



Northampton UDA Planning Committee Paper

Report by Director of Planning Services

Date of Committee Meeting: 6th December 2011

Agenda Item: 4

Description: Erection of mixed use development, comprising public house, convenience store, nursery, retail units, café/restaurant, 324 no. dwellings (70no. 1 and 2 bedroom flats; 17no. live/work units; and 237no. 2 and 3 bedroom houses) 77 apartment extra care facility, associated roads, parking and landscaping.

Address: Sites F and G, Land at Weedon Road, Upton, Northampton.

Applicant:

Keepmoat Homes Ltd

Application No:

11/0046/FULWNN

Date Registered:

21.07.2011

Expiry Date:

20.10.2011

Ward: Upton

1. Recommendation

For the reasons set out below, **APPROVAL** with authority being delegated to the Director of Planning to issue the planning permission upon:

- Confirmation from Northamptonshire County Council as the local highway authority, that minor revisions to the highway/parking layout are sufficient to overcome officers concerns in relation to highway matters including servicing and adoption.
- The negotiation and completion of a s.106 agreement to secure the heads of terms set out in the report and any other heads of terms considered necessary to mitigate the impacts of the development, subject to ongoing discussions with the applicant, the Homes & Communities Agency and consultees.

and subject to:

- The conditions attached to this report and any further conditions considered necessary to address the

outstanding matters, subject to ongoing discussions with the applicant, the Homes & Communities Agency and consultees.

For the following reasons:

Reasons for Approval

The proposed development is of a scale, density, layout and design that meets the aims and aspirations of the Upton Design Code and complies with Policies 1, 2, 14 and 48 of the East Midlands Regional Plan (2009) and with Saved Policies E14, E19, E20, E39, E40, H1, H14, H16, H17, H32, B20, T4, T12, and T22 of the Northampton Local Plan (1997). The scheme incorporates measures to reduce the impact of the development on climate change and is compliant with PPS1. The proposed retail and commercial premises will function as a local centre and are of a scale and nature that it appropriate to serve the Upton development and complies with Saved Policies H4 and R11 of the Northampton Local Plan and the contents of PPS4.

2. Summary

- 2.1 This application is for the final phases (Sites F&G) of the Upton development, located within Northampton's South West District. The proposals seek to complete the masterplan for the Upton area (Framework Plan) which was established in 2002 by English Partnerships (now HCA), Northampton Borough Council and The Prince's Foundation. The submitted scheme has been developed by Keepmoat Homes and assessed against the Upton Design Code by the Upton Working Group, including WNDC as the local planning authority.
- 2.2 The current proposals include retail and commercial uses in the form of a local centre as envisaged within the Framework Plan and Northampton Local Plan. The proposed uses are considered to be appropriate in both their nature and scale and will help to create a sustainable community and focal point for the community, without detracting from the viability of other centres.
- 2.3 Concerns expressed over the impact of the proposed commercial uses on residential amenity can be addressed through conditions.
- 2.4 The completed design responds to the Design Code, reflects the approach taken on earlier phases and provides a clear interpretation of the 3 character areas located within Sites F&G, creating a clear identity and sense of place. The high quality frontage to Weedon Road responds to the Northampton vernacular and together with its scale and massing will provide appropriate enclosure to the Weedon Road, acting as a high quality gateway into the town.
- 2.5 The proposals will not have a significant impact on either the local or strategic highway network.

- 2.6 Concerns expressed over the levels of affordable housing are noted, but comply with both the development plan and emerging policy and will contribute to creating a mixed, balanced community whilst delivering a significant amount of affordable housing when it is most needed.
- 2.7 Concerns expressed over parking are noted, however the approach taken is dictated by the perimeter block layout created by the existing road layout and established throughout the Upton development, as discussed in further detail within the report. Officers have worked with the applicant to increase levels of parking provision and improve the design and function of the parking courts to reduce on street parking.
- 2.8 The proposals include the use of sustainable technologies and the applicant has made a commitment to ensure that commercial properties are built to BREEAM Excellent level and that residential properties attain Level 4 of the Code for Sustainable Homes.
- 2.9 The proposals are acceptable in relation to flood risk, ecology, archaeology and contamination, subject to the conditions set out in the report.

3. Description of Site

- 3.1 Upton Sites F and G sit vacant within a wider development site that is currently in the process of being developed. The earlier phases of Upton are now well established and are predominantly residential in nature, built in a clear perimeter block layout, with the scale and architectural treatment varying according to street hierarchy and character areas. The diverse architectural styles are held together by the block layout and consistent approach to the public realm.
- 3.2 Figure 1 below shows Sites F&G within the context of the Upton development (Upton Framework Plan). This shows the clear perimeter block layout, the long frontage of Sites F&G with the Weedon Road and earlier residential development located off Telford Way to the east.
- 3.3 The site slopes steadily from the Weedon Road frontage down to the south of the site, where it adjoins existing sites D1, D2 and E. As a consequence the existing Upton development appears prominent from the elevated Weedon Road. This slope is more severe towards Weedon Road/Mile Iron Lane and particularly in the north eastern corner of the site, before the site plateaus to an extent. The 'High Street Elevations' Plan (P_SE-02 High Street A) contained within the Plan Pack highlights the levels changes along the High Street running through the site.



Figure 1 – Upton Framework Plan

- 3.4 The site currently appears as a series of grassed development sites with roads, streetlighting, bus stops etc already providing and defining the site layout to an extent. Figure 2 below details the relationship between Sites F&G and the existing development, which is either built out or has the benefit of detailed planning permission.

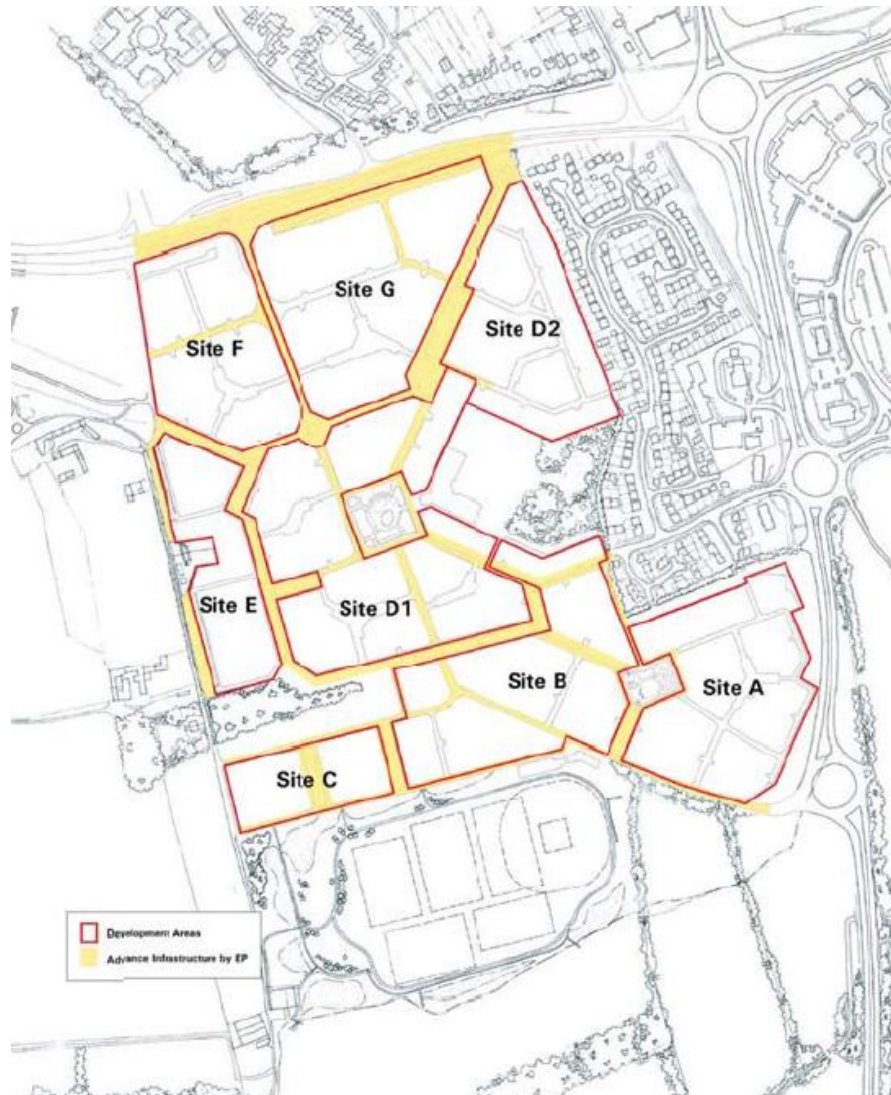


Figure 2 – Upton Development Areas

- 3.5 Immediately to the south of the application site, on the opposite side of Clover Street, residential units are currently under construction by Lagan Homes within Site D1. To the east of the site, the proposed residential units will face recently built 3/4 storey properties constructed by Barratt Homes, which are contemporary in appearance utilising coloured panels to give the appearance of traditional brick and render.
- 3.6 Quinton House School, an independent school for children aged 2-18 years, is located to the west of the site, screened by mature trees and landscaping. Vehicular traffic to the school currently travels along High Street and Rounding Street (both located within the application site) before the road links up with Upton Lane serving the school and other commercial and business uses.
- 3.7 The application site is bounded by the Weedon Road (A4500) to the north, which is the main vehicular route from the M1 (J16) to the town centre. Access into the

site from the Weedon Road (west bound) is via Mile Iron Lane, which runs parallel to the Weedon Road and will be fronted by the proposed commercial units proposed as part of this application. The entrance into Mile Iron Lane is currently blocked off, with the exit onto the Weedon Road not yet provided. Access into the site from the eastbound A4500 will be via the existing signalised junction located on the High Street.

