. The assessment of the junctions in the TA has been undertaken in isolation of each other and has not taken into account other relevant factors. For example, in relation to the Round Spinney Interchange, this is affected in the evening peak by a) queuing traffic backing up from the A43 Overstone Roundabout, and b) the two lanes on the Red House Road approach is reduced to one and this reduces capacity.
2. The TA still does not take into account the issue for turning right from the Thorpeville onto the A43. Notes that this application does not directly relate to manoeuvring onto the A43 but states that this and the associated application for 38 units at Gate Lodge (08/0267/FULWNN) need to be considered as one.
3. The traffic models used in the TA underestimate the actual level of queuing experienced in the area. Cites data from the Northampton to Kettering – Traffic Data Analysis produced by NCC in October 2008 which shows that queuing in the area is much greater than the TA sets out.
4. The TA does not take into account housing developments for 161 units at Great Billing Way and 149 units at Howards Way/Brad Street, and these will add to the overall congestion and traffic problems in this area.
5. The TA produced does not comply with DfT guidance on producing such documents by virtue that: it does not give any identification of the critical links and junctions on the highway network but rather provides a theoretical and non-representative model that does not represent an accurate picture of the current traffic situation; does not take into account committed developments; uses the figure of a 5% increase as a threshold for considering the impact would be acceptable when DfT guidance now discounts this as an appropriate measure and instead should look at the traffic conditions in their entirety.

11.88 Thorpeville Residents Association are critical of NCC Highways response to the application, alleging that if they consider that they do not consider that the development would have serious traffic concerns then that is 'either an oversight or they do not care'. Overall, the critique of the TA concludes by stating that if the development goes ahead it would create unacceptable delays for current users of the highway network.

11.89 Officers have asked NCC Highways to review the response of Thorpeville Residents Association in relation to their critique of the TA. NCC Highways have stated:

"In response to the Thorpeville Residents Association consultation response and in particular the appendix (transport) I would make the following observations.

In terms of the methodology and content of the Transport Assessment submitted in support of the planning application I can confirm the Council is satisfied the information provided is in accordance with current guidelines and provisional advice provided by the authority.

It is accepted that traffic congestion occurs in the vicinity of the site during peak hours. However, the addition peak hour traffic movements generated by the site would only amount to 60 two way movements (1 per minute) resulting in additional queue lengths of only 1 vehicle making no perceptible impact on the local network during peak times.

Regarding the issues raised concerning the direct access to the development site off Booth Rise, the provision of a dedicated right turn facility by the developer is considered to be satisfactory to accommodate the expected traffic movements into and out of the site.

Taking all the above into account and recognising the proposed enhancements to public transport and cycleway provision, which the residents association have not seemed to have taken into account, the Highway Authority considers that subject to the measures outlined in its response dated 7 January 2010 being secured, the development would be acceptable insofar as highway matters are concerned.”

11.90 It is therefore considered that, based upon the details put forward in the TA and Technical Note submitted, and the views of NCC Highways, that the proposed development would not have an unacceptable adverse impact upon the local highway network and is therefore acceptable in this regard. Whilst this view departs from that advocated by local residents it is considered that, notwithstanding the significant and in cases detailed objections to the proposal on highway grounds received, that the balance lies in the views of the statutory authority that is responsible for traffic management on the local network, the County Council.

11.91 It is noted that this is dependent upon a dedicated turning lane being constructed on Booth Rise to access the site. Given that this land falls outside of the application site this can only be controlled by way of a Grampian style planning condition, which requires that these works are carried out prior to any other development taking place. A suitably worded planning condition is thus recommended below. It is however noted that some residents have expressed concerns and queries as to how such a dedicated turning lane could be constructed within the highway in practical terms, i.e. whether there is sufficient room. Whilst these matters would be controlled though the aforementioned planning condition (and through a formal Section 278 Agreement with the County Council), Officers have requested that preliminary details be given at this stage. The applicant has advised that:

“The proposed access allows all movements into and out of the site. It is not intended that there would be any banned movements. The proposals incorporate the following alterations:

- *Widening of the carriageway along the western side by an average width of 0.7 metres over a length of approximately 110 metres with a maximum widening of 1.1 metres;*
- *Widening of the western footway over a length of circa 140 metres to provide a 2.0 metre footway;*
- *Narrowing of the western grass verge to a minimum width of 2.0 metres to accommodate the carriageway and footway widening at this location;*
- *Widening of the carriageway along the eastern side of Booth Rise by an average of 0.9 metres over a length of circa 115 metres, with a maximum widening of 1.5 metres;*
- *Narrowing of the footway to the south of the proposed access to a minimum width of 3 metres. This will result in the removal / narrowing of the grass verge at this location;*
- *Slight narrowing of the eastern grass verge to the north of the proposed site access; and*
- *Widening of the existing eastern footway to the north of the site access into the site to provide a 3.0 metre shared footway / cycleway.*

All works are contained within the existing highway or site boundary. No other third party land is involved.”

