



Applicants:

Carlsberg Ltd

Application No:

11/0074/FULWNN

Date Registered:

10/01/2012

Expiry Date:

10/04/2012

Grid Ref:

475275 (E) 259922 (N)

Ward:

Castle

Northampton UDA Planning Committee Paper

Report by Director of Planning Services

Date of Committee Meeting: 14th February 2012

Agenda Item: 6

Description: The development of a bottling hall (Use Class B2) with offices and welfare areas and ancillary parking and access arrangements of a total gross internal floorspace of 6,788 sq m at the south-east of the existing Carlsberg Brewery.

Address: Carlsberg Tetley Brewery, 140 Bridge Street, Northampton, NN1 1PZ

1. Recommendation

1.1 The application be **Approved** subject to delegated authority being passed to the Director of Planning Services to satisfactorily agree a S106 legal agreement in compliance with the Corporation's Interim Planning Obligations Strategy, subject to the Environment Agency withdrawing their objection to the application, including adding any condition(s) recommended by the Environment Agency, and subject to the appended conditions for the following reason:

The proposed development would deliver economic growth within an area designated for industrial development, would be appropriately designed and located within the site so as to have an acceptable visual impact and be in the interests of respecting surrounding residential amenity in compliance with Policies E11, E12, E19, E20, E40 and B2 of the Northampton Local Plan (1997) and with the guidance contained within PPS4: Planning for Sustainable

Economic Growth, PPG13: Transport, PPG24: Planning and Noise, PPS25: Development and Flood Risk and the National Planning Policy Framework: Consultation Draft (July 2011).

2. Description of Site

- 2.1 The Carlsberg Brewery site is located to the south of Northampton town centre and abuts the northern side of the River Nene; access is provided via both St. Peters Way and Bridge Street. It is designated as an Existing Business Area under retained Policy B2 of the Northampton Local Plan (1997). The application site itself constitutes the south eastern corner of the Brewery site with frontages on to Bridge Street to the east and to the River Nene to the south; a public right of way used by pedestrians and cyclists runs between the River Nene and the southern boundary. The site is 0.8Ha in area and is presently used as a hard surfaced car parking area.
- 2.2 There are a variety of uses evident within the immediate area. There is evidence of residential flatted development on the opposing side of Bridge Street to the east as well as on the opposing side of the river to the south. There are a number of commercial / industrial uses in situ, including fronting the eastern side of Bridge Street.

3. Description of Proposal

- 3.1 The proposals involve the construction of a bottling hall facility to be finished in metal cladding at upper floor level with masonry block work below. The colouring of the panels would be graded using Carlsberg's brand colours varying from dark green at the top to light grey below. The facility is to be of a roughly square footprint, measuring approximately 63m x 63m and totalling 6,788 sq m of gross internal floor space. A basement area is to be formed to house a 72no. space under-croft car parking area. The bottling hall is proposed to sit above the parking area alongside 2no. floors of ancillary office and welfare space (to be located to the western end of the building and to incorporate a mezzanine level). The height of the building (at its highest point) is proposed to be approximately 21m when measured from basement ground level, which translates to approximately 18m above the street level of Bridge Street and of the existing car parking level. The main bottling hall, with car parking below, would be set at a level of 3 - 3.5m above the existing car park level.

4. Policy Considerations

WNDC Purpose:

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

National Policy:

- 4.2 PPS1: Delivering Sustainable Development

PPS1: Delivering Sustainable Development: Planning and Climate Change

PPS4: Planning for Sustainable Economic Growth

PPG13: Transport

PPG24: Planning and Noise

PPS25: Development and Flood Risk

Relevant Development Plan:

- 4.3 NBC Local Plan (1997): Policies E11, E12, E19, E20, E40, B2

Other Material Considerations:

- 4.4 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 Manual for Design Codes (2009)

WNDC Sustainability Manual (March 2010)

WNDC Interim Planning Obligations Strategy (June 2011)

National Planning Policy Framework: Consultation Draft (July 2011)

NBC Pre-Submission Draft Northampton Central Area Action Plan (CAAP)

Waterside Masterplan (2010)

