

## South Northamptonshire Council

### Planning Committee

Minutes of a meeting of the Planning Committee held at Remote meeting on Thursday 29 October 2020 at 2.15 pm.

- Present      Councillor Richard Dallyn (Chairman)  
                 Councillor Ken Pritchard (Vice-Chairman)  
                 Councillor Phil Bignell  
                 Councillor Rebecca Breese  
                 Councillor John Budden  
                 Councillor Karen Cooper  
                 Councillor Steven Hollowell  
                 Councillor Martin Johns  
                 Councillor Lisa Samiotis  
                 Councillor Mary-Anne Sergison-Brooke  
                 Councillor John Townsend  
                 Councillor Elaine Wiltshire  
                 Councillor Paul Wiltshire
- Apologies for  
Absence:      Councillor Carole Clarke
- Officers:      Jim Newton, Assistant Director: Planning & Economy  
                 Paul Seckington, Senior Manager of Development Management  
                 Daniel Callis, Principal Planning Officer (S/2020/0498/MAF,  
                 S/2020/1163/EIA)  
                 Peter Gittins, Principal Planning Officer (S/2020/0670/MAF,  
                 S/2020/0223/MAO)  
                 Samuel Dix, Principal Planning Officer (S/2020/1365/FUL,  
                 S/2020/0599/MAO)  
                 Clare Caldwell, Principal Planning Officer (S/2019/1953/MAF,  
                 S/2020/1403/MAF)  
                 Emma Sanders, Planning Officer (S/2020/1486/LDP)  
                 Paul Brunige, Strategic Housing Officer  
                 Matthew Barrett, Solicitor  
                 Lesley Farrell, Democratic and Elections Officer  
                 Richard Woods, Democratic Services Officer

#### 10      **Declarations of Interest**

Councillor Steven Hollowell declared a general Non-Statutory Disclosable Interest in all archaeological aspects of planning applications, as a member of the Northamptonshire Archaeological Society.

#### **14. Former Co-op site, Richmond Road, Towcester, NN12 6EX**

Councillor Phil Bignell, Non-Statutory Interest, as a Member of the Cabinet and would leave the meeting for the duration of the discussion on this item.

Councillor Rebecca Breese, Non-Statutory Interest, as a Member of the Cabinet and would leave the meeting for the duration of the discussion on this item.

Councillor Karen Cooper, Non-Statutory Interest, as a Member of the Cabinet and would leave the meeting for the duration of the discussion on this item.

**11 Minutes**

The Minutes of the meeting of the Committee held on 1 October 2020 were agreed as a correct record to be signed by the Chairman in due course.

**12 Chairman's Announcements**

The Chairman made the following announcements:

1. The Chairman reminded Members of the remote meeting etiquette and asked all Members to ensure they complied with the protocol.
2. The Chairman explained that in light of this being a virtual meeting the arrangements for public participation had been slightly amended to facilitate the process whilst still ensuring public participation was possible. A pre-recorded address would be played, or a written statement would be read by the Chairman at the appropriate time in lieu of members of the public speaking in person during the meeting.

**13 Proposed Pre-Committee Site Visits (if any)**

There were no proposed pre-committee site visits.

**14 Former Co-op site, Richmond Road, Towcester, NN12 6EX**

The Committee considered application S/2020/1365/FUL for the demolition of the existing store to provide an additional car parking area at the Former Co-op site, Richmond Road, Towcester, NN12 6EX for South Northamptonshire Council.

In reaching its decision, the Committee considered the officer's report, written update and presentation.

**Resolved**

- (1) That authority be delegated to the Assistant Director – Planning and Economy to grant permission for application S/2020/1365/FUL subject to the following conditions (and any amendments to those conditions as deemed necessary):

## CONDITIONS

### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

#### **Time Limit**

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

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

#### **Approved Plans**

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

- Site Location Plan
- Car Park Layout (drawing ref: 39042/50 rev P1)

Reason : To clarify the permission and for the avoidance of doubt.

### CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

#### **Archaeology**

3. No development other than the demolition of the building to slab-level shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

#### **Lighting**

4. Details of any external lighting to be used in the car park including its design, position and orientation shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any such works. The

lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

### **Surface Water Drainage**

5. No development other than the demolition of the existing building to slab-level shall commence until a scheme for the provision and implementation of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first use of the additional parking spaces hereby approved.

Reason : To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy SS2 of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE FIRST USE

### **Parking and Footways**

6. The proposed parking bays and pedestrian footways shall be surfaced in tarmac and laid out in accordance with the approved plans before first use of the development hereby permitted.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

### **Electric Vehicle Charging Points**

7. The additional car parking spaces shall not be brought into use until a scheme for the provision of Electric Vehicle charging points has been submitted to and approved in writing by the Local Planning Authority.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

### **Cycle Parking**

8. Prior to the first use of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details of location, size and external finish, to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

#### ADDITIONAL CONDITIONS

1. No demolition of the existing supermarket building shall take place until the following information has been submitted to and approved in writing by the Local Planning Authority:
  - Further bat surveys identifying the nature of protected species using the site;
  - Details of satisfactory mitigation and/or compensation;
  - If necessary, demonstration that a license is to be granted by Natural England.

The development shall thereafter be carried out in accordance with the approved details.

Reason : In accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework and to ensure legal compliance with the conservation of habitats and species regulations 2017.

2. Prior to first use of the car park and notwithstanding the approved plans, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, which shall include details of species to be planted as well as other public realm improvements. The approved landscaping scheme shall maintained at all times thereafter with any planting subject to disease or dying to be replaced with species of the same type.

