



Applicants:

Evander Properties
Limited & British
Airways Pension Fund
Limited

Application No:

10/0164/FULWNS

Date Registered:

14/10/2010

Grid Ref:

475941 (E)

255804 (N)

Ward:

Grange Park

Northampton UDA Planning Committee Paper

Report by Director of Planning Services

Date of Committee Meeting: 9th March 2011

Agenda Item: 5

Description: Erection of B8 warehouse, ancillary offices (Class B1a), vehicle maintenance unit, car parking, servicing and associated plant works.

Address: Zone F, Land at Saxon Avenue, Grange Park, Northamptonshire.

1. Recommendation

1.1 That the application be **APPROVED** with authority being delegated to the Director of Planning Services to grant planning permission subject to:

- No new material planning issues being raised following further consultation in relation to the submission of revised plans received by the Corporation on 21st February 2011.
- The completion of a s.106 agreement to secure contributions against the heads of terms set out in the report
- The conditions attached to this report.

for the following reasons:

The proposed development is an acceptable design and the overall scale, bulk and massing has been reduced by changes made to the design of the roofscape, effective use of an appropriate materials palette and elevational detailing, together with a landscaping scheme which will help to mitigate the visual impact of the development to an acceptable level. The proposed building will be an exemplar in relation to sustainability with measures incorporated into the design to minimise the impact of the development on climate change.

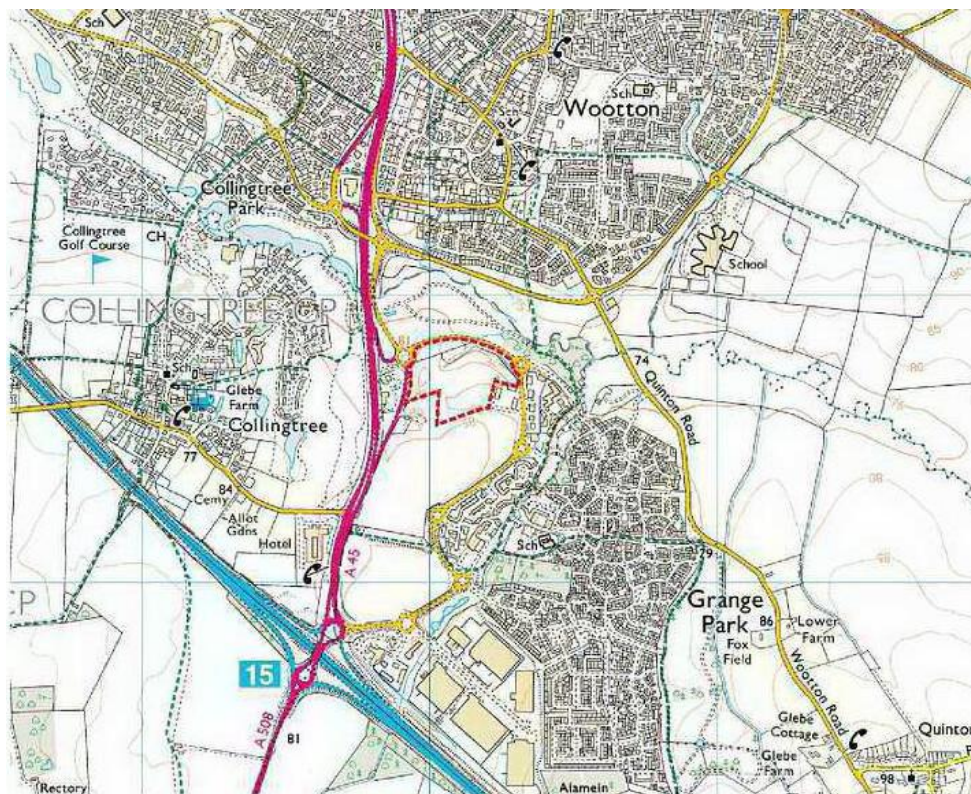
The principle of the development of the site for B8 purposes is established and acceptable in relation to the Development Plan, PPS4 and the West Northamptonshire Employment Land Study 2010.

Where the development departs from the preliminary designation of Zone F for B1/B2 purposes within the Grange Park Employment Areas Design & Development Brief (1999), the document promotes a market led approach having regard to market conditions at the time development comes forward.

The development complies with saved policies GPE1, G2, G3, EV1, EV29, T3 and IMP1 of the adopted South Northamptonshire Local Plan and the contents of PPS1, PPS4 (Policy EC10), PPS9, PPS10, PPG13, PPS17, PPS23, PPS24 and PPS25.

2. Description of Site

- 2.1 The application site comprises 7.68 hectares of land within Zone F (8.8 ha in total) of the Grange Park mixed use urban extension, located to the south east of Northampton, approximately 1 km north east of Junction 15 of the M1. The site was previously used for sand extraction prior to being backfilled and plateaued to create a vacant, brown field site. A plan showing the broad location of the site in relation to Grange Park and the residential areas of Wootton and Collingtree is shown below. A more detailed site location plan is appended to the report.