5. Representations.

- 5.1 NBC Development Control: No objections in principle. It is requested that, should the application be approved, off-site planting is controlled to secure long term retention and maintenance. The finishing materials should be controlled. The signage as shown on the submitted drawings is very likely to be unacceptable to NBC due to its size, siting and appearance alongside other signage on site.
- 5.2 NBC Conservation Section: No comments received.
- 5.3 NBC Environmental Health: The site is covered by an Environmental permit, which controls noise and land condition issues – planning conditions are therefore not required in respect of these issues. In any event, the noise report indicates that noise is unlikely to be an issue.
- 5.4 NBC Arboriculture: The trees identified for removal are a linear roadside group of 9no. small to medium sized, early mature, London Plane (and one Willow tree interior to the site). These were planted to screen the site and have a limited rooting area curtailed by a tarmac car park on one side and public footpath/road on the other. The canopies have previously been reduced in order to maintain clearance over paths and car park. There will be future conflict in light of the trees' young age and potential growth.
- 5.5 The trees could therefore be replaced by more suitable specimens such as the proposed Pyrus Chanticleer, which are designed for urban settings. It is recommended that the 7no. proposed replacements are upped to 9no. in order to maintain tree numbers and to provide screening to the new development. Any trees that fail within 5no. years of being planted should be replaced with similar species. It should be ensured that tree protection measures are implemented in accordance with the submitted details.
- 5.6 NBC Planning Policy: No comments received.
- 5.7 NBC Regeneration Manager: No comments received.
- 5.8 NCC Sustainable Transport: The Transport Assessment (TA) and Travel Plan (TP) have been reviewed, no objection in principle to the application. There will be a net-loss of 23no. car parking spaces on the main site and the new development will generate the need for additional car parking spaces. The TA suggests that the shortfall is taken up by spare

capacity in the Social Club car park, requiring staff to walk from this site to the main site over the bridge or for more staff to travel to work by non car modes (or car sharing).

- 5.9 It is stated within the TA that the site is well served by public transport, which is correct. However none of the bus services operate early enough to get staff into work in time for the early shift at 6am. All of the services start at 7am. In order to provide a basic level of public transport accessibility for site workers and to ease the parking situation, the LHA requires the developer to provide the necessary financial contribution to increase the hours of operation on some of the existing bus services to include the start of the early shift. The identification of appropriate services should be based upon where staff live and the existing services in these areas.
- 5.10 The TA also states that up to 14no. tankers and HGV trailers currently park on an area of the site identified for the proposed bottling hall. There are no details regarding where these tankers and trailers are to be relocated to, these details are requested. The provision of 10no. cycle parking spaces and 3no. motorcycle spaces is welcomed. A new footpath is to be provided to surround the bottling hall and to cross the entrance to the car park – a 2.4m x 2.4m pedestrian visibility splay is required to either side of the access.
- 5.11 NCC Archaeology: The development is within an area that has been subject to a number of developments and uses over the years. The potential for archaeological survival is likely to be very low and therefore no archaeological investigation will be required.
- 5.12 Anglian Water: No comments received.
- 5.13 Environment Agency: Object to the grant of planning permission. The submitted flood Risk Assessment (FRA) does not comply with the requirements set out in PPS25: Development and Flood Risk. The main deficiencies include discrepancies through the document on the size of the site and a lack of supporting calculations for the proposed surface water drainage system. The document also incorrectly quotes the Northampton Level 1 SFRA. The objection may be removed upon the submission of a revised FRA pending the imposition of any relevant planning conditions.
- 5.14 British Waterways: British Waterways has no comments to make.
- 5.15 Natural England: The proposal does not appear to affect any statutorily protected sites or landscapes. In respect to protected species, the submitted survey has identified that otters may be affected – a European protected species. The recommendations of the

survey should be secured via suitably worded conditions, i.e. to mitigate for the impact of construction noise and to ensure that a further survey check is undertaken prior to construction in order to ensure that otters have not established a new holt. Natural England's standing advice should be assessed in respect to species protected by domestic legislation.