Reason: In the interests of the visual appearance of the development in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

#### 15 **South Northants Homes, Burcote House, Burcote Road, Towcester, NN12 6TF**

The Committee considered application S/2020/0948/MAF for the demolition of the existing office block and construction of a three storey apartment block consisting of 20 apartments and associated parking spaces at the site of South Northants Homes, Burcote House, Burcote Road, Towcester, NN12 6TF for Grand Union Housing Group.

In reaching its decision, the Committee considered the officer's report, written update and presentation.

## Resolved

(1) That authority be delegated to the Assistant Director – Planning and Economy to grant permission for application S/2019/1953/MAF subject to:

1) The completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary): The following conditions (and any amendments to those conditions as deemed necessary):

- a) Provision of 60% affordable housing on site (all as shared ownership)
- b) Payment of a financial contribution towards off site public open space, play areas and sports pitches in the locality of £2,064.40 per dwelling (index linked)
- c) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £70 per dwelling (index linked)
- d) Payment of a financial contribution towards Early Years educational infrastructure of £3,724.00 per dwelling (index linked).
- e) Payment of a financial contribution towards Primary educational infrastructure of £1,614.00 per dwelling (index linked).
- f) Payment of a financial contribution towards library infrastructure of £109.00 per 1 bed unit and £176.00 per 2 bed unit (index linked).
- g) Payment of a financial contribution towards primary health care provision of £10,168.90 (index linked)
- h) Payment of a financial contribution towards Towcester Town Centre Fund of £664 per dwelling (index linked)]
- i) Payment of the Council's monitoring costs of £1,000.

2) The following conditions (and any amendments to those conditions as deemed necessary):

### CONDITIONS

#### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

##### **Time Limit**

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

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

##### **Approved plans**

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:
- (P)001 rev A (site location plan)
  - (P)100 rev B (site layout plan)
  - (P)101 rev A (block plan)
  - (P)103 (external works plan)
  - (P)201 rev D (ground floor plans)
  - (P)202 rev D (1st floor plans)
  - (P)203 rev F (2nd floor plans)
  - (P)204 rev D (roof plan)
  - (P)400 rev D (elevations)
  - (P)500 rev B (sections)
  - (P)700 (cycle store details)
  - (P)701 rev C (bin store details)
  - D17133-A-01 rev C (tree protection plan)

Reason : To clarify the permission and for the avoidance of doubt.

#### **Amount of development**

3. No more than 20 flats shall be accommodated on the site.

Reason : In order to avoid overdevelopment, to achieve a satisfactory form of development and to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy and Section 12 of the National Planning Policy Framework.

#### **Site clearance**

4. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless alternative provisions have been previously agreed in writing by the Local Planning Authority

Reason : To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

#### **Floor levels**

5. No development shall take place (save for the demolition of the existing building) until details of all finished floor levels in relation to existing and proposed site levels and to the root protection areas of the retained trees have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

Reason : In order to safeguard the visual amenities of the area in accordance with advice within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Tree protection**

6. No development shall take place until the existing tree(s) to be retained at the front of the site have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;
  - a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.
  - b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations' that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.
  - c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment, machinery and surplus material has been removed from the site.
  - d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies SS2 and NE5 of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Construction method statement**

7. No development shall take place (including demolition), including any works of demolition until a Construction Method Statement has been submitted to, and



approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:

- a. The parking of vehicles of site operatives and visitors;
- b. The routing of HGVs to and from the site;
- c. Loading and unloading of plant and materials;
- d. Storage of plant and materials used in constructing the development;
- e. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f. Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g. Measures to control the emission of dust and dirt during construction;
- h. A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i. Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Ground contamination**

8. No part of the development hereby permitted shall take place until:
  - a) a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present has been carried out;
  - b) the risks to receptors and to inform the remediation strategy proposals has been documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
  - c) both (a) and (b) above has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Ground contamination**

9. If contamination is found by undertaking the work carried out under condition 8, then no development hereby permitted shall take place until
- a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
  - b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Surface water drainage scheme**

10. Before above ground construction commences a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to the local planning authority for approval in writing. The details of the scheme shall include:
- a. Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
  - b. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings.
  - c. Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
  - d. Full details of permeable paving.

Reason : To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

### **Drainage maintenance**

11. No above ground construction shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason : In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

**Materials**

12. A schedule of materials and finishes to be used in the external walls and roof(s) of the development (including manufacturer, product name and colour) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

**Architectural detailing**

13. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the development, including the windows and doors (and their surrounds), together with the eaves/parapet treatment and decorative brick work shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

**Meter boxes**

14. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan

### **Fire hydrant**

15. The development shall provide 1 fire hydrant within the site. Full details of the fire hydrant shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the new building above slab level. Thereafter and prior to the first occupation of the development, the fire hydrant shall be provided in accordance with the approved details and retained as such thereafter.

Reason : To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

### **Boundaries**

16. Notwithstanding the details on the approved plans, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. The submission shall include details of an enclosure between the north elevation of the main building and the site's northern boundary. Such approved means of enclosure shall be erected prior to the first occupation of the development.