11.92 In response to questions raised by a number of local residents NCC Highways have confirmed that in their view the proposed development would not prejudice any future improvements/alterations which may be carried out at the Round Spinney Interchange as a result of the growth strategy for the Northampton.

11.93 The applicant proposes that the majority of the internal road network would be put forward to be adopted by the County Council through a Section 38 Agreement. The adoption of roads essentially falls outside of the planning process, instead being covered by the Highways Act 1980. However, it is important to ensure that the layout and road materials would not prohibit adoption in the future. As such the applicant has been liaising with the County Council to ensure that they are satisfied in this regard. NCC Highways have stated that:

“In respect of the site layout a revised drawing has been received following our previous comments on an earlier drawing and I can confirm that, subject to the minor amendments on the attached list being carried out, the site layout will be acceptable in terms of future highway adoption. However, full engineering drawings for all the adoptable highways will need to be submitted for approval prior to construction on site which should be secured by a condition of planning consent.”

11.94 A planning condition is set out below which it is considered covers this matter.

- 11.95 The Highways Agency (HA) have reviewed the planning application and associated documents and have confirmed that given the size, type and location of the development that it would not have significant traffic impact on the strategic road network. However, notwithstanding this, the HA have advised that traffic should be 'managed down' through the mechanism of a robust Travel Plan.
- 11.96 Similarly, NCC Highways have advised that to support the Councils Strategy for Growth policy in respect of a modal shift of 20% away from private car travel the following would be required: an evening and weekend bus service with the provision of a bus shelter at the existing in bound bus stop; the provision of a dedicated cycleway route between Round Spinney roundabout and Boothville roundabout; a Travel Plan to be submitted and approved by the Highway Authority with targets and a monitoring contribution being secured by way of a legal agreement.
- 11.97 In accordance with the comments of the HA and NCC Highways a planning condition is outlined below that sets out the requirements for a Travel Plan. There would also be an obligation within a Section 106 Agreement that would set out modal shift targets and financial penalties for non-compliance.
- 11.98 NCC Highways comments for further financial contributions are noted and are considered in further detail in the Section 106 part of this report.
- 11.99 It is noted that a number of people have commented that the traffic analysis put forward by the applicant is essentially biased in their favour in order to downplay the impacts and therefore receive planning permission. On this basis, they have asserted that an independent third party who does not act for the developer should be responsible for preparing the analysis. Members will be aware that it is an entirely normal, accepted and appropriate practice for an applicant for planning permission to be responsible for preparing and submitting the technical documents associated with the development, be it transport matters, flood risk etc. It is then the responsibility of the local planning authority with its expert statutory consultees to assess the validity of the information put forward and determine if it is acceptable or not in the context of determining the planning application. Therefore this application has been assessed in this manner.
- 11.100 Overall, it is considered that based on the TA and Technical Note submitted, the comments of the HA and NCC Highways, and the further measures outlined (Access arrangements, Travel Plan etc) that the development would not have an unacceptable impact on the local and strategic road network.

Flooding

- 11.101 Whilst a number of residents have highlighted concerns in relation to flooding and the drainage of the site it does lie outside of any designated flood risk zone. However, the

- applicant has submitted a Flood Risk Assessment and this has been considered by the Environment Agency (EA) who have no objection on these grounds.
- 11.102 The EA originally raised some concerns insofar as whether the proposed development *“if approved and built ahead of a sound investigation into, and provision of, the necessary improvements to sewerage and sewage treatment infrastructure, is likely to be unsustainable, leading to increased pollution and sewage flooding.”* However, since this time work has progress on the preparation of the Outline Water Cycle Strategy for West Northamptonshire. Based on this the EA ha now withdrawn their objection, and now second a number of planning conditions to cover this matter and surface water drainage. These are set out below.