- 5.16 Wildlife Trust: The otter, water vole and mink survey work is found to be both satisfactory and acceptable. Natural England's comments are echoed and supported. The appropriate ecologist's recommendations should be considered for conditioning. It is recommended that good quality habitat is provided alongside the riverside next to the premises.
- 5.17 Northants Bat Group: Agree with the findings of the ecological report – therefore no objections.
- 5.18 Northants Police: No comments received.
- 5.19 Cllr Mohammed Azizur Rahman: No comments received.
- 5.20 Cllr Danielle Stone: No comments received.
- 5.21 Cllr Winston Strachan: No comments received.

6. Notifications and Responses

- 6.1 Neighbour notification letters were sent out to close proximity neighbours and 2no. site notices were erected adjacent to the site. The application was also advertised in the local press by virtue of being classified as a Major Development. No responses were received.

7. Site History

- 7.1 The site has been in existence as a brewery in its current form since the 1970s and has been the subject of various planning permissions granted over the years.

8. Considerations

The key points for consideration are as follows: Principle, Design & Visual Impact, Trees & Landscaping, Ecology, Residential Amenity, Flood Risk, Sustainability, Transport, S106

Principle

- 8.1 The site is already used lawfully in a B2 (General Industrial) capacity and is located within a designated Existing Business Area. The principle of the proposed use is therefore considered to be acceptable. Further, the applicant has explained within their submission documents that the bottling capacity at the Northampton brewery is presently unable to accommodate the extra demand created by the recent closure of Carlsberg's Leeds brewery. A proportion of the company's bottling is presently outsourced – this proposed scheme would remove the need for off-site bottling and associated haulage traffic.
- 8.2 In an economic sense, the applicants predict that the new bottling facility would provide for an additional 55no. full time jobs. Policy EC10 contained within PPS4: Planning for Sustainable Economic Growth urges Local Planning Authorities to adopt a positive and constructive approach towards planning applications for economic growth and states that impact upon local employment should be considered. It is reasonable to assume that the development would not only offer economic development benefits in its own right but also help sustain the wider site as a brewery in the long term.
- 8.3 The Draft National Planning Policy Framework has been published for consultation. It will, once adopted, replace all existing PPG's and PPS's. The key theme running through the document is that there will be a presumption in favour of sustainable development and that this will form the basis for every plan and decision. This takes forward the thrust of some recent Ministerial announcements regarding planning and growth. The draft document supports the content and recommendations set out in this report.

Design & Visual Impact

- 8.4 Retained Policy E20 of the Northampton Local Plan (1997) stresses the importance of high quality design in the determination of planning applications. The design of any new building should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and the use of appropriate materials. The emerging Central Area Action Plan also stresses that developments with high quality design will help to realise the vision for the town and to positively address the sense of identity of the Central Area.
- 8.5 'Waterside Northampton' represents a strategic framework for the design and development of Northampton's waterside; this was prepared for WNDC and published in December 2010 – it represents a material consideration. 'Bridge Street South' is designated as an opportunity area within the document; opportunities for prominent

riverside buildings are discussed and the site itself is highlighted because of its corner and gateway location. Uses that create an active street frontage and interaction with the riverside are encouraged.

- 8.6 As described within the submitted Design and Access Statement (DAS), a significant constraint in the formulation of the application was the limited developable space within the site. The site's southern boundary (bound by the River Nene and a public right of way) has also been stated to be an important consideration in the formulation of the design in light of the need to provide animation and articulation to this frontage, particularly when considering the gateway location of the site adjacent to Bridge Street and the River Nene Bridge. A further constraint is a line of 9no. mature tree specimens along the eastern boundary of the site, which require removal to allow space for the bottling hall to be accommodated - the detail and issues associated with this are discussed within the Trees and Landscaping section of the report.
- 8.7 In light of the site constraints, the proposed bottling hall's internal layout has been configured to cover the minimum footprint area without compromising the safety and function of its industrial process. The north west corner of the proposed building has had to be slightly reduced in size to avoid conflict with an existing storm water interceptor and fuel storage tanks within the site. The applicant has also confirmed that, without relocating existing infrastructure, there are no other notably sized redundant areas within the brewery site capable of housing the new bottling plant. It is accepted that the proposals represent an efficient and intelligent use of space within a heavily constrained site. The proposals would create a street frontage to Bridge Street, which is to be encouraged given the associated visual interest that would be anticipated to result.
- 8.8 It should be noted that the principle purpose of the proposed building is to house an industrial operation within a designated industrial area. Notwithstanding the importance and sensitivity of the site's location and the need to ensure a high quality design, this should not undermine the industrial requirements of the building.
- 8.9 Comprehensive pre-application discussions took place between officers and the applicants. The design and composition of the elevations were discussed in particular detail, this led to both the extent of glazing to be incorporated and the variation in materials to be utilised across the elevations increasing notably. Officers consider glazing to be particularly important to the River Nene elevation, not just for its visual interest but