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Landscaping**

17. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
  - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
  - (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy SS2 of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Noise mitigation**

18. No development above slab level shall take place until a scheme for protecting future occupiers of the proposed development from noise sources affecting the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regards to the rated sound levels for the item(s) at the BAE Systems site adjacent to site as specified in the submitted Noise Impact assessment dated 13.10.20 [reference: A3738/N/02], published by Accon UK Limited. The scheme should have reference to the guidance specified in Acoustic Ventilation and Overheating – Residential Design Guide, dated January 2020 and published by the Institute of Acoustics and demonstrate that suitable thermal and acoustic comfort can be maintained within the affected noise sensitive uses on the eastern façade of the development that meets the aims of the National Planning Policy Framework. Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted development to which the scheme relates are occupied.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise, to protect existing businesses from unreasonable restrictions as per paragraph 182 of the National Planning Policy Framework and to comply with advice in the National Planning Policy Framework, Noise Policy Statement for England, The Governments Planning Practice Guidance, and Policy SS2 of the South Northamptonshire Part 2 Local Plan.

### **External lighting**

19. Details of the external lighting, including the design, position, orientation and any screening of the lighting, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed prior to first occupation and operated in accordance with the approved scheme at all times thereafter.

Reason : In order to safeguard the visual amenities of the area and the amenities of nearby residents in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan and Government advice in The National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

**Drainage verification**

20. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Strategy, document ref. no. RAB: 2489L, version 2.0, dated 07 August 2020 prepared by RAB Consultants has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority The details shall include:
- a. Any departure from the agreed design is keeping with the approved principles
  - b. Any As-Built Drawings and accompanying photos
  - c. Results of any Performance testing undertaken as a part of the application process (if required / necessary)
  - d. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
  - e. CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason : To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

**Parking provision**

21. The proposed access and parking facilities shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access and parking facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

**Cycle storage**

22. Prior to the first use or occupation of the development hereby permitted, the covered cycle parking facilities shall be provided on the site in accordance with Drawing No.(P)700. Details of any locks for the cycle store door shall be submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities shall be provided prior to first occupation and shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason : In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

### **EV charging**

23. Prior to first occupation, four of the parking bays within the parking court shall marked out for communal use by electric vehicles ONLY together with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency). Thereafter, the spaces shall be retained for communal electric vehicle charging by the residents of the development only.

Reason : To comply with Policy INF4 of the South Northamptonshire Part 2 Local Plan and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

### **Bat and bird boxes**

24. Full details of a scheme for the location of bat and bird boxes and hedgehog gates shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of the building, the bat and bird boxes and hedgehog gates shall be installed on the site in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Secure windows and doors**

25. Prior to the first occupation the entrance door to each individual flat and all ground floor windows shall all be fitted to comply with PAS24:2016. The communal doors shall comply with LPCB LPS 2081 and shall include an audio-visual access control system and no trades' buttons. External post boxes shall be provided set on the external face of the building adjacent to one of the communal access doors prior to first occupation. Details of the post boxes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason : In the interest of residents' security.

### **Contamination verification**

26. If remedial works have been identified in condition 9, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

##### **Unexpected contamination**

27. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

##### **Demolition control**

28. The roof of the existing office building shall be dismantled/demolished using hand tools only.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

##### **Landscaping maintenance**

29. 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 and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy SS2 of the South Northamptonshire Part 2



Local Plan and Government guidance contained within the National Planning Policy Framework.

**Soil level around trees**

30. The existing soil levels around the root protection area(s) of the tree(s) to be retained shall not be altered unless otherwise previously approved in writing by the Local Planning Authority.

Reason : To ensure that the existing trees to be retained are not damaged by loss of oxygen to roots and loss of moisture content in the soil in the interests of visual amenity and to accord with Policies SS2 and NE5 of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

**Construction hours**

31. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

**16 Land South East of East Lodge Farm, Quinton Road, Courteenhall**

The Committee considered application S/2020/1163/EIA for the erection of 4 poultry sheds with associated feed bins, feed blending rooms, the erection of a grain store, and installation of ground source heat pumps and ground loops at Land South East of East Lodge Farm, Quinton Road, Courteenhall for the Courteenhall Farms Partnership.

A pre-recorded address from Ian Pick, agent for the applicant, speaking in support of the application was played to the Committee.

In reaching its decision, the Committee considered the officer's report and presentation, the address of the public speaker.

**Resolved**

- (1) That authority be delegated to the Assistant Director – Planning and Economy to grant permission for application S/2020/1163/EIA subject to the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

**TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS**

### **Time limit**

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

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

### **Approved plans**

2. The development shall not be carried out otherwise than in complete accordance with the approved plans unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The approved plans are:
  - Location Plan
  - Proposed Site Plan
  - Elevations Poultry Units 5 & 6 (poultry units 7 & 8 identical)
  - Grain Store elevations and Floor Plan

Reason : To clarify the permission and for the avoidance of doubt.

### **Compliance with Ecology Appraisal**

3. The development hereby permitted shall be carried out in accordance with the mitigation, conclusions and enhancements in the Preliminary Ecological Appraisal by Craig Emms and Dr Linda Barnett dated December 2019, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

### **Protected Species**

4. If the development hereby approved does not commence by 1st December 2021, a revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Biodiversity**

5. A method statement for enhancing biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Construction method statement**

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i) Construction traffic routing
  - ii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - iii) wheel washing facilities
  - iv) measures to control the emission of dust and dirt during construction
  - v) how the hedgerows around the site will be protected during construction

Reason: To protect the amenities of nearby residents and users of the public rights of way and to protect highway safety and to comply with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

### **Archaeology**

7. No development shall take place within the area of archaeological interest 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. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) Approval of a Written Scheme of Investigation;

- (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
- (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
- (iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 199.