Ecology

- 11.103 East Midlands Regional Plan policy 29 requires LPA's and developers amongst others to work together to promote a major step change increase in the level of the region's biodiversity. This should be achieved by various methods including the management of features of the landscape which act as corridors and 'stepping stones' essential for the migration and dispersal of wildlife and to ensure that development results in no net loss of BAP habitats and species and that net gain is achieved.
- 11.104 In addition the advice in PPS9 and supporting Good Practice Guidance is relevant. Amongst the key principles of PPS9 are that planning decisions should be based on up to date information about the environmental characteristics of the area and they should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
- 11.105 It is noted that a number of residents have stated that the area is currently inhabited by a variety of wildlife; however, the site is not currently subject to any statutory wildlife designations. The applicant has submitted an ecological assessment of the application site and the proposed development. Natural England (NE) and the Wildlife Trust (WT) have returned comment on this assessment.
- 11.106 Concern was raised initially by NE and WT regarding the need for bat, badger and reptile surveys to be undertaken at Booth Rise, citing advice in PPS9 that states these surveys need to be conducted prior to an application being determined (or approved rather). WT also advised that the site was being considered as Potential Wildlife Site and as a consequence that any development should not impact upon this.
- 11.107 The applicant has now undertaken this survey and based on the results contained within the 'Protected Species Report' submitted both NE and WT are satisfied that there would be no adverse impact on ecology in this regard. This is, however, subject

to a planning condition to require a Green Infrastructure Statement to be submitted to and approved by the local planning authority. This Green Infrastructure Statement will set out measures to increase biodiversity within the site beyond simply installing bat and bird boxes. The precise details will be fleshed out via the planning condition but both NE and WT have confirmed that this will be acceptable.

- 11.108 On this basis the impact on existing ecological interests is considered acceptable, subject to a planning condition as set out below.

Crime and Safety

- 11.109 The Crime Prevention Design Advisor (CPDA) has no objection to the application, subject to a number of minor points being addressed. The CPDA has advised that they have been meeting with the architects regarding this and other sites they are developing in Northampton since 2005 and states that they have 'fine tuned' the layout proposal over a number of meetings. Therefore the CPDA has 'very little to add as recommendations' other than the following:

- 11.110 *"The LAP should be protected around its perimeter by shark toothed bollards (sharply angled or pointed to prevent sitting) to prevent the green being used as an overflow car park.*

Where any sheds within rear gardens are sited against a fence which abuts the public domain they can be used as an aid for burglars who use them to help gain access into a garden. In odd places I note that the shed is in such a position. Please move them to an internal boundary where possible.

Defensible space to the front of many of the houses is in the form of railings although some of the houses only have a knee rail to the front. Knee rails are often used by children as a seat and can give rise to nuisance problems with nearby residents if the area becomes one of congregation. If possible these knee rails should be replaced with low hooped topped railings which are not so comfortable to sit on! Hooped topped railings are also not used by skateboarders for grinding whereas good quality knee rails are.

Parking spaces for 86 and 89 do not benefit from any surveillance from within an adjacent dwelling - can a small window be placed in the side elevation to overlook the car.

The car ports for plots 11; 14 - 15 and 16-26 do not benefit from any surveillance from adjacent dwellings. A small window at ground floor level in the side elevation would provide overlooking of the parked vehicle."

- 11.111 The applicant has responded to these points by stating:
- *Regarding the surveillance of parking bays in the Mews 6 we have moved the trees back from sightlines to plot 72 windows.*