for the surveillance opportunities it would supply to a public right of way. A non-glazed frontage in this location could lead to an unwelcoming and substantially enclosed route potentially susceptible to crime and anti social behaviour.

- 8.10 The proposed River Nene and Bridge Street elevations appear to be particularly well balanced in that they are regularly punctuated by glazing, including diagonally oriented feature glazing to wrap around the corners of the building. The subtle colour-grading of the cladding panels would help to avoid large expanses of the same material being evident, hence offering visual interest. In accordance with the comments received from Northampton Borough Council, it shall be important to ensure high quality materials are used in the construction. A condition should be attached securing the submission of a full suite of construction materials for inspection prior to the commencement of development.
- 8.11 The scale of the proposals appears to be well proportioned in the context of surrounding buildings. The submitted cross-sectional drawings indicate a building height (of approximately 18m above street level) to be directly comparable to Carlsberg's existing office block to the immediate North, which also fronts Bridge Street. This existing office block respects the scale of immediate opposing commercial buildings on the eastern side of Bridge Street and is not overbearing in this context. It is therefore reasonable to expect that the newly proposed building will not be unduly overbearing or overshadowing in respect to opposing built form to the east. There is also a prominent 3-4no. storey residential building to the immediate east that abuts the river, the scale of which would be adequately respected by the proposed building. The proposals would sit comfortably against the backdrop of the large main brewery building and associated cooling towers within the brewery site.
- 8.12 In summary, it is considered that the layout, siting, form and scale of the proposals represent an efficient use of existing industrial land. The development would provide a prominent riverside building in a gateway location. In light of the industrial operation that is proposed, the building would maximise its interaction with the riverside and with the Bridge Street frontage via the use of feature glazing and a varied palette of elevational materials.

Trees & Landscaping

- 8.13 The constrained nature of the site necessitates the removal of 9no. early-mature London Plane trees of approximately 10m in height along the eastern boundary of the site. These have been classified as being of high quality with no significant defects within the submitted Tree Survey.
- 8.14 NBC Arboriculture have been consulted upon the proposals and have not raised concerns in respect to the proposed removals. They note that this linear group has a rooting area curtailed by a tarmac car park on the site side and footpath / road on the other. The trees have the potential to grow to a very large size and conflict is already occurring with the surrounding paths and car park – regular pruning is required to contain the size of the canopies.
- 8.15 NBC Arboriculture consider that the proposed replacement planting in this area is far more appropriate for urban settings, although they request that the proposed landscaping drawing is amended to detail the same number of replacements as removals in the interests of maintaining tree numbers and screening, i.e. 9no; presently only 7no. are detailed on the plan. This appears to be a reasonable request that can be covered via condition.
- 8.16 In line with further NBC Arboriculture recommendations, a condition should be added to ensure that all tree specimens are replanted over a 5no. year period should they die or fail (this condition should be extended to cover all landscaping). The proposed tree protection measures associated with other trees within the site should also be secured via condition. The 1no. willow tree that is not proposed to be afforded protection through construction works is classified as being of poor quality and is heavily diseased.
- 8.17 Tree specimens are also proposed along the southern boundary of the site within a 1m wide strip of land located between the existing boundary railings and the riverside footpath. A total of 19no. feathered tree specimens (a mixture of Small-Leaved Lime and Common Alder) are proposed to be supplemented by a consistent line of hedgerow to be maintained at a 2m height once mature. The tree planting to the Bridge Street elevation is to be supplemented by a 2 - 6m wide strip of shrubbery to be maintained at a height of 1.6 - 2m. The details appear acceptable and are incorporative of predominantly native species.
- 8.18 The submitted Landscape and Visual Impact Assessment alludes to Carlsberg taking on the responsibility for the maintenance and management of both planting areas, with details of