- 2.2 The site is vacant and prepared for development in terms of the provision of a vehicular access off the roundabout to the North West of the site, which is linked to the slip roads leading to and from the adjacent A45, together with services and some lighting.
- 2.3 To the north the site is bounded by Saxon Avenue, the main vehicular route through Grange Park, which allows clear views into what is currently a cleared vacant and relatively flat employment site. Saxon Avenue arcs in an east-west direction between roundabouts in the north west and north east corners of the site. Beyond Saxon Avenue, on the opposite side of the road to the application site is the Wootton Valley Country Park which provides views of the application site in between areas of woodland and landscaping. Beyond the country park are residential properties within Wootton which have limited views of the application site from the southern (largely rear) elevations, although these are limited by areas of structural planning of up to 50 metres in depth and the Country Park.
- 2.4 Immediately to the south of the site is a 'capped' former landfill site, which is elevated some 6 metres above the general site level of the application site, providing a visual buffer from residential development located to the south east of the application site.
- 2.5 To the east of the site are two storey office buildings of relatively recent construction, located either side of Saxon Avenue. Three of these units are located within Zone F and are accessed off Sandy Way. One of these units is occupied, whilst the other two, including the building located closest to the application site are vacant and remain unlet following construction.
- 2.6 The application site, whilst falling within WNDK's Northampton UDA boundary, falls within the administrative boundary of South Northamptonshire District.

3. Description of Proposal

- 3.1 The application is submitted in full and seeks consent for a B8 (Storage & Distribution) warehouse of 29,803 square metres (as revised), together with ancillary office accommodation, vehicle maintenance unit, service yard, HGV and car parking, landscaping and associated works.

The total amount of floorspace proposed would be 32,379 square metres and can be broken down as follows:

Function	Gross Internal Area (Sq. Metres)	Gross Internal Area (Sq. Feet)
Distribution Centre	29,803	320,800
3 Storey Ancillary Office	1414	15,225
Distribution Offices	232	2,500
Vehicle Maintenance Unit	929	10,000

Total	32,379	348,525
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- 3.2 Following the submission of revised plans the building now has a ridge height of 15.5 metres and 13.5 metres to the eaves. The footprint of the main distribution element of the building is 215 metres x 134 metres. It is understood that the applicant has had advanced discussions with prospective tenants for the building, but has not chosen to divulge these details at this stage of the planning process.
- 3.3 The scheme includes 270 no. car parking spaces, 37 no. lorry parking spaces and 33 no. cycle parking spaces.
- 3.4 Based on the amount of proposed floorspace the applicant has advised that the development could provide up to 600 jobs on a three shift pattern, however this is totally dependent on the nature of the future occupiers business.

The application is supported by the following documents:

- Planning Statement
- Design and Access Statement
- Statement of Community Engagement
- Landscape and Visual Assessment
- Sustainability Assessment
- Contamination Assessment
- Transport Statement and Framework Travel Plan
- Ecological Assessment
- Flood Risk Assessment
- Noise Assessment
- Site Waste Management Plan

4. Policy Considerations

4.1 WNDC Purpose:

Under S136(1) of the Local Government Planning and Land Act 1980, WNDC as an Urban Development Corporation has a statutory “objective” to deliver the regeneration of the area. The Secretary of State has determined that WNDC should have development control powers for certain types of development in order to carry out its objective.

4.2 National Policy:

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

PPS1:	Delivering Sustainable Development
PPS1:	Delivering Sustainable Development: Planning and Climate Change
PPS4:	Planning for Sustainable Economic Growth
PPS9:	Biodiversity and Geological Conservation
PPS10:	Planning for Sustainable Waste Management
PPS11:	Regional Spatial Strategies
PPG13:	Transport
PPS23:	Planning and Pollution Control
PPG24:	Planning and Noise
PPS25:	Development and Flood Risk

4.3 Development Plan:

Section 38 (6) of the Planning and Compulsory Purchase Act 2005 requires a planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan documents for the area comprise;

- The East Midlands Regional Plan (EMRP) (2009)
- The Northamptonshire County Structure Plan (NSP) (2001) (One saved policy – SDA1);
- The South Northamptonshire Local Plan (SNLP) (1997) (Saved policies)

4.4 East Midlands Regional Plan (EMRP) (March 2009)

Relevant policies are:

Policy 1	Regional Core Objectives
Policy 2	Promoting Better Design
Policy 11	Development in the Southern Sub-area
Policy 20	Regional Priorities for Employment Land
Policy 21	Strategic Distribution
Policy 39	Regional Priorities for Energy Reduction and Efficiency

4.5 The South Northamptonshire Local Plan (SNLP) (1997)

The following saved policies of the SNLP are considered to be relevant to the determination of this planning application:

GPE1	South East of Northampton (Industrial & commercial proposal)
G2	New Development
G3	General Development Principles
EV1	Design
EV29	Landscape Proposals
T3	Pedestrian and Cycle Routes
IMPI	Planning Obligations

4.6 **Supplementary Planning Guidance:**

Northamptonshire County Council Planning Out Crime (2005)

Northamptonshire County Council Waste SPD (2007)

Northamptonshire County Council Parking SPG (2003)

Grange Park Planning Brief (1997)

Grange Park Employment Areas Design and Development Brief (May 1999)

The application site is located in Employment Area 7 and designated on the indicative masterplan as being appropriate for a mixture of B1 and B2 development.

4.7 **Other non statutory documents:**

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

West Northamptonshire Employment Land Study (July 2010):

West Northamptonshire Manual for Design Codes (WNDC 2009)

West Northamptonshire Sustainability Manual (WNDC 2010)

West Northamptonshire Joint Core Strategy (Pre Submission Draft) (January 2011)

5. **Representations:**

5.1 **SNC Development Control:**

The Council objects to the application and the warehouse building proposed, on the grounds of overbearing and excessive scale/massing, poor design/appearance and poor appearance in the street scene. The proposed development would relate poorly to other commercial (and non-commercial) development in Grange Park, and some of the materials proposed are inappropriate. Further the scheme does not follow the approved development brief for Grange Park.