- *Upper floor windows can be introduced to plots 89 and 90 to provide surveillance of parking bays between these units.*
 - *We note comments on the lighting issues to both areas which can be addressed during the detailed lighting design.*
 - *LAP area - we now show bollards around this area.*
 - *We have moved all sheds abutting public areas back 1m from the boundary.*
 - *Hooped top railings to these areas will not sit with our design strategy and spatial hierarchy however we can design the knee rails to be uncomfortable to sit on.*
 - *Plots 89 and 86 - surveillance to parking spaces as item above upper floor window to plot 86 can also be achieved.*
 - *Car ports - a small ground floor window to plot 11, 14, 15, 16 and 26 can be provided in the living rooms if required although plots 15 and 16 already have side windows in the hallway which overlook and plot 10 is angled with plot 103 directly across the road which gives surveillance to the remaining car port area.*
 - *We would of course liaise with Sharon to achieve SBD accreditation and note her final comment that this application would achieve full approval as it stands.*
- 11.112 On this basis it is noted that the applicant has been able to identify how they will overcome the final outstanding concerns raised by the CPDA and on this basis the application is considered acceptable.
- 11.113 It is noted that the applicant has stated in the Design and Access Statement that:
- “To accord with the Community Safety Officer’s comments and to achieve Secured by Design accreditation, direct pedestrian access will not be permitted between the development and the pathway under the Round Spinney Interchange roundabout. Around the perimeter, boundaries in front of the dwellings will be 1.0m - 1.5m high, with 2.1m high boundaries elsewhere where rear gardens meet public realm areas.”*
- 11.114 Whilst the principles of good design require that crime prevention measures are adopted as always with these matters are suitable balance needs to be struck. It is not considered acceptable from a planning point of view that the entire frontage to Booth Rise is abounded by a 1.5m high fence or railings. Low level railings may be acceptable. As such it is considered necessary that appropriate boundary treatment is secured by way of a planning condition.
- 11.115 It is recommended that in order to secure the crime and safety measures set out by the CPDA and agreed in principle by the applicant and amended layout plan is submitted to WNDC prior to the release of planning permission (should Members be minded to grant it) and this is set out in the recommendation above.
- 11.116 The CPDA notes that the development would be built to Code for Sustainable Homes Level 3 and if this were level 3 including the security elements then the site would

automatically be awarded Secure by Design part 2 for the built form. However, positively the CPDA has stated that they would however award full accreditation for this site as presented in this application should the applicant apply.

Archaeology

- 11.117 A number of local residents have commented that the site may be of archaeological interest and asserted that evidence of a roman settlement and iron age remains may be present.
- 11.118 The applicant has commission an archaeological assessment of the site that has been submitted with the main application. This assessment has been carried out by the Museum of London Archaeology Service.
- 11.119 The assessment identifies that the site lies in an area of archaeological potential for features dating from the Bronze Age and Roman periods including a Roman Villa located directly to the south of the site. Furthermore, the site previously lay within agricultural land between the medieval villages of Weston Favell and Kingsthorpe and it is possible that agricultural features may exist on the site.
- 11.120 The assessment advises that where ground works are required as part of the development there could be an impact on potential archaeological deposits; also, services or landscaping may have the potential to remove archaeological material from the site. On this basis the report concludes that a further investigation (field evaluation) is necessary to determine the exact nature and depth of the archaeological deposits. As such a suitably worded planning condition is recommended below.

Sustainability

- 11.121 The applicant has submitted within the Design and Access Statement a section on sustainability. This sets out how the applicant intends to create a sustainable development uniting environmental, social and economic objectives. It is noted that the buildings have been designed to comply with Housing Corporation standards with 10% of the homes to Northamptonshire's mobility standards. The applicant states that their "aim is for the buildings to be energy and carbon efficient and designed to minimise energy consumption to achieve Code for Sustainable Homes Level 3 standard as a minimum."
- 11.122 It is worth noting some of the proposed sustainability measures proposed by the applicant for this development:
- Double glazed windows throughout to reduce energy loss and solar gain.
 - Water meters fitted to encourage the use of less water.

- High efficiency, low Nitrogen Oxide condensing boilers with thermostat and time clock to provide heating.
- Thermostatic valves fitted on all radiators.
- Where orientation permits, hot water will be heated from solar panels on the roof or power from Photovoltaics to provide 10% of the site's energy requirement from on site renewables.
- Water butts will be appropriately located in gardens to collect rain water for replenishing the garden.
- Externally, compost bins can be supplied to turn kitchen waste in to compost and Wormerys are to be provided in each garden.

11.123 It should be noted that as the proposed dwellings are all for social rent or shared ownership as a minimum they would need to achieve Level 3 of the Code for Sustainable Homes. As with other schemes Officers consider that in order to secure the Code for Sustainable Homes Level 3 criteria, and in accordance with previous applications WNDC have considered, it is considered appropriate and reasonable to impose a planning condition that requires a 'sustainability strategy' to be submitted and approved in writing. This strategy will cover the measures used to achieve Code for Sustainable Homes Level 3, details of the provision of on-site renewable energy to meet 10% of the developments overall energy needs (or other level to be agreed with the Local Planning Authority where appropriate) and the mechanism for an independent post-construction assessment that would demonstrate the schemes compliance with the strategy.

11.124 A comment has been received that states the proposed wormeries could become attractive to flies and vermin; this is noted but is considered to carry limited weight.

11.125 Therefore subject to the imposition of a planning condition requiring a sustainability strategy the proposal is considered acceptable in this respect.