reinstatement, watering, weeding and pruning outlined in the document. These arrangements are fine for the Bridge Street area given that the planting area falls within the site and within Carlsberg's ownership. The 1m strip located to the riverside however falls outside the railed boundary to the site and outside of Carlsberg's ownership. It is the Borough Council's land; therefore the retention and long term maintenance of the landscaping would be NBC's responsibility. The associated costs for this maintenance should be secured via an appropriately worded S106 obligation. NBC's Contract Manager has been given sight of the proposed planting plan and a response is respected detailing an appropriate commuted sum that should be requested.

Ecology

- 8.19 The application is accompanied by an Extended Phase 1 Habitat Survey, which concludes that the site is of low ecological value. Although it is noted within the Survey that the site lies adjacent to the River Nene and has the potential to support legally protected species in terms of bats, otter and water vole.
- 8.20 Natural England have been consulted upon the application and have directed officers to their standing advice for protected species. Detailed guidance has been supplied by Natural England in respect to otters – it is considered that otters and/or their habitat would not be impacted upon by the proposals and that the recommendations contained within the ecological report should be secured via condition (relating to noise abatement during construction and a further site survey check 6no. weeks prior to the commencement of works). The Otter and Water Vole Survey that was carried out identified no water vole field signs within 500m of the site boundary.
- 8.21 The Habitat Survey notes no record of bat roosts within 600m of the site and that there were no obvious features around the site that could be used for roosting. It does however suggest that external lighting should be sensitively designed to prevent disruption to any bats that may forage / commute along the river corridor. This can be secured via condition. The application complies with Natural England's Standing Advice in respect to all other statutorily protected species.

Residential Amenity

- 8.22 The existing brewery occupies a prominent location that is clearly visible from a large number of residential properties, particularly on the southern side of the river. Notably

there is also a 3-4no. story flatted residential building (converted from a former industrial use) located to the immediate east across Bridge Street. The buildings would be separated by approximately 35m. The proposed building - due mainly to notable separation distances - would not result in a significant adverse effect on residential amenity in terms of overbearing/overshadowing effects, loss of outlook or the creation of overlooking opportunities. The new building would not create new views that are not already available from the public realm to the potential detriment of residential amenity.

- 8.23 NBC Environmental Health have commented upon the application and have stated that the site is covered by an Environmental Permit, which controls noise and land condition issues. Planning conditions are therefore not required in these respects. The submitted Noise Survey, in any event, indicates that noise is unlikely to be an issue. There will be a minimal effect in terms of air quality.

Flood Risk

- 8.24 The applicant has submitted a detailed Flood Risk Assessment (FRA) in light of the Flood Zone location of the application site adjacent to the River Nene. The Environment Agency (EA) were duly consulted upon this and have responded with an objection on the basis of a FRA that is non-compliant with the guidance contained within PPS25. The EA have duly stated that their objection could be removed following the submission of a revised FRA that satisfies the number of points that they have listed. On the basis that the FRA does not currently provide a suitable basis for assessment to be made of the flood risks arising from the proposed development, reference should be made to this matter in the recommendation. Should approval be recommended by officers it should be subject to the EA removing their object to the application prior to the issuing of a Decision Notice.

- 8.25 The FRA notes that finished floor levels for the building have been set in excess of 2m above existing ground levels, which is compliant with EA requirements. The main bottling hall itself would be set at 3 – 3.5m above existing ground level. The undercroft car parking area is to be set at the existing ground level, which is considered to be acceptable given that the FRA confirms that this car parking area shall be closed at any times of a high perceived flood risk. The proposed undercroft area would not cover the entirety of the footprint of the building; the southern extent of the ground floor is annotated upon the relevant plan as a void area (approximately 1,000m). In order to protect the integrity of

the site's flood risk management strategy, it is considered prudent to condition that this area remains free from any form of structures or usage in perpetuity.