SNC have requested that conditions relating to the following be included in any permission granted:

1. Sample of external materials.
2. Details of any boundary fencing.
3. Full landscaping/planting details.
4. Details of a scheme for the secure parking of bicycles.
5. Implementation of submitted Travel Plan.
6. Implementation of Sustainability Scheme.

5.2 NBC Development Control:

No objections to the proposal.

5.3 SNC Environmental Health:

No adverse comments subject to the imposition of appropriate safeguarding conditions relating to a noise control and the investigation and remediation of contamination.

Satisfied that no further remediation of the site is required however a condition is required in relation to unsuspected contamination encountered during the development.

5.4 SNC Planning Policy:

No comments received.

5.5 SNC Economic Development

No comments, other than that this could be a suitable location for a B8 use, which it is known there is demand for and could provide jobs for Grange Park and Northampton.

5.6 NCC Planning:

No comments received.

5.7 NCC Sustainable Transport (Highways)

No objections to the proposed development subject to the submission and approval of a site specific Travel Plan prior to occupation.

5.8 Anglian Water Services:

The foul drainage from this development is in the catchment of Great Billing STW which has available capacity for these flows.

The preferred method of surface water disposal is to a sustainable drainage system (SUDS).

The surface water strategy/flood risk assessment submitted with the application is unacceptable. Conditions requested requiring the submission and approval of a surface water strategy prior to occupation.

5.9 Environment Agency:

Initial Comments dated 17.11.10 -

Objects to the application on the basis that the submitted Flood Risk Assessment is not yet fully compliant with PPS25 and does not provide a suitable basis for assessment of flood risk.

The application site lies in Flood Zone 1 'low probability' as detailed in PPS25, however the proposed scale of development may present risks of flooding on-site and or off-site if surface water is not effectively managed.

Additional information requested from applicant.

Further Comments dated 30.12.10 –

Consider that the details in the revised FRA are compliant with PPS25. Conditions recommended securing the mitigation measures set out in the FRA and a watching brief to identify and contamination found during development.

5.10 Northamptonshire Fire & Rescue:

No comments received.

5.11 Highways Agency:

Directs a condition requiring the approval of Travel Plan prior to occupation.

5.12 Northamptonshire Police:

No objection in principle to the application.

Main concern with the application is the contradiction between the proposed 'extensive landscaping' and natural and passing surveillance of the site and in particular the parking area which appears to be completely screened from passing attention.

The proposed fence should enclose the entire site, including staff car park.

Difficult to prescribe specific crime prevention measures if the client and nature of business is unknown. It may be necessary for the shell of the building to incorporate a masonry wall at its base to hinder physical intrusion.

5.13 **Natural England:**

No comments received.

5.14 **Wildlife Trust:**

Find the Ecological Assessment acceptable and satisfactory in general terms.

The proposed attenuation ponds will provide some net positive gains in respect of the ecological aspects of this site and deliver biodiversity enhancements.

The ecologists recommendations made within Section 7 of the report, regarding biodiversity retention, protection, enhancement and future management measures are acceptable and might be secured through planning conditions/S106 agreement.

It is important not to introduce any non native or invasive species in relation to soft landscaping. Recommend that all non-native species are removed from the landscaping scheme.

Further consideration should be given to how the development can contribute towards Green Infrastructure and priority Biodiversity Action Plan targets within the County.

5.15 **Grange Park Parish Council**

No comments received.

5.16 **Hardingstone Parish Council**

No comments received.

5.17 **Collingtree Parish Council**

No comments received.

5.18 **Councillor Tharik Jainu-Deen**

No comments received.

5.19 **Councillor Paul Farrow**

No comments received.

5.20 **Councillor Bunny Ingram**

No comments received.

6. Notifications and Responses

6.1 Eight site notices were displayed within the vicinity of the site, as well as within the Grange Park Local Centre and at the entrance into Wootton Country Park. A press notice was

advertising the proposal as a major development and neighbour notification letters were sent out to approximately 250 local residents and businesses.

6.2 In addition the applicant held a public exhibition in Grange Park on Friday 17th September 2010, inviting approximately 850 local residents and businesses. This is set out in the submitted Statement of Community Engagement. The applicant has advised that the main issue raised related to transport concerns.

6.3 Two letters of objections were received to the development, the main points of which can be summarised as follows:

- Concerns over the height of the proposed building in relation to residential units. It is not in keeping with other office buildings, the retirement village and housing estates.
- This type of building would be better located at Brackmills or Pineham Business Parks.
- The area wants office development not a distribution warehouse.
- Concerns over noise, particularly at night. There is already a considerable amount of noise in the area.
- Will provide low paid jobs which will not be for local people.

6.4 In addition representations have been received from Viridor Waste Management Limited who have interests in the Wootton Landfill site located directly to the south of the application site. They have requested that WNDC ensure that any development adjoining the allocated waste management site (both in nature and layout) does not prejudice the use of the allocated site for waste management uses. Further Viridor have requested that NCC, as the waste planning authority are consulted on the application.

7. Site History

7.1 S/1997/0219/PO

Outline planning permission for the Grange Park development was granted in May 1998, comprising approximately 1000 dwellings, 30 hectares of employment land uses with use classes B1, B2 and B8, a district centre, recreational facilities, a park and ride facility, open space and country parks and associated access, parking and landscape infrastructure.