### **Surface water drainage**

8. Before any above ground works commence full details of the surface water drainage scheme for the site, based on FRA & SWMP, East Lodge Farm Courteenhall, Northampton, NN7 2QF ref L0158C version 0 dated 28th February 2020 prepared by Hydro Logic Services will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions, sections and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Attenuation basins will provide 300mm freeboard above the extreme event plus climate change water level. The sides of the basin should generally be 1 in 4 or shallower, and no steeper than 1 in 3. Details of the drainage system will be supported by cross referenced calculations.
  - b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
  - c) A detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site

Reason : To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

### **Materials**

9. A schedule of materials and finishes to be used in the external surfaces of the buildings and structures hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

### **Landscaping**

10. A scheme for landscaping the site (including screen planting and any additional thorny planting for security) shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of any means of enclosure

(d) All species used in the planting proposals associated with the development shall be native species of UK provenance.

The proposed planting shall be designed to screen or soften the appearance of the development (buildings and attenuation basin) in the rural landscape and maximise its ecological value.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following the development first being brought into use.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy SS2 of the South Northamptonshire Local Plan, Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

### **Landscape maintenance**

11. The approved landscaping details listed under Condition 10 shall be maintained in accordance with a management plan that shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development hereby permitted.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with policies SS2 of the South Northamptonshire Part 2 Local Plan.

### **Security**

12. Full details of the proposed CCTV installation (and any other security measures) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The development shall proceed in accordance with the approved details.

Reason: To ensure the site possess suitable CCTV in accordance with policy SS2 of the South Northamptonshire Part 2 Local Plan.

### **External lighting**

13. Details of all external lighting to be installed on the site, including the design, position, orientation and any screening of the lighting, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

### **Drainage verification**

14. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved FRA & SWMP, East Lodge Farm Courteenhall, Northampton, NN7 2QF ref L0158C version 0 dated 28th February 2020 prepared by Hydro Logic Services has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority The details shall include:
  - a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos
  - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)

d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

e) Confirmation that the system is free from defects, damage and foreign objects.

Reason : To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

##### **Approved use**

15. The development hereby permitted shall be used only for the purpose of agriculture, as defined in Section 336 (l) of the Town and Country Planning Act 1990, and for no other purpose whatsoever.

Reason: To clarify the permission and for the avoidance of doubt.

##### **No adverts**

16. (a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(b) No advertisement shall be sited or displayed so as to:-

(i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason : By virtue of Regulation 14 (1) (a) and Schedule 2, of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

The Committee considered application S/2020/0670/MAF for the construction of 19 x 2 & 3 bed social rented and shared ownership houses and associated ancillary works at Land to the rear of 2 to 26 Grays Lane, Paulerspury for Grand Union Housing Group.

Consideration of the application had been deferred at the Planning Committee on 3 September 2020 to enable the outstanding issues in relation to noise and highways to be resolved.

In reaching its decision, the Committee considered the officer's report, written update and presentation.

### **Resolved**

(1) That authority be delegated to the Assistant Director – Planning and Economy to grant permission for application S/2019/1953/MAF subject to:

- 1) The completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
  - a) Provision of 100% affordable housing on site
  - b) Payment of a financial contribution towards off site provision and maintenance of natural and semi-natural green space, play space and allotments of £24,769.37 (index linked)
  - c) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £70 per dwelling (index linked)
  - d) Payment of a financial contribution towards library infrastructure serving the locality of £3,974 (index linked).
  - e) Payment of a financial contribution towards primary health care provision serving the locality of £9,659.69 (index linked)
  - f) Payment of the Council's monitoring costs of up to £5000
- 2) The following conditions (and any amendments to those conditions as deemed necessary):

### CONDITIONS

#### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

##### **Time Limit**

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

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



### **Compliance with Plans**

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

Site and Block Plan ref 1909-PL-002H received on 6<sup>th</sup> October 2020 and Street Scenes 001A, House Type elevations drawings 003B, 004A, 005A, 006A, 007A, 008A, 009A, 010A and 011A received by the Local Planning Authority on 1st September 2020.

Reason : To clarify the permission and for the avoidance of doubt.

### **Accord with Ecology Survey**

3. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements set out in Section 6 of the Ecological Survey by Philip Irving dated August 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

### **Finished Floor Levels**

4. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

Reason : In order to safeguard the visual amenities of the area in accordance with advice within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Contamination – Desk Top Survey**

5. No part of the development hereby permitted shall take place until:
  - (a) a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and;

- (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Contamination – Intrusive Investigation**

- 6. If a potential risk from contamination is identified as a result of the work carried out under condition 5 above, then no part of the development hereby permitted shall take place until:
  - (a) a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present has been carried out;
  - (b) the risks to receptors and to inform the remediation strategy proposals has been documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
  - (c) both (a) and (b) above has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Contamination - Remediation**

- 7. If contamination is found by undertaking the work carried out under condition 6, then no development hereby permitted shall take place until:
  - (a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent

person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and

- (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

#### **Construction Method Statement**

- 8. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
  - a) The parking of vehicles of site operatives and visitors;
  - b) The routing of HGVs to and from the site;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development;
  - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
  - g) Measures to control the emission of dust and dirt during construction;
  - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
  - i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and

Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Revised Protected Species Survey**

9. If the development hereby approved does not commence by 14th August 2021, a revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species including bats, badgers, reptiles and breeding birds. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

### **Insulation Against External Noise**

10. No development above slab level shall take place until a scheme for protecting the proposed dwellings from traffic noise from the A5 road has been submitted to and approved in writing by the Local Planning Authority which shall accord with the Noise Assessment Report and Recommendations and Mitigation measures therein. The scheme shall include full specification details of the glazing and ventilation of the approved dwellings. Any works which form part of the approved scheme shall be completed in accordance with the approved details before any of the permitted dwellings to which the scheme relates are occupied.