Sustainability

- 8.26 The application is accompanied by a BREEAM Pre-assessment document, within which it states that the aspiration for this project is to achieve a BREEAM 'Very Good' rating. The document commits to appointing a suitable and qualified resource to ensure that the necessary data is collected and reported in order to follow up the pre-assessment work.
- 8.27 The Corporation's Sustainability Manual (2010) seeks a minimum BREEAM 'Excellent' rating (the level above 'Very Good') to be achieved from non-residential development of over 2,500 sq m of floor space. No justification has been provided within the submitted pre-assessment document so as to explain why an 'Excellent' rating cannot be achieved. A post-construction assessment detailing the achievement of BREEAM 'Excellent' should therefore be secured via condition. The condition should incorporate the flexibility for a lower rating to be potentially accepted and agreed in writing by the LPA should it be thoroughly justified by the applicant, maybe due to on-site constraints, etc.

Transport

- 8.28 Vehicular access to the proposed building would be via existing access points from Bridge Street and St. Peters Way, with direct access being afforded to the new undercroft parking area via the Bridge Street access. Vehicular access arrangements within the site itself are proposed to be remodelled to fit around the new building and to provide a loading area to its western side.
- 8.29 The Local Highway Authority (LHA) has been consulted upon the submission (which includes a Transport Assessment and Travel Plan), they do not object to the principle of the application. The LHA note that, although a new undercroft car parking area is to be created, a net-loss of 23no. car parking spaces would result from the proposals with the new development generating an additional need for car parking spaces. The TA refers to any shortfall in car parking being taken up by spare capacity at Carlsberg's Social Club facility on the opposing side of the river. The LHA accept the potential for this to occur if aligned with more staff travelling to work by non-car modes or car sharing.
- 8.30 In order for a basic level of public transport accessibility for the workers on the site and to ease the parking situation, the LHA has requested a financial contribution to increase

the hours of operation of some of the existing bus services to include the start of Carlsberg's early shift (6am). Present services start at 7am. Further information has been requested from the applicant in respect to where present staff members live in order to help identify the appropriate bus services that should be upgraded. This shall feed into the S106 negotiations that are currently outstanding – which is covered in the following section.

- 8.31 In accordance with further LHA comments, a condition should be applied to secure full details of 2.4m x 2.4m pedestrian visibility splays to be provided at the newly proposed entrance to the undercroft car parking area.

S106

- 8.32 The Corporation has adopted its Interim Planning Obligations Strategy (IPOS), which endorses a standard approach to accumulating contributions towards infrastructure improvements across West Northamptonshire Development Corporation's area.
- 8.33 In accordance with IPOS the Corporation's starting point for B2 and B8 development is £25 per sq m. I.e. 6,788 sq m x £25 = £169,700. Negotiations in accordance with IPOS shall be required prior to the formal determination of the application – this is reflected in the wording of the officer's recommendation at the outset of this report. As part of these discussions careful consideration shall need to be applied to ensure that planning obligations comply with the Community Infrastructure Levy Regulations that came into force in April 2010. These Regulations state that obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 8.34 In terms of direct requests for contributions, the Local Highway Authority has asked for a financial contribution to increase the early morning hours of operation of some of the existing bus services to include the start of Carlsberg's early shift (6am). The specific bus services to be targeted for upgrading and the associated size of the monetary contribution to be requested is dependent upon further information which has been requested from the applicant detailing present employee commuting patterns. Further, a sum is requested by NBC to fund the long term maintenance of a riverside landscaping strip.

8.35 There will also be a requirement for a contribution to be made in order to provide wider street scene improvements along Bridge Street and into the town centre. In addition the applicant will be required to sign up to the Corporation's Construction Futures programme, which has been formally adopted by the Corporation's Board. The associated obligation would result in apprentices being employed on site, therefore being directly related to the development. The level of training sought is calculated on the basis of the predicted cost of development as required by Construction Futures.