3.8 The land on the opposite side of the Weedon Road, has outline planning permission for residential and commercial development (Former Princess Marina Hospital site). A current outline application for residential development at Upton Park is located to the south west of the site and currently under consideration by WNDK.

4. Description of Proposal

4.1 The application is submitted in full and is for the development of the final phases of the Upton development (Sites F & G). The proposals include a mixture of residential units and commercial uses to serve the needs of the wider Upton development and includes:

Scheme Element	Provision within scheme
Residential Units	324 Units (Includes Affordable, Live/Work)
Affordable Housing Units	113 Units (35% of above)
Live/Work Units	17 Units
Public House	500 square metres
Café/Restaurant	442.8 square metres
Convenience Store	491.4 square metres
Retail Units	809.7 square metres
Day Nursery	436.1 square metres (Upto 70 children)
Extra Care Facility	77 No. apartments

4.2 The 324 proposed residential units include the following:

Market Housing (Exclude Extra Care Apartments)

Houses: 32 No. 2 Bedroom, 73 No. 3 Bedroom and 30 No. 4 Bedroom.

Flats: 17 No. 1 Bedroom, 42 No. 2 Bedroom.

Live/Work: 17 No. 3 Bedroom

Affordable Housing

Houses: 29 No. 2 Bedroom, 58 No. 3 Bedroom and 15 No. 4 Bedroom.

Flats: 11 No. 2 Bedroom

4.3 Block Layout

The development is being provided within 5 perimeter blocks, the layout of which is regulated by the Design Code and the existing road layout. The block layout is shown on the submitted Masterplan which is included within the plan pack.

Starting from the north western corner of the site and fronting onto Weedon Road, Block 1 contains the public house and residential development. The public house will be accommodated in a 5 storey building, with the pub based on the ground floor (double height) and residential apartments located on the upper floors.

Block 2 again fronts onto Weedon Road and contains a 5 storey building containing a retail convenience store on the ground floor, with the nursery and apartments on the upper floors. This building mirrors that within Block 1 and will form the entrance into the development. The Weedon Road frontage includes a further 3 No. retail units (total 584.3 sq.metres) which have the potential to be subdivided into a total of 6 smaller units. A 77 apartment extra care facility is proposed over four floors of accommodation and includes a further 3 retail kiosks totalling 225.4 square metres. Finally, a café/restaurant (442.8 sq. metres) is proposed within the footprint of the extra care facility, although it will be operated as a separate use with access off Mile Iron Lane. Vehicular access to each of the commercial uses will be via Mile Iron Lane (which runs parallel to the Weedon Road), with the exception of the extra care facility which will be accessed from within the block to the rear of the building.

Block 3 contains the 17 No. live/work units, which will provide an element of B1 office accommodation within the building to facilitate more formalised home working. The operation and function of these units is discussed in more detail in paragraph 9.11.

Blocks 4 and 5 comprise solely of residential accommodation and manage the transition between the higher density/scale mixed use frontage to Weedon Road and the largely residential nature of the rest of Upton.

Based on a site area of 6 hectares and 324 units, the density for the site is 54 dwellings per hectare.

Car Parking for each of the proposed uses is discussed in paragraph 9.51.

5. Policy Considerations

5.1 WNDC Purpose:

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

5.2 National Policy:

PPS 1 Sustainable Development

PPS1 Supplement - Planning and Climate Change

PPS 3 Housing

PPS4 Planning for Sustainable Economic Growth

PPS5 Planning for the Historic Environment

PPS 9 Biodiversity and Geological Conservation

PPG13 Transport

PPG17 Planning for open space, sport and recreation

PPS22 Renewable Energy

PPS23 Planning and Pollution Control

PPG24 Planning and Noise

PPS25 Development and Flood Risk

5.3 Development Plan:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 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 (RSS8) (2009);

The Northamptonshire County Structure Plan (NSP) (2001) (One saved policy - SDA1);

The Northampton Borough Council Local Plan (NBLP) (1997) (saved policies).

The Northamptonshire Minerals and Waste Development Framework – Core Strategy (May 2010)

The East Midlands Regional Plan (RSS8) (2009) relevant policies;

- 1 Regional Core Objectives
- 2 Promoting Better Design
- 14 Regional Priorities for Affordable Housing
- 48 Regional Car Parking Standards

MKSM SRS Northamptonshire 1 – The Spatial Framework

MKSM SRS Northamptonshire 2 – Northampton Implementation Area

The Northampton Borough Council Local Plan (NBLP) (1997) relevant policies;

- E14 Corridors of Travel
- E19 Implementing Development
- E20 New Development (Design)
- E39 Renewable Energy
- E40 Crime and Vandalism
- H1 Sites for major new residential development
- H4 Sites for major new residential development (Upton & Berrywood areas)
- H14 Residential Development – Open Space and Children’s Play Facilities
- H16 Housing for the Elderly
- H17 Housing for people with disabilities
- H32 Affordable Housing
- B20 Working from home
- T4 Proposals for main distributor roads
- T12 Development requiring servicing

- T22 Provision for people with a disability
- R11 Shopping facilities/local centre in major residential development

The Northamptonshire Minerals and Waste Development Framework – Core Strategy (May 2010)

- CS7 Sustainable Design and Use of Resources
- CS8 Co-location of waste management facilities with new development

5.4 Supplementary Planning Documents:

Supplementary Planning Guidance – Planning Out Crime (Feb 2004)

Supplementary Planning Guidance – Parking (March 2003)

Northampton Local Transport Plan

Northamptonshire Place and Movement Guide (2008)

Northamptonshire Minerals and Waste Development Framework – Development & Implementation Principles Supplementary Planning Document (March 2007)

5.5 Other Documents

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

WNDC Planning Principles (2009)

Set out in this document are WNDC's three corporate objectives:

1. To deliver development and infrastructure that enables regeneration and growth in Northampton, Daventry and Towcester;
2. To ensure that new development is supported by appropriate jobs, infrastructure and town centre regeneration;
3. To ensure that new development meets the Government's design quality and environmental standards and is integrated into existing communities.

WNDC Interim Planning Obligation Strategy (2011)

WNDC West Northamptonshire Manual for Design Codes (2009)

WNDC Sustainability Manual (2010)

Localism Act (2011)

Draft National Planning Policy Framework (2011)

Upton Design Code - Version 2 (2005)

6. Representations

6.1 Northampton Borough Council (NBC)

Development Control

No formal comments received

Planning Policy

No formal comments received

Conservation

No objection

There are a number of listed buildings in close proximity to the proposed development site. These form part of an entirely separate land parcel and are heavily screened by trees and other vegetation. The proposed development is not considered to have any impact on the setting of the listed buildings.

Arboricultural Officer

No comments received

Housing Strategy

There is a 35% affordable housing requirement for the scheme (113 affordable units). These should be split 70/30 Rented/Shared Ownership.

There is a requirement that 10% of the affordable units should be built to mobility standards and 3 rented units should meet full wheelchair standards.

Metropolitan Housing Association are scheduled to take on the affordable units – this is one of NBC's framework partner housing associations.

The standards should meet all the HCA and Upton Design Brief requirements.

Environmental Protection

The following problems are associated with the commercial elements of development:

- Noise from loud music, plant and equipment affecting other premises not sharing a party wall with the development site; e.g. the proposed Public House.
- Noise from loud music, plant and equipment affecting any premises, particularly residential accommodation, sharing a party wall or ceiling with the development; e.g. the restaurant situated under the flats.
- Noise from deliveries.
- Smell from cooking.
- Smell, attraction of rats and loss of amenity due to inadequate and unsightly storage of refuse.
- Drainage problems associated with commercial cooking that affect other properties sharing the same sewer due to excessive discharges of fats, oils and grease into the sewerage system; e.g. the Restaurant.
- Risk of contaminated land in general and in particular with regard to excessive levels of naturally occurring Arsenic.

It should be noted that smell abatement might require a tall stack. Noise abatement might involve significant external enclosures. Either or both might not be acceptable for planning reasons such as unsightliness or unacceptable alterations in a conservation area or to a listed building.

A tall stack is a significant part of a smell abatement system and if one is not permissible then this could have serious financial consequences for the installation of a suitable smell abatement system.

The residential properties identified in the noise report should be insulated against road traffic noise in accordance with the recommendations in the report. However, more detail is required on the means of alternative ventilation.

Conditions requested in relation to - Noise, Delivery Noise, Cooking Odours, Refuse Storage, Road Traffic Noise and Contamination.

6.2 Northamptonshire County Council (NCC)

Planning (Waste)

Prior to any development taking place, the applicant shall demonstrate compliance with the relevant policies of the Northamptonshire Minerals and Waste Development Framework – Core Strategy (May 2010) and Waste SPD (March 2007).