7.2 S/2004/1437/PR

Reserved matters approval was granted by SNC in December 2004 for the development of the whole of Zone F, with nine buildings comprising 20 industrial units, to be located on either side of an east-west, central spine road - Use Classes B1/B2/B8. Units to vary in size from 557m² (6,000ft²) to 5574m² (60,000ft²), and have dedicated parking provision together with commercial vehicle loading and turning facilities.

7.3 S/2005/0576/P

Permission was granted by SNC in June 2005 for an effective 'extension of time' for the

submission of reserved matters applications (for a further two years), in respect of Zone F.

7.4 S/2005/0522/PR

Reserved matters approval was granted by SNC in August 2005 for a development of 10 office buildings (Use Class B1a) and one industrial/warehouse unit (Use Classes B2/B8), on part of Zone F. This was, effectively, a part-amendment to the permission granted in 2004 (S/2004/1437/PR)

7.5 06/1052/REMWNS

Permission was granted by WNDC in November 2006 for a part-amended scheme, pursuant to the above-mentioned permission (Para 2.5), for a development of three office buildings (Use Class B1a), on part of Zone F.

To date this is the only permission that has been fully implemented in Zone F.

7.6 06/1454/REMWNS

Permission was granted by WNDC in April 2007 for a further revised application for development of part of Zone F (the northern part of the current application site) relating to 2.3ha of land and a scheme for three B8 (warehouse) / B2 (industrial) buildings.

7.7 07/0167/REMWNS & 07/0168/REMWNS

Permission was granted by WNDC in April 2007 for 2 further alternative schemes covering the current application site for three B2 (industrial) / B8 (warehouse) units and five B1 (office) buildings (07/0168/REMWNS) and for five B2 (industrial) / B8 (warehouse) units and five B1 (office) buildings (07/0167/REMWNS).

7.8 In summary, several reserved matters approvals have been granted by both SNC and WNDC for B1, B2 and B8 development covering the whole and parts of Zone F. To date, only 3 No. B1 units have been constructed on the eastern side of the Zone. The current application is for the remaining part of Zone F.

8. Considerations

8.1 The following considerations are relevant to the determination of this application:

- Principle of the Development
- Design and Visual Impact
- Highway Considerations
- Flood Risk, Drainage & Contamination
- Impact on Residential Amenity

- Environmental Impact Assessment.
- Sustainability and Climate Change
- Other Considerations
- Infrastructure Requirements/Section 106

Principle of the development

8.2 Saved Policy GPE1 of the adopted South Northamptonshire Local Plan (1997) sets out that planning permission will be granted for industrial and commercial development at Grange Park. Policy G2 seeks to locate new development to the main urban centres within South Northamptonshire District, which includes Towcester, Brackley and close to the Northampton Borough boundary, with development in the open countryside severely restricted.

Planning History

8.3 The principle of developing the application site for industrial/commercial development was established following the granting of outline planning permission in 1997 for a mixed use urban extension to Northampton at Grange Park. Condition 4 of the outline consent (Ref: S/1997/0219/PO) required the submission of a masterplan identifying the specific land use allocations within the development site.

8.4 A detailed Planning Brief for the Employment Areas was produced in May 1999. The current application site comprises much of what was designated as Zone 7 within the Brief and is now referred to as Zone F. The Planning Brief states that Zone 7 is,

“...appropriate for a mixture of Class B1 (and possibly B2) uses perhaps more closely related to the local Northampton Market.”

Despite this ‘preliminary’ designation it should also be noted by members that the Brief provided some flexibility in this respect and stated,

“..development of the Grange Park business areas will be influenced by the property market in terms of the nature and timing of demand and therefore the detailed solution will evolve over time.”

8.5 Subsequent to the granting of outline consent, several reserved matters have been granted for B1 (Office), B2 (General Industrial) and B8 (Storage & Distribution) development on the site. Three B1 Office buildings have been completed within Zone F (built out under application ref: 06/1052/REM), with the remainder of Zone F (the application site) being undeveloped. It should be noted that officers opinion is that these reserved matters consents have been implemented by the provision of an access road and remain extant in perpetuity.

8.6 The reserved matters consents provided relatively flexible permissions having regard to the speculative nature of the development. As such the consented B1, B2 and B8 floorspace

could conceivably be used entirely for either B1, B2 or B8 uses, or a combination of these depending on market demands. The two most recent reserved matters consents (07/0167 & 07/0168) provided larger buildings with a total B2/B8 floorspace of up to 14,976 square metres, within buildings of up to 17 metres in height. Consequently, despite the provisional designation for Zone F for B1/B2 uses, the flexibility provided in the brief and the planning history of the site has established the principle of B8 development at the site.

- 8.7 Having established that the principle of B8 development is acceptable on the site, it should be considered whether it is acceptable to release the whole of the remaining part of Zone F solely for B8 purposes, having regard to the original aspirations of the Planning Brief to create a mixed employment area to serve the residential development.