8.36 The Strategy notes that not all of the infrastructure items set out in Annex A of the document are likely to be relevant in the case of commercial development – contributions should therefore continue to be negotiated on a case-by-case basis having regard to specific site circumstances. In light of this, it should be understood that the site occupies a sustainable central location and constitutes existing brownfield land within a wider industrial site, but balanced against this is the need to address the enhancement of the street scene and the regeneration of the town centre. The S106 shall be negotiated on these terms whilst acknowledging the specific requests of statutory consultees as outlined above.

9. Conclusion

9.1 The proposed development would deliver economic growth within an area designated for industrial development, would be appropriately designed and located within the site so as to have an acceptable visual impact and be in the interests of respecting surrounding residential amenity in compliance with Policies E11, E12, E19, E20, E40 and B2 of the Northampton Local Plan (1997) and with the guidance contained within PPS4: Planning for Sustainable Economic Growth, PPG13: Transport, PPG24: Planning and Noise, PPS25: Development and Flood Risk and the National Planning Policy Framework: Consultation Draft (July 2011).

10. Conditions

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

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

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

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

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

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

4. Prior to the commencement of construction work full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority, implemented concurrently with the development and retained thereafter.

Reason: In the interests of safeguarding foraging bats.

5. Prior to the commencement of development full details of 2.4m x 2.4m pedestrian visibility splays to be provided to either side of the vehicular access to the undercroft car park shall be submitted to and approved in writing by the Local Planning Authority, development shall be implemented in accordance with the approved details.

Reason: In the interests of safeguarding highway and pedestrian safety.

6. Notwithstanding the approved plan schedule, a revised Site Block Plan (A-SK027 S1) detailing the provision of 9no. *Pyrus calleryana* 'Chanticleer' tree specimens within the planting area that runs adjacent to Bridge Street shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development; development shall be implemented in accordance with the approved details.

Reason: In the interests of maintaining tree numbers and screening to the development.

7. Within a period of 3 months from the first occupation of the development a BREEAM Post-construction assessment subsequent to the submitted BREEAM Pre-assessment document shall be submitted to and approved in writing by the Local Planning Authority detailing the achievement of a BREEAM 'Excellent' rating (or other rating to be agreed in writing by the Local Planning Authority).

Reason: To ensure the delivery of a sustainable development in accordance with the guidance contained in PPS 1: Delivering Sustainable Development and Planning and Climate – Supplement to Planning Policy Statement 1

8. Development shall be implemented in full accordance with the ‘Recommendations’ section (Chapter 5) of the approved Otter and Water Vole Survey (Dec 2011) – high level noise activities shall be programmed to avoid dusk to dawn times; an experienced ecologist shall conduct a further site survey six weeks prior to the commencement of works to ensure that otters have not established a holt or new resting area.

Reason: In the interests of safeguarding otters and to ensure that a European Protected Species Licence is not required.

9. Development shall be implemented in full accordance with the Tree Protection Plan contained within Appendix 3 of the approved Tree Survey and Arboricultural Implications Assessment (Dec 2011).

Reason: In the interests of providing adequate protection to retained tree specimens during construction works.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

11. The area annotated as ‘Void Below Palletiser Area’ on the approved Car Park Level plan (A-SK019 S3) shall at all times constitute a void and shall at no point in time be occupied by any form of structure or active use.

Reason: In the interests of protecting the development from the risk of flooding.

12. Development shall be implemented in full accordance with the Travel Plan Framework document (December 2011), which requires an initial travel survey to be undertaken within 3no. months of full occupancy and ongoing annual monitoring to be undertaken for a minimum period of 3no. years.

Reason: In the interests of promoting sustainable modes of transportation

Informatives for the applicant

1. NBC is the relevant Local Planning Authority for advertisement and signage applications. This approval does not therefore include consent for the proposed signage. NBC within their consultation response have commented that the proposed signage is very unlikely to be acceptable due to its size, siting and appearance. It is suggested that early discussions ensue with NBC on this matter.

SITE PLAN