Reason : To avoid noise giving rise to significant adverse impacts on health and quality of life and to comply with advice in the NPPF (section 15) and Policy SS2 of the South Northamptonshire Local Plan.

### **Schedule of Materials**

11. A schedule of materials and finishes to be used in the external walls and roofs of the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies G3(A) and EV1 of the South

Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

### **Architectural Detailing**

12. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwellings, including the windows and doors (and their surrounds), together with the eaves and verge treatment and chimney details shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

### **Construction of windows/doors**

13. Details of the construction, including cross sections, cill, lintel, reveal and colour / finish of the proposed windows/doors, to a scale of not less than 1:5 shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that work. The development shall be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

### **Fire Hydrants**

14. Full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.

Reason : To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

### **Landscaping**

15. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
  - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

16. Notwithstanding the details shown on drawing 1909-PL-002H, further details, including a section and proposed elevations, of the proposed incline to the rear gardens of Plots 9-14 together with the associated acoustic fence and retaining wall shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. The development shall then be carried out in accordance with the approved details.

Reason: To avoid noise giving rise to significant adverse impacts on health and quality of life and to comply with advice in the NPPF (section 15) and Policy SS2 of the South Northamptonshire Local Plan.

#### **Landscape Maintenance**

17. 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(s) [or on the completion of the development, whichever is the sooner and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

#### **Unexpected contamination**

18. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment

and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

### **Boundaries Enclosures**

19. Full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. Such approved means of enclosure, in respect of those dwellings which are intended to be screened, shall be erected prior to the first occupation of those dwellings.

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **External Lighting**

20. Details of the external lighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

### **Electric Vehicle Charging**

21. No dwelling hereby permitted (with a garage or driveway) shall be occupied until it has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to serve that dwelling.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

### **Biodiversity**

22. A method statement for enhancing the biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance Policy BN2 of the West Northamptonshire Joint

Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Native Planting**

23. All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason : To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Surface Water Drainage**

24. Before any above ground works commence a scheme for the provision and implementation of surface water drainage for the site, based on Drainage Statement for Grand Union Housing Rev A ref: DS/680 dated 21st July 2020 prepared by Chiltern Design Ltd, will be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the buildings/dwellings hereby approved. The scheme shall include:

a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets attenuation basins and soakaways.

b) A detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site

Reason : To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy SS2 of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

### **Highway Construction**

25. Details of the proposed construction, materials and surfacing of the estate road and its junction with the public highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the approved details before first occupation of the dwellings and thereafter permanently maintained as such.

Reason : In the interests of highway safety, to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION**



### **Contamination – Remedial Works**

26. If remedial works have been identified in condition 7, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

### **Landscape and Ecology Management Plan**

27. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Access and Parking**

28. The proposed access and parking and turning shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access, parking and turning shall thereafter be retained for use in connection with the development for those purposes only.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

### **Drainage Verification**

29. Prior to the occupation of any of the dwellings hereby permitted, a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Statement for Grand Union Housing rev A ref DS/680 dated 21st July 2020 prepared by Chiltern Design Ltd has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.

The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos

c) Results of any performance testing undertaken as a part of the application process (if required / necessary)

d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

e) CCTV confirmation that the system is free from defects, damage and foreign objects

Reason To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site and to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

**Removal of Permitted Development Rights**

30. Notwithstanding the provisions of Classes A-D (inc) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement alteration or improvement of any dwelling/house shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason : Taking into account the density of the site it is considered to be in the public interest to ensure the merits of future proposals can be assessed by the Local Planning Authority so that the amenities of the adjoining occupiers are not adversely affected and to ensure that the dwellings will remain affordable in perpetuity in accordance with Policy SS2 of the South Northamptonshire Local Plan and the National Planning Policy Framework.

**Removal of Permitted Development Rights**

31. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure [other than oil or LPG storage tanks] shall be erected or placed within the curtilage of the dwelling hereby permitted without the prior planning permission of the Local Planning Authority.

Reason : To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the character and appearance of the area and to ensure the dwellings remain affordable in perpetuity in accordance with Policy SS2 of the South Northamptonshire Local Plan and the NPPF.

18 **Land south of Millers Way, Middleton Cheney**

The Committee considered application S/2019/1953/MAF for the proposed development comprised of 32 dwellings with associated landscaping and

infrastructure, with proposed access off Tanners Close and Millers Way for Barwood Homes Limited.

A pre-recorded address from Ben Tilston, a local resident, speaking in objection to the application, was played to the Committee.

A pre-recorded address from Ned Fox, on behalf of the applicant Barwood Homes Limited, speaking in support of the application was played to the Committee.

In reaching its decision, the Committee considered the officer's report, written update and presentation, and the addresses of the public speakers.