Policy CS7 states that proposals for new development should seek to utilise the efficient use of resources in both the construction phase and in its operation.

Policy CS8 encourages the integration of waste management facilities in areas of significant new development.

Sustainable Transport

Initial response dated 22/9/11 highlighting a number of deficiencies with the submitted Transport Assessment and concerns with the internal layout of the scheme.

These issues can be summarised as follows:

Transport Assessment

Conflict between application documents in relation to the number of proposed units and car parking spaces.

No mention as to whether the existing bus service is sufficient to encourage any mode shift away from single car occupancy journeys.

The developers will be required to provide a financial contribution to provide a frequency of bus service outline in the TA.

Additional information needed in respect of study area, trip rates, mitigation and safety.

Internal Layout

Layout amendments suggested to ensure compliance with Upton Design Code and to ensure development meets adoptable standards (e.g. design of Mews Streets, parking layout/allocation, set back of gates from highway.)

Officer Comment

Further discussions have taken place with highway officers who are considering amended plans and a revised transport assessment submitted to overcome their concerns. An update of this situation will be provided at the meeting.

Archaeology

The proposed application is within a potentially archaeologically sensitive area. Investigation work has identified large areas of Iron Age and Roman occupation within the development area.

There has been some disturbance on site since work was undertaken in 2010 with truncation of topsoil taking place. However there is still the potential for archaeological survival.

The proposed development will have a detrimental impact upon any archaeological deposits present. This is not an over-riding constraint to development provided that adequate provision is made for the investigation and recording of any remains that are present.

Condition requested as per PPS5 in relation to investigation and recording of any archaeological remains that are affected by the development.

6.3 Northampton Police Crime Prevention Design Advisor (CPDA)

No Objection - suggestions made to reduce the likelihood of crime and disorder occurring.

It is important not to replicate mistakes made on previous parcels of land on Upton and all rear courtyards should be gated with automatic electronic vehicular gates and any pedestrian gates should be similarly controlled with electronic access control. Mechanical gates which rely on persons physically leaving their vehicle to lock and unlock the gates do not work and inevitably the gates remain open which exposes the rear of the dwellings to burglary and allows thefts from and of vehicles. Pedestrian gates which have had push button mechanical devices to lock them have been shown not to work as they are often left open and unauthorised users are given the codes to let themselves in.

There should be no children's play equipment sited within the rear courtyard areas as they become magnets for children from across the estate to the annoyance of local residents.

There is very little crime or ASB on those parcels of land which have electronic gated courtyards and the majority of issues are in the area where no gates are provided and where there is a maze of alleys and walkways between the courtyards.

Expect all residential housing on Upton sites F and G to apply for and be accredited with full Secured by Design including the Extra Care village, the public house and those retail and commercial units shown adjacent to Mile Iron Lane.

6.4 Environment Agency (EA)

The application site lies within Flood Zone 1 'low probability of flooding'. The proposed scale of development may present risks of flooding on-site and/or off site if surface water run-off is not effectively managed.

The EA objected to the granting of planning permission on 6th September 2011 highlighting a number of technical issues/lack of information provided within the flood risk assessment.

Following the submission of a revised Flood Risk Assessment, the EA have confirmed that their previous objections have been overcome (23rd November 2011) subject to a condition requiring compliance with the recommendations of the revised assessment.

6.5 Highways Agency (HA)

The proposed development is not expected to have a material impact on the closest strategic route, the A45.

Offers no objection.

6.6 Anglian Water (AW)

Conditions and informatives requested in relation to foul and surface water drainage.

6.7 Natural England

The site is not located in proximity to any statutorily protected conservation sites and no such sites are likely to be affected.

The ecological assessment does not identify the development as being likely to affect any European Protected Species.

The landscape proposals do include native tree and hedge planting which will benefit biodiversity.

The development itself includes very little green space aside from private gardens. However the wider development does appear to include more extensive green space as well as connecting to rights of way through areas of countryside beyond the environment.

6.8 Northants Residents Alliance

No comments received

6.9 Wildlife Trust for Northamptonshire

No comments to make

6.10 Upton Parish Council

No comments received

6.11 Duston Parish Council

No comments received

6.12 Homes & Communities Agency

No comments received

6.13 Councillor Alan Botwood

No objections in principle, as the development was included in the masterplan for Upton.

Concern expressed over the viability of the public house.

Concerns over the provision of rear parking courts, which will not be used and will cause highway/parking problems. This is happening on both the Upton Meadows and St Crispin Estate. Need to learn from these schemes.

If these issues are ignored will end up with another area of Upton with inadequate parking and traffic congestion. The problem is not with the guidelines, but the interpretation of them and poor designs of the estates.

6.14 Councillor Tim Hadland

No comments received

6.15 Councillor Brian W Sargeant

No comments received

6.16 Councillor Suresh Patel

No comments received

7. Notifications and Responses

7.1 Neighbour notification letters were sent out to approximately 130 close proximity neighbours and 4no. site notices were erected within and adjacent to the site, including the Weedon Road frontage, the central square and adjacent to the primary school. The application was also advertised in the local press.

7.2 9 responses were received from local residents, including 5 letters of objection, 3 letters of general comment and 1 letter of support.

The key points made by residents are summarised as follows:

- Concerns over the proposed public house and restaurant/café. This will result in an increase in noise (late night noise and music) anti social behaviour and an increase in traffic, in what is a residential area. There are other facilities at Sixfields, which are within walking distance of Upton.
- The parking shown is inadequate, both in its quantity and its location. Most people at Upton have 2 cars.
- Parking courts are impractical as you can't enter your front door, as a result parking courts are rarely used and people park on the street, which is both visually intrusive and dangerous.
- The balance between social housing and private housing isn't working. There is far more social housing here than on other new sites in Northampton. Concerns that more social housing will increase crime and anti social behaviour.
- Significant problems with anti-social behaviour emanating from social housing tenants and their children. The Barratt Homes development has no secure parking unlike other areas of Upton and the proportion of social housing is higher than normal new build developments. Failed to carry out the necessary checks on tenants. This has led to a high crime rate.
- There is a lack of play areas/open space in the north of Upton, which should be more evenly distributed through the site.
- The area is already over developed, with properties unoccupied.
- Concerns over increase in traffic and impact on the A45/Upton junctions.
- Hope that they start building some of the amenities quickly (public house, convenience store, nursery, retail units, café/restaurant.)
- Concerns that development will open up boundaries of their property to easy public access, break ins and vandalism. Are experiencing fly tipping to property. As a minimum expect the developer to provide adequate and secure fencing to property as this problem is a direct result of the development.
- The road layout in Block 1 needs revisiting. The two junctions on Rounding Street will be very dangerous once the Quinton House School traffic is factored in. They do not appear to follow the Upton Design Code. Upton Lane should be made traffic free as set out in the development brief for the site.

7.3 Contributing neighbours and consultees were reconsulted on amended plans and document requested to overcome concerns over the parking court layouts and to address consultation comments made by the Environment Agency and NCC

Sustainable Transport. No further comments were received from neighbours following the re-consultation.

8. Site History

8.1 The Upton area was allocated for development in the Northampton Local Plan (Adopted 1997). The local plan incorporated the proposals set out in the South West District Plan, approved by NBC in 1989. This established the principle of a sustainable urban extension at Upton

The first planning permission for Upton was granted in 2000 (ref: N/1997/0128). This gave outline consent for approximately 1,020 homes, a primary school, local centre, medical centre, nursery and other community facilities.

Following this, an Enquiry by Design process was initiated in 2001, the result of which was the production of the Upton Framework Plan to be delivered through detailed design codes and implemented by the Upton Working Group (comprising the Homes & Communities Agency, Northampton Borough Council, The Prince's Foundation and WNDC).

Two further outline permissions were granted in 2003 to address the principles of the revised Urban Framework Plan and to relocate the local centre from the central area of Upton to Weedon Road. Planning permission N/2002/0915 introduced mixed use development along the Weedon Road frontage and included:

- 300 sq.m of small retail units
- 3,400 sq.m of commercial offices
- 450 sq.m of cafés and restaurants
- A Public house
- Approximately 10 live/work units
- 54 residential apartments

The two outline planning permissions expired in 2008, however the general principles established by these consents have formed the basis for the development of the site, as set out in a 2008 development brief for the site.

There are no extant planning permissions relating to Sites F & G. All other sites within Upton are now either built out, or the subject of detailed planning consents.

8.2 Summary of consents relating to Sites F & G

N/1997/0128 Proposed housing with associated infrastructure, local centre and school site - Outline Application (Approved May 2000 subject to conditions)

N/2002/914 Development without complying with conditions 4,5,6,15,16 and 22 of planning permission 97/0128 (Approved February 2003 subject to conditions)
Expired

N/2002/915 Mixed use development comprising offices, café/restaurant, retail units, public house, residential apartments and live/work accommodation fronting Weedon Road – Outline Application (Approved February 2003 subject to conditions) Expired

9. **Considerations**

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

- The Principle of Development;
- The acceptability of the proposed uses;
- Environmental Impact Assessment;
- Layout and Design;
- Residential Amenity;
- Highways, Access and Parking;
- Landscaping and Trees;
- Drainage and Flood Risk;
- Sustainability;
- Other Environmental Considerations;
- S106;

The Principle of Development

9.2 There has been considerable uncertainty over the weight that can be afforded to Regional Plans following the Secretary of State's decision to abolish Regional Spatial Strategies. However following the decision on the CALA homes legal case, the position remains that the Regional Plan for the East Midlands (RSS8) is part of the development plan until RSS's are abolished by the Localism Act. Consequently the development plan for this development includes the RSS and saved policies of the Northampton Local Plan (1997).