Use of Zone F for a single B8 occupier

- 8.8 In making this determination, significant regard should be had to current market circumstances, an approach ratified in both the Planning Brief for the site and more recently in PPS4 which requires LPA's to *"remain flexible in their response to market conditions, as a means of retaining growth."*
- 8.9 The applicant has submitted evidence of current trends within the local employment market, prepared by Budworth Hardcastle who are commercial property specialists based in the East Midlands. The evidence demonstrates a significant supply of smaller B1, B2 and B8 units up to 70,000 feet, but a relatively small supply of larger B8 accommodation, despite a high level of demand for this type of accommodation. Officers have observed this general trend over the last 18 months. Further, the fact that 2 of the 3 existing B1 units constructed adjacent to the application site remain unlet following construction and that the application site has been the subject to several revised schemes, demonstrates that the current offer is not attractive to the market and unlikely to be developed on a speculative basis in at least the short term.
- 8.10 This trend is recognised in the recently published West Northamptonshire Employment Land Study (WNELS) which states that warehousing is the most likely sector to deliver new jobs in the short term and that warehousing demand will continue to outstrip supply in current market conditions. On this basis the Study advocates that up to 2016, planning should be led by the market, reverting to policy based growth in the longer term. As such the Study states that West Northamptonshire will have to provide more warehouses than policy would have previously dictated, that there is scope to reuse 'general industrial' land for warehousing sectors to meet this demand and that a change of use between B2 and B8 should be encouraged.
- 8.11 As such both the case presented by the applicant and the recent employment land study, provide strong evidence to support an application for a B8 use on the site, given current market conditions and to ensure that a steady supply of jobs are provided to meet housing growth in the area. The Pre-Submission of the Joint Core Strategy provides caution in delivering new space for the warehousing sector based entirely on a trend based trajectory. Such a decision in this case would not be entirely market led, the site already has consent for B8 development. Further the JCS, which does not allocate any new sites for warehousing states that warehousing will be accommodated on existing employment sites through the churn of employment land.

Conclusion

8.12 The principle of developing the application site for commercial/industrial purposes is established and consistent with the Development Plan and whilst the use of much of Zone F for a single B8 development departs from the preliminary designation in the Development Brief, it is evident that a large scale B8 building is much more likely to be attractive to the employment market and create employment opportunities in the short to medium term. This approach is advocated in PPS4, the Development Brief and supported by the Employment Land Study. Consequently the principle of providing a large B8 building on the application site is considered to be acceptable, subject to the determination of the other considerations set out below.

Design and Visual Impact

8.13 Having concluded that the provision of a single B8 building on the application site is acceptable in principle, it is necessary to determine whether the building, due to its scale, bulk, massing and use of materials is acceptable given the sites context in close proximity to a residential area and smaller commercial units.

8.14 Clearly the proposal is for a very large building, which will provide 30,000 square metres of B8 accommodation. The building will have an eaves height of 13.5 metres and a ridge height of 15.5 metres. For comparison the NYK Logistics Building at the southern end of Grange Park has a floor space of approximately 18,000 square metres, but with a similar ridge and eaves height. The Sainsbury's and recently approved BMW warehouse buildings at Pineham, again have similar ridge and eaves heights, but provide more floorspace of approximately 40,000 square metres. As such there are similar warehouse buildings elsewhere in the vicinity, although this building would be the largest warehouse building in the Grange Park development.

8.15 The warehouse element of the proposed building will present an elevation of 215 metres in length along Saxon Avenue, highlighting the sheer size of this building. Notwithstanding this, the applicant has responded to officers comments on the design of the building both during pre application discussions and during the course of the current application being determined and used a mixture of materials and elevational treatment to provide articulation, visual interest and attempt to breakdown the overall bulk and massing of the building.

8.16 The building has its main structural frame rotated through 90 degrees to present a series of gables along the main elevation, which together with a mixture of horizontal and vertical cladding and full height glazing help to reduce the perceived bulk of the building. The main three storey office element is located on the prominent north eastern corner of the building and is well designed with full height glazing bays and a brise soleil system, clearly marking the entrance to the building.

8.17 During the course of the application, officers have expressed concerns over the scale of the building and worked with the applicant to reduce its size, improve its visual relationship with adjoining buildings and increase the landscaping provision. In response to this the applicant has reduced the overall height of the building and altered the roof design, utilising a parapet

and hipping the ridge back from the edge of the building, this together with a projecting soldier course will draw the eye further down the elevation and the neutral materials palette used, will help to reduce the perceived height of the building and its visual impact from both short and long distances.

- 8.18 In relation to the impact on the adjacent (unoccupied) office building located on Sandy Way, the applicant has reduced the footprint of the building by 16 metres, creating a gap of 40 metres between the neighbouring office building, this is considered to be a satisfactory relationship in both visual and amenity terms.

Landscape Impact

- 8.19 The applicant has submitted a Landscape and Visual Assessment of the development and a series of computer graphic images (CGI's) and photomontages to demonstrate the visual impact of the development and how the proposed landscaping scheme will mitigate this.
- 8.20 The Assessment determines the impact in relation to the previously consented schemes for the development of Zone F, rather than the current situation created by a undeveloped site. The key consideration in this respect is not whether the building can be seen, which it can from a number of vantage points within the vicinity of the site, but whether the impact on the visual amenity of the area is so severe and results in unacceptable harm to local interests. The assessment concludes that the building can be developed without adverse effects on the prevailing landscape character of Wootton and Grange Park. The greatest visual impact will be from the southern most edge of Wootton, but would not be a permanent impact and be largely confined to upper floor bedroom windows of residential properties (properties on Cowbeck Close and Workers Way) until landscaping fully matures. These properties however are located a considerable distance from the proposed building and the impact will predominantly be a temporary change of view, rather than unacceptable harm to residential amenity. The assessment also confirms a moderate to major adverse impact on the visual amenity of the Wootton to Grange Park Public footpath where it crosses the Wooldale Road, however this will not compromise the general character of the park to an unacceptable level. Elsewhere the assessment highlights a lesser impact and this is particularly evident where the existing bund separates the application site from the landfill site located to the south, which will predominantly allow views of the roofscape from residential areas within Grange Park.
- 8.21 In some areas the visual assessment highlights an improvement over the consented schemes, particularly in relation to the impact on Saxon Avenue and Wootton Valley Country Park, where the current building is set much further back from the highway and due to the presence of a 2 metre high contoured bund.
- 8.22 The visual assessment also highlights that the current scheme would require significantly less lighting due to the provision of less car parking spaces and would also be hidden behind the building.
- 8.23 Notwithstanding the findings of the visual assessment, officers consider that the landscaping scheme is fundamental to ensuring that the long term visual affects of the development can be mitigated and to assimilate such a large building into the area by creating visual links with