### **Resolved**

(1) That authority be delegated to the Assistant Director – Planning and Economy to grant permission for application S/2019/1953/MAF subject to:

- 1) The completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
  - a) A financial contribution of circa £111,464 (index linked) towards provision of additional Early Years capacity.
  - b) A financial contribution of circa £103,146 (index linked) towards enhancing and increasing the provision of Primary Education infrastructure and capacity in the area.
  - c) A financial contribution of circa £6,999 (index linked) towards the improvement, enhancement or expansion of Library facilities to serve the development.
  - d) 50% affordable housing delivery on site split between rented and intermediate products in accordance with policy LH8 of the Part 2 Local Plan.
  - e) A financial contribution towards primary healthcare infrastructure of circa £29,393.28 (index linked)
  - f) Payment of £70 per dwelling for provision of wheeled bins.
  - g) A financial contribution towards provision/improvement and maintenance of off-site playing fields of £924.70 per dwelling.
  - h) A financial contribution towards provision/improvement and maintenance of off-site open space of £52,947.19
  - i) Maintenance and subsequent transfer or management of on-site open space/buffers as identified on approved plans (i.e. buffers alongside public footpaths and attenuation pond) . If transferred, then commuted maintenance sum also payable. (£0.58 per sqm, per year, over 20 years)
  - j) Payment of SNC S106 Monitoring fee of £1,500.
- 2) No objection or the satisfactory resolution of any objections received from Northamptonshire County Council as the Lead Local Flood Authority and Local Highway Authority, including the submission of satisfactory amended plans.

- 3) The following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

**Time Limit**

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

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

**Approved Plans**

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

Site Location Plan 3181-06 dated July 19  
Site Plan 3181-003 Rev F dated March 2020  
Materials Plan 3181-004 Rev D dated March 2020  
Boundaries and Hard Landscaping Plan 3181-005 Rev E dated March 2020  
Front Door Colours 3181-007 Rev A dated June 2020  
POS Plan 3181-008 Rev A dated June 2020  
Maisonettes Stone 3181-30 Rev A dated March 2020  
B2V 3181-31 Rev C dated March 2020  
HQI 2-1, 3-2 Stone and Brick 3181-32 Rev B dated March 2020  
HQI 3-1,2-1,3-1 Stone and Brick – Terrace 3181-33 Rev B dated March 2020  
HQI 3-1 Brick – Semi-Detached 3181-34 Rev E dated March 2020  
Ragley 3181-37 Rev B dated March 2020  
HQI 4-2 Stone 3181-38 Rev C dated March 2020  
HQI 4-1 3181-50 dated May 2020  
Lyme – Brick 3181-39 Rev B dated March 2020  
Lyme + Stone 3181-40 Rev B dated March 2020  
Lyme Stone 3181-45 Rev B dated March 2020  
Lyme Brick 3181-51 dated May 2020  
Tatton+ Brick 3181-41 Rev B dated March 2020  
Sutton + Brick 3181-42 Rev B dated March 2020  
Sutton + Stone 3181-43 Rev B dated March 2020  
Sutton + Stone 3181-44 Rev B dated March 2020  
Single Garage 3181-46 Rev B dated March 2020  
Double Garage 3181-47 Rev B dated March 2020  
Double Garage Stone 3181-49 Rev B dated April 2020  
Carport plot 2&3 3181-48 dated March 2020

Reason : To clarify the permission and for the avoidance of doubt.

### **Compliance with Ecological Impact Assessment**

3. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements set out in section 5 of the Ecological Impact Assessment (EclA) by CSA Environmental dated July 2019 and the submitted Biodiversity Impact Assessment (BIA) by CSA Environmental on 30th September 2020 unless otherwise approved in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

### **Accessibility Standards**

4. 50% of the dwellings approved shall be constructed to meet the optional accessibility standards set out in Part M of the Building Regulations. The accessibility standards are as follows:
  - Accessibility Category 1: Mandatory requirement – the current Building Regulation standard
  - Accessibility Category 2: Accessible and adaptable dwellings – Optional
  - Accessibility Category 3: Wheelchair user dwellings – Optional

For open market dwellings the following shall be achieved; 50% of dwellings units to Category 1 and 50% of dwellings to Category 2.

For affordable dwellings the following shall be achieved; 50% of Intermediate tenure dwellings to Category 1; 50% of Intermediate tenure dwellings to Category 2; 50% of rented dwellings to Category 1; 40% of rented dwellings Category 2 and 10% of rented units to Category 3.

Reason: To secure high quality accessible homes to meet people's changing circumstances over their lifetime in accordance with Policy LH10 of the adopted South Northamptonshire Local Plan (Part 2).

### **Water Efficiency Standard**

5. All dwellings hereby approved shall be designed to meet the optional higher water efficiency standard of 110 litres per person per day.

Reasons: The Anglian Water company area is considered to be an 'Area of serious water stress'; this includes South Northamptonshire District. This condition would ensure that the purpose of Policy BN7a of the West Northamptonshire Joint Core Strategy is realised and ensure compliance with Policy SS2 of the adopted South Northamptonshire Local Plan (Part 2).

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

**Construction Method Statement**

6. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) Construction programme of works including site access arrangements
  - b) The parking of vehicles of site operatives and visitors;
  - c) The routing of HGVs to and from the site;
  - d) Loading and unloading of plant and materials;
  - e) Storage of plant and materials used in constructing the development;
  - f) The erection and maintenance of security hoardings
  - g) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
  - h) Adoption of an agreed protocol to control emissions including measures to control the emission of dust and dirt during construction;
  - i) A scheme for recycling/ disposing of waste resulting from construction works;
  - i) Delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**Sustainable Development Measures**

7. No development shall take place until details of all sustainable development measures to be taken in the construction of the homes hereby approved have been submitted to and approved in writing by the Local Planning Authority. These should detail how the development will achieve the following;
1. High standards of sustainable design
  2. Improved environmental performance and energy efficiency
  3. Use of sustainably sourced materials
  4. Maximise use of energy needs from renewable or low carbon sources
  5. Minimise resource demand and waste generation
  6. Maximise use of solar gain, passive heating and cooling, natural light and ventilation