Section 106

11.126 Policy GN3 of the Local Plan seeks to ensure that development proposals make adequate provision for both infrastructure and community facilities that directly relate to the development. Developers will be expected to meet the full cost of facilities required as a consequence of development and to contribute to resolving deficiencies where these would be made worse by development.

11.127 Members will be aware of WNDC's position regarding securing Section 106 benefits on residential developments to date. Whilst it is important to recognise that each application must be considered on its own merits, and of course being mindful of the current economic climate, it is also essential to consider the demands on infrastructure that are generated through development proposals.

- 11.128 It is noted that a significant number of people have raised the issue of what local amenities would serve this development should it go ahead. Issues such as what provision for schools, doctors dentists and so on have been raised. Furthermore, in relation to other matters in this report a common issue is the lack of public transport that would serve the development and the lack of adequate provision for cycle links etc.
- 11.129 The WNDC Planning Obligations Strategy was published in December 2008 setting out the Corporation's approach to planning obligations and the arrangements for a 'standard charge' to be applied to development to ensure that development contributes appropriately towards infrastructure need across the Corporation's area. It should be noted that the strategy is currently subject to a review by WNDC.
- 11.130 As discussed above several consultees have identified those specific financial contributions and other obligations that should be sought from the developer to mitigate the potential impact of the development. These are:
- NBC – £216,000 sought for enhancements to existing areas of open space within the vicinity in order to enable these spaces to cope with the likely increase in demand following the occupation of the proposed development.
- NCC –
1. A financial contribution to secure an evening and Sunday bus service along Booth Rise for a minimum period of 5 years.
 2. Provision of a bus shelter at the inbound bus stop to the town centre to include real time information.
 3. A section 278 Agreement to be entered into with the Highway Authority prior to development taking place for the provision of the proposed site access junction on Booth Rise together with provision of a dedicated cycleway route between Round Spinney roundabout and Boothville roundabout.
 4. A Travel Plan to be submitted and approved by the Highway Authority with targets and a monitoring contribution being secured by way of a legal agreement.
- 11.131 Officers have initiated discussions regarding a potential Section 106 Agreement for this site with the applicant to establish the level of financial contributions and other relevant obligations, on the basis of WNDCs Planning Obligations Strategy (i.e. a standard charge) and the taking into account the above contributions advised by NBC and NCC. These discussions have been ongoing for some time now and have included the production of a viability assessment of the development by the applicant to support their argument that a reduced financial contribution is justified in this case. Officers have raised some issues with the viability assessment submitted and on this basis have asked the applicant to undertake further work in this regard. Furthermore, the applicant has advised that they are reviewing the level of contributions identified by WNDC.

- 11.132 At this time Members are advised that the outcome of these discussions has not been reached yet. The applicant has advised that they are considering their response at this time and will endeavour to put forward their revised proposals in a timely fashion. Should this be received before the Planning Committee meet to discuss this Officers will report the updated position at that meeting.
- 11.133 Officers also advise that we will require a commitment to the Construction Futures project to be tied in with any Section 106 Agreement from the applicant, and this commitment would involve the obligation to have a number of onsite training placement opportunities available commensurate with the scale of the development.

Other matters

- 11.134 The impact on house prices is not a material planning consideration that carries any weight in the determination of this application.
- 11.135 References to policy T9 of the Local Plan are noted but this is not a Saved policy and therefore carries no weight when assessing this application.
- 11.136 Comments that the development would lead to an increase in CO₂ emissions by virtues of the people (and cars) on site are noted but cannot be given significant weight as material consideration.
- 11.137 A recent appeal decision has been brought to WNDcs attention by local residents who consider it relevant to the determination of this application. The application was for the change of use of the Boothville Post Office to a hot food take away. One of the reasons for refusal (by NBC) was on the grounds of *'unacceptable generation of conflicting vehicular movements and demand for parking'* likely to be caused by the new use. The Inspector, although noting that NCC Highways had not objected on this ground, considered this was an issue and upheld the refusal. However, the Inspector felt that it was the difference in trading patterns that would result from the change from a post office to a hot food take away that would be the biggest issue here in the context of very limited parking provision in the area. On this basis Officers do not considered that this decision inherently affects the determination of the application before Members.
- 11.138 A number of comments have been received that highlight that planning application N/2007/1124 for the development of three houses in the rear garden of 65 Booth Rise was refused by NBC in October 2007. Objectors highlight that one of the refusal reasons was
- “The proposed development by reason of its backland location and number of units proposed is considered to be cramped and overdeveloped in appearance, which is out of keeping with the character, appearance and pattern of development in the surrounding area and is therefore contrary to Policy H10 of the Northampton Borough Local Plan.”