9.3 The principle of developing a mixed use urban extension at Upton is well established. A development brief for the development of the south west district of Northampton was adopted by Northampton Borough Council (NBC) in 1989. This was incorporated into the Northampton Local Plan (1997) (NBLP). The relevant policies of the NBLP set out that major new residential development will be

required to be directed to Wootton Fields, Upton, Berrywood and Kings Heath (Policy H1) and that Upton includes facilities such as schools, local centre, community centre etc, as detailed in Policy H4. The precise mix and development quantum have evolved during the course of the development and Policy H4 allows for this flexible approach. These policies were saved by the SOS in 2007.

- 9.4 3 separate outline consents have been granted at Upton, all of which have now expired. These further establish the principle of a sustainable urban extension and the provision of a local centre, community and retail facilities along the Weedon Road frontage.
- 9.5 The Upton Design Code was adopted to deliver the vision for Upton established in the Upton Framework Plan. The Upton Working Group regularly met to assess development proposals against the Design Code and Development Briefs. This current application has been subject to a rigorous pre application process, through the initial bidding/procurement/developer selection process and as the final scheme has evolved. At all stages the Working Group has scrutinised the design to ensure that the development conforms to the Design Code and meets the standards established throughout the earlier phases of the development.
- 9.6 Therefore, whilst this is a new application for the site, the principle of the development is well established and remains in accordance with the development plan. However the precise mix and quantum of the proposed uses require further assessment having regard to changes in national planning policy, most notably PPS4, which places safeguards on out of centre development to protect the vitality and viability of existing centres. Notwithstanding this, significant weight should still be afforded to the Upton Design Code and Framework Plan, which this current application is seeking to complete. Clearly the downturn in the housing market has delayed the progression of the Upton scheme and extended the build out programme, however Upton has become an established residential community in the last decade with residents buying into the Masterplan, which includes the local centre, retail and community facilities. To date, the initial phases have not delivered these facilities (with the exception of the Primary School and Community/Interpretation Centre). The table below summarises the level of proposed 'local centre' development against the outline permissions and Development Brief, with the acceptability of the various uses assessed in the following paragraphs below.

Use	Previously Consented in 2003	Site F&G Development Brief	Current Application
Pub	No Floorspace set out but pub consented	No Floorspace set out but pub required	500 sq.m
Convenience Store (A1)	380 sq.m	450 sq.m max	491.4 sq.m
Other Retail	320 sq.m	1050 sq.m	809.7 sq.m
Café/Restaurant	450 sq.m	450 sq.m	442.8 sq.m
Offices	3400 sq.m (max)	2000 sq.m	Not Provided
Live Work	10 Units	10 Units	17 Units
Nursery	70 Place	70 Place	436.1 sq.m (70 Place)

The Acceptability of the Proposed Uses

9.7 Public House

A public house (500 sq.m) is proposed within Block 1, which will occupy the ground floor (double height) of the 5 storey building located on the prominent Weedon Road frontage, forming one half of the 'gateway' into the development through the High Street.

The pub will be serviced from the rear (off High Street) with plant and refuse storage incorporated into the fabric of the building.

Concerns expressed by residents over the suitability of the proposal within a residential area are noted. However the principle of a pub within the site is well established and will provide a valuable facility for residents and an additional focal point for the community.

The comments of the Environmental Health Officer in respect of controlling noise, odour and deliveries are noted and will be secured by condition. This is necessary to safeguard the amenities of both existing and future residents. It is not considered necessary to impose restrictions on the opening hours of the pub, which can be more appropriately controlled through licensing.

9.8 Proposed Retail Uses

The application includes approximately 1300 square metres of retail floorspace. This will be provided within a convenience store of 491.4 square metres, 3 retail units with a total floorspace of 584 square metres (potential to subdivide into 6 smaller units) and a further 225 square metres of retail units located within the Extra Care Facility (but accessible to the public).

The level of retail development falls slightly below that set out in the development brief for sites F&G, but exceeds that set out in previous consents.

PPS4 seeks to protect the vitality and viability of existing centres, by controlling the amount of 'main town centre uses' located in out of centre locations. Specifically policies EC15 and EC16 of PPS4 imposes requirements for retail impact and sequential tests on proposals for main town centre use, in an out of centre location that are not in accordance with the development plan.

The development plan supports the provision of retail uses within the Upton development and Policy H4 of the NBLP requires a local centre of 1.5 hectares and a retail unit of 240-300 square metres. This figure has clearly been exceeded in previous consents, however the preamble to the policy confirms that the Council will review the levels as circumstances alter and have clearly supported the increased provision as established within the previous consents, design code and development brief for the site. It is also considered that the figure set out in the policy is a minimum level necessary to ensure a sustainable community.

Policy R11 of the NBLP requires that the Upton development includes the provision of a local centre to provide adequate shopping facilities for the development.

PPS4 sets out the type of facilities which would typically constitute a local centre.

“Local centres include a range of small shops of a local nature, serving a small catchment. Typically, local centres might include, amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette.”

It is considered that the level of retail development proposed is appropriate within a Local Centre, as required within the development plan. The provision of a small supermarket and convenience store, together with the smaller units are considered to be appropriate to support the level of residential development on the wider Upton development without detracting from other centres.

On this basis, as the proposals accord within the provisions of the development plan (Policy H4 and R11), there is no need to apply the PPS4 Impact and Sequential tests. Notwithstanding this, it is considered that the level of main town centre uses is appropriate in scale and kind to serve the needs of the Upton development. A sequential assessment to explore the provision of retail uses on alternative sites, would not be appropriate having regards to the aspiration of creating a sustainable community and to reduce the need to make car based trips for convenience shopping.

Notwithstanding this officers would be concerned if the convenience store and the 3 adjoining units were taken by a single retail operator. As such it is considered appropriate to impose a condition to prevent the units from amalgamating and therefore creating a much larger store which could have an increased retail impact and would also detract from the townscape by removing activity from the Weedon Road frontage.

Conditions will be imposed to control opening and delivery hours to safeguard residential amenity.

9.9 Café/Restaurant

The provision of a café or restaurant is an established principle for the Upton scheme and is considered to be an appropriate facility to serve the needs of the local community, helping to provide a focal point for social activity and contributing to creating a sense of place.

Conditions are required to safeguard the residential amenities of neighbouring residential occupiers by controlling noise, odour and deliveries.

9.10 Nursery

Again the provision of a children's day nursery is established and will provide a valuable facility to serve the wider Upton development.

9.11 Live/Work Units

The application proposes the provision of 17 No. Live/Work Units within Block 3 fronting onto Mile Iron Lane and Knot Tier's Drive. The units will provide workspace on the ground floor and residential development on the upper floors.

The applicant is seeking some flexibility in how these units are occupied, however the intention is that the workspace would only be used by the occupier of the living accommodation and not leased out to a separate tenant. The provision of live/work accommodation is welcomed by officers and is a clear requirement for the scheme established through the development brief process. It is also noted that the number of live/work units have increased from 10 to 17. This is supported by officers due to the loss of commercial office uses from the submitted scheme.

To provide the necessary flexibility regarding the Live/Work units, provision can be made to allow the units to be operated solely as residential units, provided that a robust marketing strategy is carried out. This matter will be discussed in further detail with the applicant as the Section 106 agreement is progressed.

Notwithstanding this, it is considered that appropriate safeguards are placed on the operation of the units, which includes the imposition of conditions to restrict the use of the workspace for B1 use only and to prevent it from being operated by persons other than the residential occupier.

9.12 Affordable Housing

Both PPS3 and Policy H32 of the NBLP require that affordable housing is provided to meet local identified needs. The Strategic Housing Market Assessment for West Northamptonshire demonstrates that there is a clear identified need for affordable housing in Northampton.

Upton has a strong track record of delivering affordable housing and this current proposal will deliver the policy requirement of 35% affordable housing, with a tenure split of 70% social rented accommodation and 30% shared ownership. This will provide a total of 113 affordable homes, including flats, 2,3 and 4 bedroom houses, mobility units and full wheelchair standard units. The affordable units are pepper potted throughout the site. Officers welcome this approach which will deliver a significant amount of affordable housing at a time when viability is preventing other sites from delivering the required provision.

NBC's Housing Strategy Team have been heavily involved in the pre application process and agreed this approach with officers, the HCA and the applicant. Officers will continue to involve NBC to ensure that the affordable housing provisions within the Section 106 agreement are acceptable to the local housing authority.