existing woodland and new structural planting. This crucial point has been stressed to the applicant who has increased the landscaping provision significantly during the course of the application. The initial landscape proposals show strategic landscaping including a significant area of native woodland planting and the provision of heavy stock trees which will be between 2.5 to 5 metres in height at planting, growing to between 8 and 11 metres by year 15. Further, the applicant has committed to providing the planting during the same planting season as development commencing, again this can be secured by condition, along with details for long term maintenance. Following concerns by officers, additional semi mature landscaping is proposed on the sensitive eastern and western boundaries, which will be planted at a height of 1-6 metres, reaching approximately 12 metres within 15 years.

- 8.24 Officers note and understand SNC's opposition to the current scheme, which is consistent with previous consultations for the development of this site. Consent is sought for a large building, which by its very nature will have a visual impact and be difficult to assimilate into its surroundings. However officers consider that they have challenged the applicant to reduce the impact of the development through extensive landscaping, the reduction of the height and footprint of the building and through the general design approach to reach an acceptable solution that is compliant with Policies G3 and EV29 of the South Northamptonshire Local Plan.
- 8.25 The design of the ancillary buildings – gatehouse, vehicle maintenance unit and vehicle wash are consistent with the approach taken with the main building and will largely be shielded by the building and landscaped bund to the south.

Highway Considerations

- 8.26 The layout of the site allows operational vehicles to be separated from staff car parking, with HGV's parking to the rear of the building accessed from the A45 network and staff parking located around the north of the building accessed off Saxon Avenue via Sandy Way. Weight restrictions along Saxon Avenue would prevent operational vehicles from driving through, or in close proximity to residential areas.
- 8.27 In terms of highway impact, the application is submitted with a Transport Statement which concludes that the proposed development will result in a reduction of 130 two ways vehicle movements in the AM peak and 110 in the PM peak.
- 8.28 The site is located in a sustainable location on a local, regular bus route with stops within walking distance of the site (550m to 650m). The provision of cycle parking and the implementation of a travel plan in consultation with the Highways Agency and NCC will encourage the use of more sustainable forms of travel. Compliance with the Travel Plan will be secured by condition as requested by the HA. Details of covered cycle parking will also be secured.
- 8.29 The scheme includes 37 HGV spaces, 33 cycle spaces and 279 car parking spaces. In relation to car parking – NCC's Parking SPG sets a maximum number of 279 spaces, based on standard of 1 space per 120 sq.m of B8 development. The level of parking proposed is considered acceptable.

- 8.30 It should be noted that neither the Highways Agency, nor NCC have raised any concerns over the proposals, which will generate less traffic than consented schemes and are acceptable in a highway context.

Flood Risk, Drainage and Contamination

Flood Risk & Drainage

- 8.31 The application site is located in Flood Zone 1 and is therefore at a low risk of flooding. Notwithstanding this the Environment Agency originally objected to the proposals in relation to insufficient information in respect of surface water drainage. The EA are now satisfied with the situation and have removed their objection, subject to conditions requiring compliance with the Flood Risk Assessment.
- 8.32 Surface water will be dealt with by way of a relief drain under the site, underground storage, petrol interceptors and balancing ponds. Full details of foul and surface water drainage can be secured by condition.

Contamination

- 8.33 The site has a history of landfill, but has now been remediated and site investigation work has taken place. Both SNC's Environmental Health Team and the Environment Agency are satisfied with the situation, subject to a 'watching brief' condition requiring further site investigation and remediation in the event that previously unidentified contamination is found during the development of the site.

Impact on Residential Amenity

- 8.34 The visual impact of the development has previously been assessed, however the nature of operating a large 24 hour operation in relatively close proximity to residential occupiers requires assessment.
- 8.35 Whilst the scheme has generated little interest locally, where residents have expressed concerns this has been over the potential noise nuisance particularly during nighttimes.
- 8.36 A noise assessment has been carried out and shows that increase in noise levels are likely to be negligible and within acceptable limits. Off site traffic noise levels will also be of a negligible/minor nature.
- 8.37 SNC's Environmental Health Officers are satisfied with the situation and have requested a condition for a further noise survey in relation to plant and equipment is submitted and approved.
- 8.38 The site layout which places the main distribution activity in between the building and the existing bund, will prevent views of this activity and reduce impact on amenity in this respect.

Environmental Impact Assessment.

- 8.39 The proposal falls within category 10(a) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as the site area

exceeds the indicative threshold of 0.5 ha as identified within Column 2 of that schedule. Consequently a screening opinion of the proposal has been carried out and placed on the planning register.