- 11.139 The decision taken by NBC on this application is noted. However, it is also noted that the context and details of the application are significantly different to those of the current application before Members, being a small backland development within the residential curtilage of an existing property. On this basis it is not considered that this decision carries significant weight when determining this application.
- 11.140 References have been made to a decision taken by NBC at the Venatlite site, although no specific details (including the planning reference number) have been provided. It is not considered that this can be given significant weight.
- 11.141 Reference has been made to a Houses of Commons Standard Note on Housing Density and Gardens (SN/SC/3827), stating that the proposed application is contrary to this guidance. As a result of this guidance CLG issued a letter to Local Planning Authorities in January 2010 which set out their views on how decision should be taken in situations where development is proposed within existing gardens. On this basis it is not considered that this guidance is relevant to the determination of this application.
- 11.142 A comment has been received that states that whilst the proposed development is located close to existing areas of employment such as industrial parks, it is not thought that the companies located on these estates are currently recruiting workers; in this regard the proposed development cannot be considered properly sustainable. This unsubstantiated point is noted but cannot be given significant weight when determining this application.
- 11.143 A comment has been received that makes a comparison of the ongoing development of Northampton with other towns including Milton Keynes, Norwich and Worcester; the general point is that the development of these towns has been better than that of Northampton and the current application is a case in point. This comment, whilst interesting, is not considered to be a material planning consideration.
- 11.144 A comment has been received that Northampton Development Corporation (a body which, contrary to some local misconception, it should be pointed out has no direct ties with WNDC, being established under a different legislative framework and having a different remit) left no enduring legacy which generates civic pride and warns that WNDC should not repeat this mistake by approving this application. This comment is noted but its relevance is limited; this application has to be considered on its own merits and historical rhetoric bears little weight. Officers would of course point out the ongoing work that WNDC as a wider Corporate body is undertaking to improve Northampton; this application, whilst being somewhat minor in the scheme of the ongoing wider development, can make an important contribution to this by providing much needed affordable housing.
- 11.145 A significant number of comments have been received that state that during the course of this application that NBC have 'refused' permission for the application for 38 units at the nearby Thorpeville site, and consequently WNDC should refuse this application. This is factually incorrect; NBC are a consultee on this application and

have raised objections to it. No decision by WNDC has been taken and that NBC have objected to the application at Thorpeville carries limited weight in our assessment of this application.

- 11.146 A comment has been received that states that the proposed application does not comply with the latest DfT guidance: 'Delivering Sustainable Low Carbon Travel: An Essential Guide for Local Authorities' (2009). DfT states that:

The Department has published a guide on delivering sustainable low carbon travel for local authorities considering the third round of Local Transport Plans (LTPs). This document supports the LTP guidance published in July 2009 by explaining sustainable travel and exploring how programmes could be implemented through LTPs.

- 11.147 In this regard it is not considered that the 'Delivering Sustainable Low Carbon Travel: An Essential Guide for Local Authorities' (2009) guidance has limited weight in relation to the determination of this application.

- 11.148 Comments have been received that by granting planning permission for this development it would set a precedent for further residential development in this area. Members will be aware that each planning application has to be considered on its own merit and should they be minded to grant it would not inherently give the green light for further building works in this area or indeed in any other location.

- 11.149 A concern has been raised regarding the loss of a view across the site. Members will be aware that the loss of a private view is not a material consideration that carries significant weight. It is not considered that public views either across or into the site are of such value that they carry significant weight.

- 11.150 A number of comments have been received raising concern regarding the pre-application consultation that took place by the applicant. If the pre-application was not carried out as stated by the applicant (which they have denied) then this would be unfortunate; however, it is not considered that a decision on the application can be taken on this basis alone. Furthermore, publicity surrounding the application has generally been relatively high, with two public consultations being undertaken by WNDC, media reports regarding the site and two active Residents Associations aware of the proposals.

- 11.151 The question of who the applicant is has been raised, with some documents referring to Paddington Churches Housing Association and some referring to Genesis Housing Group. Officers can confirm that the former is part of the latter and therefore in essence they are one and the same. Furthermore, planning permissions are associated with the land and not the applicant.