Officers note the comments of several local residents who have expressed concerns over the levels of social housing at Upton which they have attributed to relatively high levels of crime and anti social behaviour within the Upton development. Whilst officers understand these concerns, the application is only seeking to deliver levels of housing to meet policy requirements set out to deliver a mixed and sustainable community and deliver levels of affordable housing to meet identified local needs. Further, many of the residents concerns can be attributed to housing management issues, which are not material planning considerations. A number of the residents who have raised these concerns live within Site D2. The Police have confirmed that they consider the non provision of security gates to parking courts is a contributing factor to the high levels of break-ins on this particular site. Officers are working with NBC, the developer and the HCA to ensure that the electronic gates which are a planning requirement are provided within Site D2. All of the parking courts within the current application site will include electronic gates which is a requirement of the Police to ensure that the development meets Secure by Design standards.

In summary, officers welcome the proposed level and type of affordable housing which will help to meet local needs and contribute to creating a mixed, sustainable community.

9.13 Extra Care Facility

A 77 no. apartment extra care facility is proposed within Block 2 fronting onto the Weedon Road. This will provide 4 floors of accommodation with the living accommodation on the upper floors. The development will comprise of two bedroom self contained apartments and residents facilities including a residents lounge, dining room, sensory garden, special needs bathing and hobby rooms.

Officers consider that the proposed facility is acceptable in this location. A condition is required however to ensure that the facility is operated as a C2 – Residential Institution Use (and no other uses within C2), as opposed to sheltered/general retirement housing, which is typically operated within a C3 use class and therefore difficult to prevent general residential occupation.

A C3 use of the facility, if not properly controlled, could result in parking issues on the basis that 24 spaces are allocated for the development. A C2 use would be

less intensive in terms of parking, which would be predominantly for visitors and staff.

9.14 Summary of proposed uses

Officers consider that the proposals to create a local centre within the development, is policy compliant and responds well to the development brief for the site. The principle of these commercial uses within Sites F & G is well established and the type and scale of facilities is considered to be appropriate to the Upton scheme and will contribute to creating a sustainable community by providing a mix of uses to support the day to day needs of Upton residents, thereby promoting social inclusion, health, quality of life and a sense of community, as well as reducing the need to use public transport.

The highway/transport implication of these uses are discussed further in paragraphs 9.51 to 9.54.

Environmental Impact Assessment (EIA)

- 9.15 The proposed development falls within Schedule 2 Part 10(b) (Infrastructure Projects) of the EIA Regulations. It is considered that the characteristics of the proposal, the location of the development and the potential environmental impacts would not be of a nature which would require an EIA. The development is an established one and the current proposals do not depart significantly from the development that was subject to outline planning consent. As such, other planned developments within the vicinity of the site would need to consider the cumulative impacts of their proposals alongside Upton F&G, not the other way round.

Layout and Design

- 9.16 The Upton Development is subject to a Design Code which sets out the design principles and requirements for the development of the site. Throughout the development of Upton significant weight has been attributed to the role of the Code in creating a cohesive development that delivers the original vision for the development as established in the Framework Plan (See Figure 1) and Enquiry by Design Process.
- 9.17 The Homes and Communities Agency (formerly English Partnerships) who own the land, together with representatives from WNDC Planning, Northampton Borough Council and The Princes Foundation, formed the Upton Working Group whose role was to ensure that Upton was developed in accordance with the Code and Masterplan. The original masterplanners EDAW (now AECOM) have been involved throughout this process to ensure levels of consistency and quality are maintained throughout the multi phase development.

- 9.18 This current application has therefore been vigorously tested against the requirements of the Code by the Working Group to ensure that the scheme is code compliant. The current scheme has been subject to relatively minor elevational changes, as well as revisions requested by the highway authority to ensure the scheme meets adoptable standards.
- 9.19 In summary, the Upton Working Group has approved the current application for Sites F&G, with the detailed design scrutinised at a number of stages during the initial bid/procurement and detailed design stages and by WNDC officers in advance of the application being submitted. As part of the consideration of this current planning application, officers have carried out further assessment work to determine compliance with the Design Code. Officers consider that the current scheme is code compliant and meets the same standards in terms of design principles and quality as previous phases. Where the scheme departs from the Code, this is a result of changing circumstances and to an extent learning from the experiences of previous phases. These departures are predominantly highway driven and are set out in the report. In particular officers have recognised the criticism that has been made over the approach to car parking, which has resulted in high levels of on street parking due to a general lack of provision and the design of the parking courts which are often perceived as being inconvenient and thereby not used. Officers consider that they have challenged the applicant to learn from previous schemes by increasing formal on street parking and improving the design of parking courts so that they are both secure and better related to individual properties.

Character Areas

- 9.20 The layout and design of the scheme follows key principles and conditions already set out within the Upton Urban Framework Plan supported by the Upton Design Code, produced to regulate the development of the area in order to achieve a high quality and cohesive development.
- 9.21 The development is set out in accordance with the character areas and layout identified within the Upton Design Code. In response the development comprises 3no. character areas with varying design principles which regulate the design and development of the scheme in accordance with the Urban Framework Plan.
- 9.22 **The Urban Boulevard Character Area** includes the northern edge of the application site forming gateway development along Weedon Road on the approach to the town centre. The proposed development would provide 4 and 5 storey development at this location incorporating mixed use development in the form of a pub and retail unit within large corner blocks which would frame the access from Weedon Road onto Upton High Street. A mix of uses at ground floor level within the urban boulevard including Live/Work uses continue to provide an active frontage to the main street in accordance with the design principles for the urban boulevard.

- 9.23 The design of individual buildings draws on the existing Northampton townscape incorporating a strong vertical emphasis and projecting vertical elements to break up the mass of a façade and define individual buildings within the street and uses within individual buildings.
- 9.24 **The Neighbourhood Spine Character Area** comprises the northern section of Upton High Street within the application site and forms the central route through the application site from Weedon Road.
- 9.25 This spine road is envisaged to incorporate public transport routes and public spaces as part of the main High Street. The development within this character area is proposed at mainly 3 storeys in height continuing the design themes within existing development along the High Street. The design of these units would also allow for future conversion at ground floor level from residential to High Street uses such as small scale retail or commercial (subject to planning permission).
- 9.26 The contemporary interpretation of a traditional bay window feature is a key element of the design of the units within this character area reflecting traditional Victorian and Edwardian development within the town and modern interpretations also incorporated within previous phases of the Upton development.
- 9.27 The remainder of the site to the rear of the Urban Boulevard and Neighbourhood Spine character areas falls within the **Neighbourhood General Character Area** which forms the majority of residential development within the application site and the Upton development. A mix of house types is proposed within this area of mainly two storeys in height with some three storey development along key routes. The design of buildings varies within this character area drawing through elements from the other character areas and the existing Upton development on a simpler scale in keeping with the hierarchy of streets, which forms the layout of the remainder of this development.
- 9.28 A palette of materials has been put forward which is considered to be in general compliance with the Upton Design Code subject to samples being agreed.

Public Art

- 9.29 Several works of public art have been proposed, including ‘Gateway’ Artworks located on either side of the High Street, with smaller scale artworks – such as sculptural seating and decorative railings provided throughout the site. Officers welcome this approach which will help to bring identity and character to the scheme. Details will be secured by means of condition/Section 106.

Boundary treatment

- 9.30 A consistent approach to boundary treatment is proposed throughout the scheme which helps to bring cohesion across the public realm. This approach is required by the Design Code. Typically the front boundary treatment to residential

properties will be the provision of wrought iron railings on low level brick walls. Rear boundary treatment is typically the provision of boundary walls within the public realm or to secure parking courts, with timber fencing proposed in between garden boundaries. Final details of boundary treatment will be secured by condition.

Residential Amenity

- 9.31 Members will note the recommended planning conditions set out at the end of the report which place a number of restrictions on the future operation of the proposed commercial units. These are necessary to safeguard the amenities of future residential occupiers from nuisance resulting from noise and odour as a result of the operation and servicing of the proposed commercial uses. This is particularly important having regard to the generally high density of the development and proximity of residential uses to commercial uses (e.g. living accommodation on upper floors of the public house and café/restaurant.)
- 9.32 It should be noted that officers have alerted the applicant to the fact that the provision of external plant and equipment to many of the commercial units would be inappropriate having regard to the perimeter block layout, which results in most commercial building elevations being prominent within the public realm. The applicant has been asked to consider the provision of internal plant solutions to reduce the visual impact and this will be taken forward at implementation stage. Similarly the Environmental Health officer has advised that a tall stack to abate odour is unlikely to be acceptable.
- 9.33 A condition is imposed requiring the applicant to agree details of opening hours with the planning authority in advance of commercial uses being operational. However officers are in discussions with the applicant over these matters and would wish to agree the precise opening hours of each of the uses prior to decision. These details would be agreed with the EHO where practicable. Clearly however a balance needs to be reached between creating conditions in which businesses can viably operate within and safeguards to protect amenity.
- 9.34 In relation to matters such as privacy, overlooking, daylight and sunlight, the layout of the development is generally dictated by the design code, framework plan and existing road layout. Officers have however carried out detailed assessment work to ensure that distance and privacy standards are met and that appropriate amenity space is provided for residential occupiers. As minor alterations are submitted to accommodate the required highway revisions to the scheme, it may be necessary to carry out further assessment work and in turn impose further conditions to protect amenity. An example of this is within the north eastern corner of Block 3 where ongoing discussions with highway officers regarding levels and access ramps to the development, may affect the layout of properties, the provision of retaining walls and the topography and size of gardens.