Reason: The overall aim of the adopted West Northants Joint Core Strategy is to deliver sustainable development. Fundamental to achieving this aim is the contribution West Northamptonshire can make to address the local causes and potential impacts of climate change. This aim reflects national planning policy in

the NPPF and is reflected in policies S10 and S11 of the adopted West Northants Joint Core Strategy. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Land Contamination Investigation**

8. Prior to the commencement of the development hereby permitted a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Remediation Scheme**

9. If contamination is found by undertaking the work carried out under condition 8, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Finished Floor Levels**

10. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

Reason : In order to safeguard the visual amenities of the area in accordance with advice within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Arboricultural Method Statement and Tree Protection**

11. No development shall take place until the existing tree(s) to be retained as identified on the approved plans and in the Arboricultural Impact Assessment August 2019 Rev A dated 06/08/20 have been protected in accordance with tree protection measures and an Arboricultural Method Statement in accordance with BS58437 which have previously been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include details of how the trees will be protected from the impact of any ground level change across the site and the provision of any drainage crates Any barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies SS2 and NE5 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

### **Noise Assessment and Protection Measures**

12. No development above slab level of any dwelling shall commence until a noise assessment has been undertaken and a scheme for protecting the proposed dwellings from noise sources affecting the site has been submitted to and approved in writing by the Local Planning Authority. Any assessment method and acoustic criteria used shall be prior agreed in writing with the local planning authority and any proposed mitigation scheme shall meet the design aims of the



National Planning Policy Framework and Planning Practice Guidance. Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwellings to which the scheme relates are occupied.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with advice in the National Planning Policy Framework, Noise Policy Statement for England, The Governments Planning Practice Guidance, and Policy SS2 of the South Northamptonshire Local Plan (Part 2).

### **Public Right of Way**

13. Prior to the commencement of works affecting any existing public right of way full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the local planning authority. Development shall proceed in accordance with the agreed details thereafter and the public right of way (AU3) should be hard surfaced as shown on the approved plans, the post and rail fence and gates as shown on Boundaries and Hard Landscaping Plan 3181-005 Rev E dated March 2020 shall be in place and it shall be maintained at a minimum width of 1.8m all before first occupation of any dwelling.

Reason: To safeguard the public right of way.

### **Material Samples (Stone)**

14. The external walls of the buildings to be finished in natural stone (and any stone boundary walls) as identified on the approved plans (Materials Plan 3181-004 Rev D dated March 2020 and Boundaries and Hard Landscaping Plan 3181-005 Rev E dated March 2020) shall be finished in natural ironstone which shall be laid, dressed, coursed and pointed using a lime based mortar with brushed or rubbed joints in accordance with a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before the stonework is commenced. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

### **Lighting Details**

15. Details of all external lighting, including street lighting, and including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of

those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason : To protect the amenities of nearby residents, to safeguard the visual amenities of the area and to ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policies SS2 and NE5 of the South Northamptonshire Local Plan (Part 2), Government advice in The National Planning Policy Framework and the Council's adopted Design Guide.

### **Meter Boxes**

16. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area and to ensure a high quality design which is compatible and integrated with its surroundings and the distinctive local character of the area in accordance with the National Planning Policy Framework, Policy SS2 of the South Northamptonshire Local Plan (Part 2) and the Council's adopted Design Guide.

### **Fire Hydrants**

17. Full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.

Reason : To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

### **Window Construction Details**

18. Details of the construction (including cross sections) cill, lintel and reveal of the proposed windows and doors (including rooflights) as well as the colour / finish of the proposed windows all to a scale of not less than 1:10, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that work. The development shall be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area and to ensure a high quality design which is compatible and integrated with its surroundings and the distinctive local character of the area in accordance with the National Planning Policy Framework, Policy SS2 of the South Northamptonshire Local Plan (Part 2) and the Council's adopted Design Guide.

### **Material Samples (Brick)**

19. Samples of the bricks to be used in the construction of the walls of the buildings to be finished in brick (and any brick boundary walls) as shown on the approved plans (Materials Plan 3181-004 Rev D dated March 2020 and Boundaries and Hard Landscaping Plan 3181-005 Rev E dated March 2020) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Architectural Details**

20. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwellings including the eaves and verge treatment, chimneys and rain water goods shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area and to ensure a high quality design which is compatible and integrated with its surroundings and the distinctive local character of the area in accordance with the National Planning Policy Framework, Policy SS2 of the South Northamptonshire Local Plan (Part 2) and the Council's adopted Design Guide.

### **Soft Landscaping**

21. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc), All species used in the planting proposals associated within the development shall be native species of UK provenance.

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the type and laying pattern of the areas to be finished in block paving as shown on the approved plan Boundaries and Hard Landscaping Plan 3181-005 Rev E dated March 2020 and any hard-surfaced areas within the curtilages of any dwelling.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well-planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Boundary Enclosures**

22. Full details of the design and appearance of all enclosures along all boundaries and within the site (including gates) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works. Such approved means of enclosure, in respect of those dwellings which are intended to be screened, shall be erected prior to the first occupation of those dwellings. For the avoidance of doubt the types of boundary treatment should accord with the approved plan Boundaries and Hard Landscaping Plan 3181-005 Rev E dated March 2020.

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy of the occupants of the existing and proposed dwellings and to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework, as well as the Council's Design Guide.