- 11.152 Comments have been received that have suggested alternative uses for the site, including a nature reserve and habitat, a skateboard arena for young people or a mini cycle course. Whilst these aspirations are noted the land falls within private, not public ownership, and they have not applied for planning permission for those uses. The

application is for residential development and that is what must be considered and decided upon, not alternative uses.

12. Conclusion

- 12.1 It is noted that there has been significant local opposition to the proposed development. Clearly, residents are concerned about a host of issues and impacts that may arise from the development, not least the current and future traffic and congestion problems on the local highway network. Whilst a significant number of objections have been received against the development this in itself cannot be given significant weight when making the decision to approve or refuse planning permission.
- 12.2 This application is finely balanced. Issues related to the principle of the development, its visual impact and design and transport and highway matters all have arguments in favour or against the development. A number of other matters, arguably perhaps slightly less contentious, have also been raised.
- 12.3 In terms of the principle of development, put simply, this relates to a general presumption in favour of residential development, especially that which delivers affordable housing where there is an identified and significant shortfall, within Northampton; whilst the Government encourages the development of previously development Brownfield sites this does not inherently mean that other sites are not suitable or should not be developed. However, the site is allocated in the Local Plan as Greenspace which, whilst not public space open to the public, serves a defined purpose as set out in the plan. It is Officers view that the proposed development would not inherently prejudice the wider function as set out in the plan and that the delivery of affordable housing outweighs this issue. Broadly speaking it is the view of objectors to the scheme that this is not the case, although there does also appear to be a widespread misconception that the sites designation as Greenspace in itself automatically precludes development of any type, which of course is not the case.
- 12.4 In terms of visual impact and design the predominant issue here is that of a proposed development that does not copy or mimic the existing, partly established, pattern of development that is largely bungalows on Booth Rise with expansive gardens. However, Officers considered that in the wider context the character of the area is mixed, and that planning policies have moved onto to promote the more efficient use of land which this application is consistent with by being of a higher density (42 DPH).
- 12.5 It is probably fair to say that concerns over traffic and congestion are the main issues that residents have raised with the proposed development. NCC Highways accepts that the current local road network operates at or close to capacity at peak hours. The TA submitted with this application states that the proposed development would not inherently make this situation worse and this view is supported by NCC Highways. However, residents have identified concerns about this view and consider that the development would make the situation worse, to the detriment of the local network.

- 12.6 Other matters such as ecology, archaeology etc have been fully considered in this report and have been found to be acceptable by Officers, notwithstanding the comments that have been made.
- 12.7 As stated, this application and the issues set out above are finely balanced. However, for the reasons set out in this report Officers have concluded that the balance lies in favour of the proposed development. Overall, it is recommended to Members that planning permission is granted subject to the resolution of the matters outlined at the beginning of this report and the planning conditions set out below.

13. Conditions

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

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

2. Prior to the commencement of development samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings.

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

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

4. 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 building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

5. Temporary Protection barriers, in accordance with Figure 2 of BS 5837:2005, shall be installed prior to construction activity and/or materials and plant being brought onto site. Protective barriers shall consist of a scaffold framework 2.3 metres high comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum of 3 metres and driven into the ground to a depth

of no less than 600mm. Onto this weldmesh, strong boarding or Heras panels should be securely fixed with wire or scaffold clamps.

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

6. Temporary protection barriers shall remain in place until all construction activity and/or plant and materials have been removed from site. Barriers shall not be moved, altered or entered into without prior approval from the Local Planning Authority in consultation with Council's Arboricultural Officer.

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

7. Parking bays and/or permanent surfaces located within the minimum BS 5837:2005 recommended Root Protection Areas shall be of a no-dig design incorporating a 3-dimensional cellular confinement system, the specification, design and location of which shall be submitted to and approved in writing by the Local Planning Authority in consultation with Council's Arboricultural Officer.

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

8. Service and utility runs located within the minimum BS 5837:2005 recommended Root Protection Areas shall incorporate trenchless techniques, the specification, design and location of which shall be submitted to and approved in writing by the Local Planning Authority in consultation with Council's Arboricultural Officer.

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

9. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) scheme shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, details of the intended hours and duration of work, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities) and the location of waste management and site compound areas within the site.

Reason: To manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy E19 of the Northampton Local Plan.

10. Prior to development commencing the applicant shall assess the Noise Exposure Category(ies) of the site due to its exposure to transportation noise. This must take

into account, where appropriate, Roads or Railways that may not be immediately adjacent to the site and the likely growth of traffic over the next 15 years.