- 9.35 Generally the site topography and the fact that the taller properties are located on the northern edge of the site (along Weedon Road), will aid the possibility of getting sunlight to rear gardens and reducing overshadowing of rear gardens within the more high density parts of the site.
- 9.36 A condition is imposed to safeguard residential properties from road traffic noise.
- 9.37 As with previous consents at Upton, conditions are imposed removing permitted development rights in relation to extensions, outbuildings, means of enclosure, windows and doors. This is considered necessary having regard to the aims and aspirations of the Design Code and to ensure that residential amenity is ensured in what is a generally high density scheme.

Highways, Access and Parking

Highway Impact

- 9.38 The Transport Assessment (TA) supporting the original outline consent limited the number of residential units within the Upton development to 1020. As the development has proceeded, the number of flats proposed has increased resulting in the adoption of a revised TA setting the acceptable limit to 1450 units. If the proposed scheme was approved (including the extra care units) the total number of units within Upton would be 1305 and within the limit established within the revised TA.
- 9.39 Notwithstanding this, the TA supporting this application demonstrates some impact on junctions (Upton Way/Telford Way roundabout and Harlestone Road roundabout), as a result of traffic generated by the proposed development. This would require minor changes to these junctions to mitigate these impacts. Officers are in discussions with the applicant and the local highway authority to determine the extent of the mitigation required, however these are considered to require only relatively minor works and will not represent significant development costs. If it is determined that these works are required, they can be secured by a Grampian condition linking the provision of the work with the development of the site.
- 9.40 In addition, further discussions will take place with the highway authority, applicant and the HCA to determine whether public transport contributions are justified. NCC have suggested that the scheme should provide further financial contributions towards the provision of a bus service to serve the development. This is necessary to ensure the modal shift targets set out in the Travel Plan are attained. However in considering this request, significant weight should be given to the fact that financial contributions paid under the original Section 106 agreement and further voluntary contributions made by the HCA, have funded a bus service serving the site to date. As such it will be necessary to determine

whether any further contributions towards the bus service meet the tests under the CIL Regulations.

- 9.41 The Highways Agency have not objected to the scheme.

Travel Plan

- 9.42 A framework travel plan is submitted which sets out initiatives to encourage modal shift and reduce the use of the private car. Whilst this document is considered acceptable at this stage, more detailed travel plans will be required for both the residential and commercial elements of the scheme. These will be secured through the Section 106 agreement.

Highway Layout/Adoption Issues

- 9.43 The highway layout has been assessed by the Upton Working Group, officers and NCC highway/adoption officers to determine compliance with the code and to ensure that the final scheme attains adoptable standards. Officers consider that the scheme largely responds to the Code. Where it does depart (particularly within the mews streets) this is to increase the levels of on street parking and increase the size of parking courts in some areas, which are typically restricted to contain no more than 20 spaces by the Code. This is considered to be an acceptable approach and attempts to learn from some of the less successful elements of the scheme built out to date.
- 9.44 Notwithstanding this, there remain some relatively minor elements of the scheme which highway officers have advised do not meet adoptable standards. This will require the submission of revised plans. The nature of these changes are relatively minor and would include matters such as setting gates further back from the highway, increasing distances between parking bays within the mews streets, removing bin stores from the highway and changing the location of the highway boundary. Whilst this may result in some minor changes to the layout and car parking provisions, it is not considered that these will be significant within the context of the scheme.

Quinton House School.

- 9.45 A letter of comment has been received expressing concerns over highway safety along Rounding Street, when taking into account vehicle movements associated with Quinton House School along Rounding Street. Quinton House School is located on Upton Lane which is now only accessible from the Weedon Road via the High Street and Rounding Street (i.e. through existing roads within the application site), which links directly into Upton Lane. Currently Upton Lane is stopped up directly to the north of the schools access road, allowing pedestrian only access to the school along much of Upton Lane. This situation will not

change significantly, vehicles will still use Rounding Street to access Upton Lane and the school, although this will be via a new road from Rounding Street and vehicular access across Upton Lane to the school. In relation to the safety of Rounding Street, highway officers have not raised any concerns over this matter. On street parking bays are located outside of visibility splays and access points into courtyards and mews streets are staggered (i.e. crossroad scenario avoided) to reduce traffic speed. Further, amendments have been made to the access arrangements into Block 4 following concerns over the proximity of an access point into a parking court, which was located in very close proximity to the school entrance.

Servicing of commercial premises

- 9.46 The arrangements made for serving commercial premises, including refuse collection for these uses are considered to be acceptable. No concerns have been expressed over the proposals by the highway authority.

Car Parking

- 9.47 Officers note the concerns that have been expressed by local residents and the local ward member over the approach to car parking on the Upton site to date. These concerns relate to what is a perceived lack of parking and the provision of rear parking courts, which are often under utilised and result in a proliferation of on street parking, causing highway safety problems and detracting from the scheme visually.
- 9.48 Officers certainly sympathise with the concerns over this approach to car parking and have challenged the applicant to increase parking provision across the scheme and improve the approach taken to date at Upton. However in considering this approach, significant weight should be given to the existing Design Code, Framework Plan and layout, which dictate the approach to be taken to a large extent. Further the major road infrastructure for Sites F&G has been provided and forms part of the adopted highway. The existing road layout forms the perimeter block layout of the site.
- 9.49 An alternative approach to parking would be the provision of more 'on plot' parking. However this would significantly reduce the number of residential units on the site, which from the viability work undertaken is only shown to be a marginally viable scheme. Density levels on Sites F&G need to be kept high to deliver the scale and critical mass necessary to provide a local centre and bus service and to deliver the urban hierarchy (urban boulevard and neighbourhood spine character areas) established in the design code and masterplan. Further the fragmentation of perimeter blocks would reduce the largely continuous built frontage of the scheme, which defines the character of Upton. As such it is not

considered that an alternative approach to parking can realistically be considered on this scheme at this stage.

- 9.50 Notwithstanding this, officers have worked with the applicant to both increase parking provision generally and improve the layout of parking courts to make them more convenient to residents.
- 9.51 In terms of general parking numbers, the scheme proposes 674 parking spaces. This falls marginally below the **maximum** level (720 spaces) established within NCC's Car Parking SPD and PPG13, which remain the most up to date policies/guidance in relation to car parking provision. In relation to residential uses – there are 545 parking spaces for the 324 units. Of these spaces, 359 will be allocated to specific properties (typically within parking courts) with a further 130 on street visitor/unallocated parking spaces. This equates to 168% parking for the residential units and exceeds the Design Code requirement of 1 allocated and 0.5 unallocated spaces per unit. Members may wish to view the revised Parking Strategy Plan within the plan packs, which details the spaces allocated to each use.
- 9.52 As well as asking the applicant to increase provision, officers have worked with the applicant to improve the layout and function of parking courts located within development blocks. This has resulted in the submission of amended block layouts to reduce the distances between properties and their allocated space(s). The provision of secured, well lit and well surveilled parking, which utilise automatic gates, will make the parking courts much more convenient to use and reduce instances of on street parking.
- 9.53 In terms of the parking for the commercial uses, again officers consider that the proposals are acceptable and policy/code compliant. Officers have expressed concerns over the level of parking provision for the pub and the applicant has increased the number of spaces to 26, which falls 9 spaces below the maximum figure. However demand for parking for the pub is unlikely to coincide with peak demands for uses such as the nursery and retail units, consequently an element of dual use of parking is considered feasible.
- 9.54 Further, whilst the location of the commercial units is likely to attract passing trade, a significant amount of trade is likely to be from Upton residents who would often access these facilities on foot. Similarly having regard to the fact the Upton development includes the existing primary school and community centre, is located on a public transport route (Service 22, every 30 minutes) and that the facilities proposed as part of this scheme are likely to be delivered in the first phase of development, it is conceivable that car ownership levels on Sites F&G could be lower and reduce the need to use the private car.
- 9.55 Cycle parking levels for the commercial uses significantly exceed the maximum levels. Details of residential cycle parking will be secured by condition.

- 9.56 Having regard to the above, officers consider that the approach to parking across the site, improves on earlier phases of the Upton development, complies with policy and the Design Code and represents an acceptable approach.

Landscaping and Trees

- 9.57 The landscape proposals respond to the Design Code based upon the varying urban hierarchy and character areas. Along Weedon Road, formal large scale planting is proposed using native species such as Oak, this will reinforce the role of this area as a gateway into Northampton. Again formal planting is proposed along the High Street, with less formal planting within the streets and mews. Within courtyards, larger canopy trees such as Beech are proposed which will help to add character and soften the appearance of these areas.
- 9.58 Officers consider that the proposals reflect the largely urban and contemporary design of the scheme, but will also help to soften the impact of the development, helping to assimilate it into its surroundings.

Amenity space and play facilities

- 9.59 Officers note that the scheme does not include any significant provision of publicly accessible amenity open space or play facilities. However this matter has to be considered within the context of the wider scheme which includes the Upton Country Park towards the south of the site and a large children's play area within the centre of the site, both of which are within walking distance of the application site,

North East Square

- 9.60 Members should note that a small public park/square is located within the north eastern corner of the development, but outside of this current planning application. This can be seen on the Masterplan contained within the Plan Pack. This area was approved as part of a previous consent, but has not yet been provided. It is understood that the applicant is required to provide this area – which will include some play facilities, as part of their contract with the HCA for developing Sites F&G. It is considered reasonable to require that this area is provided in advance of the occupation of units within the adjacent Block 3, both to provide suitable amenity/play space and for pedestrian access purposes, as the footpaths/ramps located within the design of that area are required to negotiate the steep levels and access some units within Block 3. This matter will be discussed further with the applicant, HCA and the local highway authority and sought to be secured through the Section 106 agreement.