- 8.40 Circular 02/99 advises that infrastructure developments that relate to industrial estate development are more likely to require EIA if:
- The site area of the new development is more than 20 hectares.
 - In determining whether significant effects are likely, particular consideration should be given to the potential increase in traffic, emissions and noise.
- 8.41 The proposed development falls below these indicative thresholds and will not, in overall terms have a markedly different environmental impact than the previously approved schemes. Consequently the environmental impacts of the development are of no more than local significance. Therefore the proposal is not EIA development.

Sustainability and Climate Change

- 8.42 The application proposes the development of a highly sustainable building designed to achieve an 'A' rated Energy Performance Certificate. In addition the BREEAM Pre Assessment submitted with the application demonstrates how the building will attain a rating of 'Excellent'. This will be achieved by the provision of measures such as Solar water heating, 'grey water' processes within the building, 15% roof lights, use of recycled materials, use of local suppliers and labour, reduction of lighting use and improving ecological diversity on the site.
- 8.43 Having regard to the above, the proposed building is highly sustainable and compares well with the standard established with the Sainsbury's building at Pineham which is seen as an exemplar development in this respect.

Other Considerations

Ecology

- 8.44 The application site currently has very little ecological value. The proposed development will provide extensive landscaping and native woodland, which together with the proposed balancing ponds will deliver biodiversity benefits to the area to support a wide range of species.
- 8.45 A Construction Environmental Management Plan will be secured by condition to safeguard areas of ecological interest during the development process and deliver the proposed mitigation measures set out in the Ecological Report.
- 8.46 The applicant has identified the possibility of enhancing the adjacent Wootton Valley Country Park and this together with potential enhancements to Green Infrastructure will be secured through the Section 106 agreement subject to further discussions with the applicant and stakeholders.

Security

8.47 The Police have expressed concerns over the use of structural landscaping which is needed to screen the site and soften the appearance of the building which would reduce visual permeability into the site. In this case landscaping is essential to reduce the visual impact of the site and safeguard the character and appearance of the area. Details of security fencing will be provided once an end user is known and will be secured by condition.

Infrastructure Requirements/Section 106

8.48 Section 106 contributions will be sought in relation to WNDC's Planning Obligations Strategy in line with contributions secured for similar developments in Northampton. Members should note that standard charge agreement based on contributions of £10 per square metre have been secured on similar commercial schemes. In this case the applicant has offered a contribution of £7 per square metre on the basis that some of the infrastructure requirements of the development have previously been met by other planning agreements for Grange Park.

8.49 Importantly, with regard to Planning Obligations the CIL Regulations set out new rules governing their application. These are set out in Regulation 122, which states:

- (1) This regulation applies where a relevant determination is made which results in planning permission being granted for development.
- (2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
 - (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

Having regard to the CIL Regulations, the fact that previous agreements have met some of the infrastructure demands of the development (for example off site highways works and M1 junction improvement) the reduced level of contribution, in this instance, is considered necessary to make the development acceptable in planning terms.

8.50 As such the draft heads of terms within the Section 106 agreement could include contributions towards the following items, although this would be subject to further negotiation with the applicant:

Financial

- Public Realm (including town centre enhancement)
- Public Art
- Construction Training
- Country Park Enhancement
- Green Infrastructure Enhancement

- Community Cohesion

Non Financial

- **Sustainability Strategy** to ensure the attainment of BREEAM Excellent level as a minimum.
- **Travel Plan** provisions requiring the submission of detailed travel plan, prior to the first occupation of the building, with provisions for monitoring.
- **Construction Training Programme** in accordance with the Construction Futures Programme

8.51 Further discussions will take place over the coming weeks with the applicant to determine the precise level of financial contributions to mitigate against the direct impacts of the development.

9. Conclusion

9.1 Officers consider that the principle of a single B8 development on the application site is supported by the Development Plan, PPS4 and The West Northamptonshire Employment Land Study, having regard to a flexible approach to decision making considering current market conditions. Further, B8 development has previously been approved on the site, albeit on a reduced scale in a number of smaller units.

9.2 However the key consideration in the determination of this application is the impact of the building on the character and appearance of the area, having regard to its size given its context. The proposed warehouse building is very substantial and concerns expressed over its size and visual impacts are noted. Nevertheless, the building is considered to be of a high quality design having regard to the proposed materials and articulation of its elevations. The applicant has listened to officers concerns in this respect and reduced the size, height and roof design of the building, together with enhanced landscaping provision in an attempt to reduce the overall bulk and massing of the building and its relationship with adjacent buildings. Notwithstanding this the building will still have a significant visual impact although this will be reduced as landscaping matures.

9.3 Ultimately any decision to support the application based on design and visual impact requires a subjective judgement and the concerns of SNC's officers are noted and understood. However the visual impact of the building, must be considered alongside current market conditions which indicate that schemes for smaller commercial units as originally envisaged in the design brief are unlikely to be developed on a speculative basis under current conditions and that the B8 employment sector remains buoyant despite the current economic circumstances, with continued demand for large scale development. As such officers consider that the current proposal, although speculative, represents the most likely opportunity to see the site developed, which has clear economic benefits to the area. Further the building that it proposed will be built to the highest sustainability standards and is acceptable in relation to other environmental matters and in a highways context.

9.4 On balance therefore, officers consider that the scheme represents an acceptable use of the land that is compliant with the Development Plan, and despite its scale, bulk and massing, can be effectively assimilated into the area, through the design and materials used and through extensive landscaping to the sites northern, western and eastern boundaries. Therefore officers recommendation is for approval as set out above.