The applicant shall also submit for approval a scheme to protect the site where its noise exposure exceeds NEC A. The scheme shall include a site plan showing the position, type and height of the proposed noise protection measures together with the resultant NEC(s) for the site.

Where noise protection measures for the site are impractical or do not reduce the NEC for all amenity areas, all facades or all floors of the proposed dwellings to NEC A the plan shall clearly indicate the site layout and the predicted NEC for all facades.

Where facades or floors do not fall into NEC A a noise insulation scheme, which will require the provision of mechanical ventilation, shall be submitted for approval by the Local Planning Authority and implemented prior to the properties being occupied.

Reason: To protect the amenities of nearby occupants from noise and vibration.

11. No development shall take place until a desktop study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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

12. Prior to the first occupation of development details of the play equipment to be installed within the approved onsite open space shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved details.

Reason: In the interests of creating a sustainable development.

13. Development shall not begin until details of the junction and access improvements between the proposed development and Booth Rise have been approved in writing by the local planning authority; and the development shall not be occupied until that junction and access improvements have been constructed in accordance with the approved details.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety.

14. Prior to the commencement of the development of the carriageways and buildings, full details of the layout, widths, gradients and means of construction of all carriageways and footpaths, details of means of access from the existing road and details of all foul and surface water sewers shall be submitted to and approved in writing by the Local Planning Authority. With the exception of the final wearing course, the development shall be completed in accordance with the details as approved prior to the first occupation of any building. The final wearing course shall be completed prior to the first occupation of the last building.

Reason: To ensure that the roads shall be constructed and sited to the satisfaction of the Local Planning Authority so far as to provide a proper means of access for traffic and to ensure that the land can be adequately drained.

15. A comprehensive Travel Plan will be developed for all of the elements of the development hereby permitted. The acceptability of the Travel Plan will need to be agreed in writing by the Local Planning Authority and Local Highway Authority, in consultation with the Secretary of State for Transport, in advance of the occupation of the development. The Travel Plan will need to be prepared in line with prevailing policy and best practice and shall include as minimum:

- The identification of targets for trip reduction and modal shift
- The methods to be employed to meet these targets
- The mechanisms for monitoring, delivery of corrective mechanisms, if appropriate and enforcement
- The penalties to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the Travel Plan to an agreed timescale or timetables and its operation thereafter
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews

Reason: In accordance with local and national planning policy advice which seeks to minimise travel by private car.

16. No building works which comprise the erection of a building required to be served by water services shall commence until details of a scheme, including phasing and future management and maintenance arrangements, for the provision of mains foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented prior to the occupation of any buildings within the relevant phase(s) of the development.

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

- provisions of Sections 94, 98 and 106 of the Water Industry Act 1991.
17. Development shall not commence until a surface water drainage scheme for the site, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include details of how the scheme shall be maintained and managed after completion for the developments entire lifetime. The works shall be implemented in accordance with the approved details prior to the occupation of any buildings within the relevant phase(s) of the development.
Reason: To prevent the increased risk of flooding.
 18. Prior to the first occupation of the development, a Green Infrastructure Statement, that includes but is not limited to, measures to increase biodiversity within the site, shall be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the approved Statement.
Reason: To ensure that ecological issues are fully considered and promoted in relation to ecological targets for the region.
 19. Full details of the method of the treatment of the external boundaries and those within the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings hereby permitted and retained thereafter.
Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development.
 20. Prior to the commencement of development details of the proposed finished floor levels to all new onsite buildings shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall clearly depict the finished floor level relationship of these dwellings to the finished floor level of the existing dwellings. Development shall be completed in accordance with the approved details.
Reason: In the interests of the amenities of adjacent occupiers.
 21. No development shall take place until the applicant or their agents or successors in title, has secured the implementation of a field evaluation of archaeological work in accordance with a written scheme of investigation, including measures that set out the treatment of any archaeological finds, which has been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of archaeological research.
 22. Before the development hereby permitted is occupied a Sustainability Strategy, detailing the method of achievement of BREEAM 'very good or excellent' (or successor), the provision of on-site renewable energy to meet 10% of the developments overall energy needs (or other level to be agreed with the Local

Planning Authority), and mechanisms for independent post-construction assessment shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

Reason: To ensure the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change, Policy GS5 of the Northamptonshire County Structure Plan adopted 2001 and Policy E19 of the Northampton Local Plan adopted 1996.