Drainage and Flood Risk

- 9.61 Much of the strategic infrastructure required for the development has previously been installed by the HCA. This includes the network of SUDS swales which extend through the site. The Environment Agency originally objected to the proposals on the basis of technical issues/lack of information within the Flood Risk Assessment (FRA).
- 9.62 A revised FRA has now been approved by the EA who have removed their objection subject to the imposition of a condition to secure measures recommended within the FRA. This includes the provision of additional storage/attenuation for surface water over and above that previously proposed within the original FRA. It should be noted that this additional storage represents a significant development cost to the developer. Although the required mitigation can be secured (and is set out in the recommended conditions) the applicant will discuss alternative off site works with the EA in the coming weeks.
- 9.63 The final details and design of foul and surface water drainage will be secured by condition.

Sustainability

- 9.64 Low environmental impact is a key aim of the Upton development and it can be considered to be an exemplar development in this respect. Some of the existing units within the wider development have been built to Level 6 of the Code for Sustainable Homes and are amongst the first to reach this standard in the country. Elsewhere within the scheme Code levels have largely exceeded those attained on other sites.
- 9.65 This current application again includes a package of measures to improve the environmental performance of the development. Design stage assessments have been carried out to demonstrate that commercial buildings will attain a BREEAM rating of Excellent and a minimum of Level 4 of the Code for Sustainable Homes (CSH). This will be achieved through the provision of rainwater harvesting, photovoltaic panels, super insulated buildings, encouraging the use of public transport, walking and cycling. The photovoltaic's in isolation will result in a 10% reduction in CO2 emissions across the development.
- 9.66 The use of green roofs has been ruled out due to the sites strong urban context and the proposed development along the Weedon Road frontage and High Street, which will emphasise this further. A vertical green 'living' wall is proposed on the southern elevation of the extra care facility, which will help to soften the appearance of this building and will have biodiversity benefits along with the sensory garden.

- 9.67 The development will meet Lifetime Homes Standard by providing flexible accommodation that can cater for changing household needs over time.
- 9.68 Section 106 obligations will be imposed to ensure that the relevant post construction assessments are carried out to ensure that the agreed BREEAM and CSH levels are attained. Further discussions will take place regarding the travel plan to ensure that detailed travel plans are secured for both residential and commercial uses to increase modal shift.
- 9.69 Generally however, officers consider that the applicant has made a strong commitment to sustainability and reducing the impact of the development on climate change, as required by PPS1.

Other Environmental Considerations

Refuse & Recycling

- 9.70 NBC have requested details of a scheme for the storage of refuse and recycling on the site. However the submitted drawings provide details of the location of recycling bins for the commercial premises and within the rear gardens of each dwellinghouse and in communal recycling stores for flatted dwellings. Residents will have rear access into their gardens from the parking courts, enabling bins to be easily placed on the highway for collection. As such it is not considered that any further details are required.

Contamination

- 9.71 NBC's Public Protection Team have requested that a Site Investigation be carried out and remediation scheme provided, this can be secured by condition.

Archaeology

- 9.72 NCC's archaeological advisor has confirmed that there are areas of archaeological interest within the application site as identified through a previous geophysical survey. This is not an overriding constraint to development provided that adequate provision is made for the investigation and recording of any remains that are affected.
- 9.73 This can be secured by means of condition requiring a programme of archaeological works.

Ecology

- 9.74 Natural England have commented on the application and have raised no objections to the development. The site is a cleared construction site, with very little natural habitat and features and is of low ecological value. Natural England's concerns regarding the levels of accessible green space are noted and discussed in more detail in paragraphs 9.59 and 9.60.

Section 106

- 9.75 The wider Upton development that is the subject of the previous outline consents and framework plan and included Sites F&G have already delivered a significant amount of infrastructure secured through Section 106 agreements. These contributions/obligations etc secured the following items:
- Public Transport Contribution
 - Changing Room
 - Community Hall
 - Country Park
 - Interpretation Centre
 - Park & Ride Facilities
 - Playing Field Contribution
 - Play Facility Maintenance
 - School Contribution
- 9.76 The HCA have previously confirmed that these payments have been made or development provided in kind, consequently it is considered that some of infrastructure requirements for the current proposals have been met through the original Section 106 agreement.
- 9.77 Notwithstanding this, the current proposals technically represent new proposals and an assessment should be made to determine whether any additional contributions are required having regard to the fact that the development is potentially being provided almost 10 years later than originally envisaged.
- 9.78 On this basis, the Section 106 agenda has moved on considerably with the introduction of WNDC's Planning Obligations Strategy, as amended by the recently adopted Interim POS. Clearly such a large mixed use scheme would generate the need for a significant level of contribution from both the residential and commercial elements. As stated above however, it would not be reasonable to secure the full level of standard charge due to contributions already paid which will mitigate some of the impacts of this development. Further, consideration should be given to the fact that the HCA has made up the shortfall by directly funding elements such as the bus service and the initial construction costs of the Elgar Centre.
- 9.79 The applicant has submitted detailed financial information to the HCA throughout the bidding process, to determine the level of the bid and the affordable housing offer. The current position is that the scheme can support a contribution of £883,161, which equates to just under £3000 per unit.

Importantly, with regard to Planning Obligations the CIL Regulations set out the 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.

9.80 Having regard to the CIL Regulations, the fact that previous agreements have met some of the infrastructure demands of the development (for example primary school provision and country park provision) and following the viability work undertaken between the applicant and the HCA, the reduced level of contribution, in this instance, is considered sufficient to make the development acceptable in planning terms.

9.81 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:

9.82 Financial Obligations

Residential Standard Charge (£2,963.62 per unit)

- Transport
- Public Realm (including town centre enhancement)
- Education
- Construction Training (subject to it not duplicating HCA apprentice scheme)
- Country Park Enhancement
- Green Infrastructure Enhancement
- Community Cohesion

Interpretation Centre Contribution (£900,000)

For the ongoing operation and maintenance of the Interpretation Centre/Elgar Centre. This level of contribution will be subject to review having regard to unforeseen on site flood storage works

9.83 Non Financial/In Kind Contributions

- **Affordable Housing** – Provision made for 113 units, 70% Social rented, 30% Shared Ownership.
- **Sustainability Requirements** to ensure the attainment of BREEAM Excellent rating for commercial buildings and Level 4 of the Code for Sustainable Homes for residential units.
- **Travel Plan** provisions requiring the submission of detailed travel plan(s), covering both residential and commercial uses, prior to the first occupation of the building, with provisions for monitoring.
- **Construction Training Programme** in accordance with the Construction Futures Programme (subject to further discussion with the HCA to avoid duplicating a similar scheme.
- **Provision of North East Square** – Trigger to ensure that off site works are constructed prior to the occupation of any residential units within Block 3, together with details for future maintenance.
- **Provision of Public Art** – Requirement to provide works in kind (as required by Design Code) to a value of not less than £55,000.
- **Live/Work Units** – Provisions to allow Live/Work units to be released for entirely residential use, subject to robust marketing.

9.84 Further discussions will take place with the applicant to determine the precise level and details of both the financial and non financial obligations to mitigate against the direct impacts of the development.

10 Conclusion

- 10.1 The proposed development is of a scale, density, layout and design that meets the aims and aspirations of the Upton Design Code and complies with Policies 1, 2, 14 and 48 of the East Midlands Regional Plan (2009) and with Saved Policies E14, E19, E20, E39, E40, H1, H14, H16, H17, H32, B20, T4, T12, and T22 of the Northampton Local Plan (1997). The scheme incorporates measures to reduce the impact of the development on climate change and is compliant with PPS1. The proposed retail and commercial premises will function as a local centre and are of a scale and nature that it appropriate to serve the Upton development and complies with Saved Policies H4 and R11 of the Northampton Local Plan and the contents of PPS4.
- 10.2 On this basis officers consider that the proposals are in conformity with the development plan and that there are no other material conditions to justify a departure from planning policy. The application is supported and recommended for approval as set out at the beginning of this report.

Conditions

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

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

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

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

Materials

- (3.) Prior to the commencement of development within each development area, details and/or samples of all proposed external facing materials for the buildings (including sub stations and gas governors) within that development area shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall be accompanied by a written statement demonstrating how the materials comply with the Upton Design Code (Version 2). Development shall be carried out in accordance with the approved details.

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

- (4.) A full schedule of materials shall be submitted to and approved in writing by the Local Planning Authority in respect of the surfacing of all roads, access and parking areas, footpaths, private drives and hard landscaped areas which shall include details of all kerbing and setts. Development shall be carried out in accordance with the approved details.

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

Boundary Treatment

- (5.) Full details of the method of the treatment of the external boundaries within each development area of the site, together with individual plot boundaries 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.

Cycle Storage

- (6.) Full details of cycle storage areas within each development area shall be submitted to and approved in writing by the Local Planning Authority, implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter.