10. Conditions

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

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

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

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

Materials

(3) 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.

Boundary Treatment

(4) Prior to the first occupation of the building details of the proposed boundary treatment, including details of any security fencing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy EV1 of South Northamptonshire Local Plan.

Lighting

(5) Prior to the introduction of any lighting to be fixed externally to any buildings or structures within the site, details shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how compliance with the requirements of the International Commission of Illumination CIE Report 150 (Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Installations) Tables 2.1 to 2.6 will be achieved. Lighting luminaries that have full horizontal cut offs and do not protrude above rooflines. The scheme approved shall be installed prior to the occupation of the development and retained thereafter.

Reason: To ensure a satisfactory level of illumination in the interests of crime prevention and to prevent light pollution.

Contamination

(6) The developer shall draw to the attention of the Local Planning Authority the presence of any unsuspected contamination encountered during the development. In the event of contamination to land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial work to include methods of monitoring and certification of such work undertaken has been submitted and approved in writing by the Local Planning Authority.

None of the development shall be occupied until the approved remedial works, monitoring and certification of the works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority.

In the event that no contamination is encountered, the developer shall provide a written statement to the Local Planning Authority confirming that this was the case, and only after written approval by the Local Planning Authority shall the development be occupied.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use.

Flood Risk and Drainage

(7) The development permitted by this planning permission shall only be carried out in accordance with the approved Waldeck Flood Risk Assessment (FRA) Reference 10-2092 Revision C dated December 2010 and the following mitigation measures detailed within the FRA:

- Impermeable area no greater than 5.912ha (77% of total site area);
- Attenuation storage to be provided on site no less than 2075 m³ as shown on Drawing 10-2092/303 Rev P6;
- Maintenance checks of the surface water drainage system to be carried out every 6 months and after heavy storm events and in accordance with the manufacturers recommendations.

Reason: To reduce the risk of flooding to the proposed development.

(8) Prior to the commencement of development, a scheme for the provision of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and completed fully in accordance with the approved details and the approved implementation programme and maintained thereafter.

Reason: To secure satisfactory drainage of the site.

Car & Cycle Parking

- (9) Full details for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities.

- (10) The approved cycle, HGV and vehicular parking spaces shall be laid out prior to the occupation of the building and permanently retained thereafter.

Reason: In the interests of highway safety.

Landscaping

- (11) 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 based on the approved Landscape Proposals Plan (Reference 2004-PL003 A).

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

- (12) Unless otherwise agreed in writing by the Local Planning Authority, all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season concurrent with the commencement of construction work to the approved building. The approved landscaping scheme shall be implemented in full prior to the first occupation of the building and together with the balancing ponds maintained in accordance with a Landscape Management Plan, which shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.

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

Commercial Restrictions

- (13) No goods or articles shall be stored on any part of the site except inside the building.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality.

- (14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional floorspace (including mezzanine floors) shall be created within the premises without the prior written consent of the Local Planning Authority.

Reason: To prevent an overdevelopment of the site.

Noise

- (15) No development shall commence until/prior to the installation of any new plant/equipment at the site, a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved in writing by

the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such. The measures shall achieve the noise limit criteria detailed on Table 5.7 of the Noise Assessment Report prepared by Resound Acoustics Ltd, Issue Rev0, dated Sept 2010.

Reason: To safeguard the amenities of the occupiers of nearby properties from the adverse effects of noise.

Refuse & Recycling

(16) Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the premises being used for the permitted purposes and retained thereafter.

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

Public Art

(17) Prior to the first occupation of the site, details of a piece of sculpture/art, including design, specification and location shall be submitted to the Local Planning Authority for written approval. The approved details shall provide a timescale for the works to be carried out. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory standard of development.

Use Restriction

(18) The approved building shall be used as a storage and distribution unit as defined by Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purposes.

Reason: To ensure that the Local Planning Authority retains proper control over the development.

Construction Management

(19) No development shall commence until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for written approval. The submitted plan shall provide details of measures that will be put in place to mitigate the specific construction impacts of the development in accordance with the submitted Ecological Assessment (Ecology Solutions September 2010).

Reason: In the interests of the environment and PPS1.

(20) Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not be limited to, details of the intended hours of work, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities and routing arrangements for construction traffic) 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.

Travel Plan

- (21) Prior to occupation a Travel Plan shall be agreed by the Highways Agency acting on behalf of the Secretary of State. Such a Travel Plan shall operate in accordance with delivery mechanisms approved by the Local Planning Authority in consultation with the Highways Agency.

Reason: To ensure that the M1 continues to serve its purposes as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

External Plant

- (22) Prior to the first occupation of the building, details of any external plant, including siting, design and technical specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development.

Note to Applicant

Environment Agency - We understand that the site may be part of a landfill that is in the closure phase and as such there may be a requirement for ongoing monitoring as part of the waste management licence. The applicant is advised to contact our Environment Management Team on 01536 385151 to discuss this further (please ask for Sylvie Fung).

Not to scale
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NO. 4963 - 60
DATE: 22 September 2010

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EVANDER PROPERTIES

Proposed Distribution Centre
Saxon Avenue
Grange Park
Northampton

Site Location Plan

Scale: 1:1000
Drawn: KMF
Checked: JWS
Date: 22 September 2010

4963 - 60
PLANNING