Reason: To ensure a satisfactory standard of development.

Mobility Standards

- (7.) 10% of the affordable units (11 No. residential units) shall be constructed to mobility standards and 3 No. social rented units shall be constructed to Northampton Borough Council's full mobility standard, full details of which (by way of 1:50 floor plans and sections) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and retained at all times thereafter.

Reason: To ensure a satisfactory standard of development and to ensure compliance with Policy H17 of the Northampton Local Plan.

Parking Courts

- (8.) Prior to the first occupation of each development area, full details of the electronic gates to secure parking courts (vehicular and pedestrian), including details of appearance, means of operation, and management / maintenance shall be submitted to and approved in writing by the Local Planning Authority. The approved gates shall be provided prior to the first occupation of any development within the relevant development area. The gates shall be operated and managed / maintained in accordance with the approved details and retained thereafter.

Reason: In the interests of security and to ensure compliance with the Upton Design Code.

- (9.) A lighting scheme for parking courts located within each development area shall be submitted to and approved in writing by the Local Planning Authority and fully implemented in accordance with the approved details prior to the first occupation of any development within the relevant development area .

Reason: In the interests of security and residential amenity.

Provision of play equipment within Block 3.

- (10.) Prior to the first occupation of any residential or Live/Work unit within Block 3, details of the play equipment to be provided within the Block as shown within approved drawing number P-BLK-03 shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be provided in accordance with the approved details prior to the first occupation of any units within Block 3 and shall be retained thereafter.

Reason: To ensure a satisfactory standard of development

Archaeology

- (11.) Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: In the interests of assessing and recording any buildings of historic or archaeological interest in accordance with PPS5.

Landscaping

- (12.) 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 development 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.

Contamination

- (13.) Unless otherwise agreed in writing by the Local Planning Authority, 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.

- (14.) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 13, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 13.

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 in accordance with the advice contained in PPS23 Planning and Pollution Control.

Foul & Surface Water Drainage

- (15.) Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence within each development area until a scheme for the provision and implementation of foul and surface water drainage within that development area is 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 approved implementation programme and maintained thereafter.

Reason: To ensure the satisfactory drainage of the site.

Flood Risk

- (16.) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the approved Drainage Strategy Drawing 10255/100 Revision D dated 10 November 2011 and the Stewart and Harris Maintenance Proposals for the Paving and Drainage Aspects of the Development dated November 2011, including:
- i. Attenuation to be provided and surface water discharge restricted as stated on Drawing 10255/100; and
 - ii. Maintenance of the surface water drainage to be carried out as detailed within The Stewart and Harris Maintenance Proposals for the Paving and Drainage Aspects of the Development dated November 2011 for the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the surface water drainage system is functional for the lifetime of the development

Use Class Restriction

- (17.) The Extra Care Facility hereby approved shall operate as a residential care facility and for no other uses within Class C2 of the Town and Country Planning (Use Classes) Order 1997, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to retain sufficient control over the approved uses and in the interests of residential amenity and highway safety.

Retail Use Restriction

- (18.) (a) The convenience store (A1 use class) hereby permitted shall not extend beyond the curtilage shown on approved drawing number BLK_2_GROUND Rev E and shall not extend into, or be amalgamated with the adjacent units (Retail 01, 02 & 03).
- (b) The approved retail units and kiosks (A1 use class) shall not be amalgamated with each other and shall not individually exceed the floorspace details shown on approved drawing number BLK_2_GROUND Rev E.

Reason: To enable the Local Planning Authority to retain sufficient control over the approved uses, to ensure an appropriate range of retail provision is made available

Live/Work Unit Restriction

- (19.) (a) The business floorspace of the approved live/work units shall not be used for any purpose other than for purposes with Class B1 of the Town and Country Planning (Use Classes) Order 1997, (or in any provision equivalent to that Class in

any statutory instrument revoking and re-enacting that Order with or without modification).

(b) The residential floorspace of the live/work unit shall not be occupied other than by a person solely or mainly employed, or last employed in the business occupying the business floorspace of that unit, a widow or widower of such a person, or any resident dependants.

Reason: To enable the Local Planning Authority to retain sufficient control over the approved uses and in the interests of residential amenity and highway safety.

Removal of Permitted Development Rights

(20.) 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 extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall take place without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site.

(21.) 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 dormers shall be constructed in the roof of any dwelling hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To ensure that the design of any future dormer windows is appropriate to the general character and architecture of the development.

(22.) 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 doors or windows, other than those shown on the approved plans, shall be installed or altered and no other material alterations carried out to the external appearance of the building without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the design of any alteration is appropriate to the general character and architecture of the development.

Construction Management

- (23.) Prior to the commencement of development within each development area, 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 in accordance with Policy E19 of the Northampton Local Plan.

Waste Management

- (24.) Prior to the commencement of development within each development area, details of measures to reduce waste during both construction and operational phases, shall be submitted to the local authority for written approval. The development shall be carried out and thereafter operated in accordance with the approved details.

Reason: In the interests of waste management to comply with Northamptonshire County Council's – Development & Implementation Principles Supplementary Planning Document (March 2007)

Noise & Commercial Restrictions

- (25.) Prior to the commencement of development within each development area, a scheme shall be agreed in writing by the Local Planning Authority that specifies the sources of noise in relation to any commercial premises located within that development area, whether from fixed plant or equipment and the provisions to be made for its control.

The agreed scheme shall be implemented in full prior to the commercial premises first coming into effect and shall be retained thereafter.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24: Planning and Noise.

- (26.) Before the restaurant/café development (A3 Use Class) hereby permitted commences, a scheme shall be agreed in writing by the Local Planning Authority that provides sound insulation between the development and the residential accommodation located above and the means to control noise levels within the building.

The agreed scheme shall be implemented in full prior to the development coming into effect and shall be retained thereafter.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24: Planning and Noise.

- (27.) Before the Public House development (A4 Use Class) hereby permitted commences, a scheme shall be agreed in writing by the Local Planning Authority that provides sound insulation between the development and the residential accommodation located above and the means to control noise levels within the building.

The agreed scheme shall be implemented prior to the development coming into effect and shall be retained thereafter.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24: Planning and Noise.

- (28.) During the operation of the restaurant/cafe and public house hereby permitted, the practice of “bottling out” (the tipping of empty bottles or cans into refuse bins) shall not take place between the hours of 23:00 and 08:00.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24: Planning and Noise.

- (29.) Any outdoor smoking area (sited within the curtilage of the premises) associated with any of the commercial premises which is overlooked by, or adjacent to, residential accommodation shall be used no later than 22:00 hours.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24: Planning and Noise.

- (30.) Prior to the first occupation of each of the commercial premises units (excluding the public house) hereby permitted, suitable opening times for each commercial premises shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter each commercial premises shall operate within the approved opening times.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24: Planning and Noise.

Delivery Noise

- (31.) Deliveries to or collections from any of the commercial premises hereby permitted shall not take place before 08:00 or after 20:00 hours on any day or at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenity of adjoining occupiers in accordance with the advice contained in PPG24: Planning and Noise.

Cooking Odours

- (32.) Prior to the commencement of development to the extra care facility, restaurant/café or the public house developments hereby permitted, schemes shall be submitted to and approved in writing by the Local Planning Authority that specify the provisions to be made for:

- i. The collection, treatment and dispersal of cooking odour
- ii. The ongoing maintenance of the odour abatement plant

Within the submitted schemes the applicant shall provide a detailed smell risk assessment under Annex C of the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Extract systems and the information set out in Annex B in the Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Extract systems: The Information Required To Support Planning Application, paragraph 10.

The agreed schemes shall be implemented in full prior to each development first coming into effect, operated in accordance with the approved schemes and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the Northampton Local Plan.

Refuse Storage

- (33.) Unless otherwise agreed in writing by the Local Planning Authority, 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 purpose and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the Northampton Local Plan.

Control of fats oils and grease

- (34.) Prior to the commencement of the restaurant/café, extra care facility or public house premises hereby permitted, schemes shall be submitted to and approved in writing with the Local Planning Authority that specify the provisions to be made for the collection, treatment and disposal of fats, oils and grease (by the provision of grease interceptors to BS EN 1825:2002 standards) and the maintenance of the plant for each premises.

The agreed scheme shall be implemented prior to each premises first coming into effect and shall be retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the Northampton Local Plan.

Road Traffic Noise

- (35.) Prior to the commencement of the development hereby permitted, a noise survey shall be submitted to the Local Planning Authority to demonstrate noise levels from road traffic and any measures necessary to safeguard properties along Weedon Road and Mile Iron Lane from road traffic noise. Where facades or floors of any residential premises do not fall into NEC A, a noise insulation scheme, which will require the provision of mechanical ventilation, shall be submitted to the Local Authority for written approval. The development shall be carried out in accordance with the approved scheme, which shall be implemented prior to the properties being first occupied, and retained thereafter.

Reason: To safeguard the amenities of future residential occupiers from excessive road traffic noise in accordance with the advice contained in PPG24: Planning and Noise.

Note to Applicant

For the purposes of Conditions 25, 29, 30 and 31, 'commercial premises' refers to the approved nursery/crèche, public house, convenience store, retail units and café/restaurant, unless otherwise stated.