### **Landscape Maintenance**

23. 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 first occupation of the dwellings or on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Unexpected Contamination**

24. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

### **Material Samples (Tiles)**

25. Samples of the tiles/slates (including ridge tiles) to be used in the covering of the rooves of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

### **Benches and Bins**

26. No dwelling shall be occupied until seating benches and litter bins (including dog litter bins) have been provided within the areas of public open space in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To contribute to the creation of healthy communities and the health and well-being of residents by providing clean spaces and facilities that can encourage informal leisure activities and social interaction in accordance with Policies SS2 and SDP2 of the South Northamptonshire Local Plan (Part 2).

### **EV Charging**

27. No dwelling hereby permitted (with a garage or driveway) shall be occupied until it has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to serve that dwelling.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

### **Broadband**

28. Prior to the occupation of each dwelling, that dwelling shall be provided with the necessary services to enable the provision of high speed broadband (no less than 100mbs).

Reason : To facilitate home-working and information delivery in accordance with Government guidance contained within the National Planning Policy Framework.

### **Security**

29. The alleys/pedestrian accesses leading to the rear of properties 20 and 30 should be gated with a key lockable gate prior to first occupation.

Reason: In order to reduce opportunities for crime and nuisance in accordance with section 8 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan Part 2.

### **Remediation works completed**

30. If remedial works have been identified in condition 8, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

### **Working Hours**

31. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 08.00 to 18.00 Monday to Friday and 09.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

### ADDITIONAL CONDITIONS

1. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

2. Prior to commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

3. No development shall take place (including ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
  - a) Risk assessment of potentially damaging construction activities;
  - b) Identification of 'Biodiversity Protection Zones';
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - d) The location and timing of sensitive works to avoid harm to biodiversity features;
  - e) The times during construction when specialist ecologists need to be present on site to oversee works;
  - f) Responsible persons and lines of communication;
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

19 **Sunnyside Bungalow, Water Lane, Towcester, NN12 6RQ**

The Committee considered application S/2020/1403/MAF for the demolition of existing buildings and redevelopment to form 44 retirement living apartments for older people including communal facilities, guest apartments, access, car parking and landscaping at Water Lane, Towcester, NN12 6RQ for Churchill Retirement Living.

A pre-recorded address from Matthew Shellum, agent for the applicant, speaking in support of the application was played to the Committee.

In reaching its decision, the Committee considered the officer's report and presentation, the address of the public speaker.

**Resolved**

(1) That authority be delegated to the Assistant Director – Planning and Economy to grant permission for application S/2020/1403/MAF subject to:

- 1) The completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
  - a) Payment of a financial contribution towards off-site affordable housing of £79,837 (index linked) paid in 3 stages; 25% (£19,959.25 index linked) prior to first occupation; 50% (£39,918.50 index linked) prior to occupation of 50% i.e the 22<sup>nd</sup> dwelling and 25% (£19,959.25 index linked) prior to occupation of 75% i.e the 33<sup>rd</sup> dwelling.
  - b) Payment of a financial contribution towards library infrastructure of £5,801 (index linked)
  - c) Payment of a financial contribution towards provision and maintenance of off-site public amenity space of £5,289 (index linked)
  - d) Payment of the Council's monitoring costs of £1000
- 2) The following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS



### **Time Limit**

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

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

### **Approved Plans**

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

- Site Location Plan – Drg No 40032TC/PL/51 dated July 2020
- Site Plan - Drg No 40032TC/PL/52 dated July 2020
- Ground Floor Plan – Drg No 40032TC/PL/53 dated July 2020
- First Floor Plan – Drg No 40032TC/PL/54 dated July 2020
- Second Floor Plan – Drg No 40032TC/PL/55 dated July 2020
- Roof Plan – Drg No 40032TC/PL/56 dated July 2020
- Elevations Sheet 1 – Drg No 40032TC/PL/57 dated July 2020
- Elevations Sheet 2 – Drg No 40032TC/PL/58 dated July 2020
- Elevations Sheet 3 – Drg No 40032TC/PL/59 dated July 2020
- Tree Protection Plan Ref 18261-BT1
- Arboricultural Assessment and Method Statement ref 18261-AA-CA dated 7th August 2018

Reason : To clarify the permission and for the avoidance of doubt.

### **Accord with Ecological Assessment**

3. The development hereby permitted shall be carried out in accordance with the recommendations set out in section 5 of the Ecological Impact Assessment by Ecological Survey and Assessment (ECOSA), dated October 2018, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

### **Programme of Archaeological Work**

4. No development shall take place 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. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
- (i) Approval of a Written Scheme of Investigation;
  - (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
  - (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
  - (iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 199.

#### **Construction Method Statement**

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i) the parking of vehicles of site operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v) wheel washing facilities vi) measures to control the emission of dust and dirt during construction vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason : To protect the amenities of nearby residents and to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2.

#### **Land Contamination Investigation**

6. Prior to the commencement of the development hereby permitted a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority.

No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Remediation Scheme**

7. If contamination is found by undertaking the work carried out under condition 6 then prior to the commencement of the development hereby permitted a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

### **Pre-Commencement Protected Species Check**

8. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

**Fire Hydrants**

9. No above ground works shall take place until a scheme and timetable detailing the provision of fire hydrants and/or sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and/or sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

**Unexpected Contamination**

10. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

**Foul Drainage Scheme**

11. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development hereby permitted, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding and to accord with Sections 14 and 15 of the National Planning Policy Framework.

**Surface Water Scheme**

12. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the Drainage Impact Assessment ref 30481/4079 dated August 2019 prepared by PBA will be submitted to and

approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
- b) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings.
- c) Full details of Permeable paving
- d) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

### **Surface Water Scheme Maintenance**

13. No above ground development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include; a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used; a site plan including access points, maintenance access easements and outfalls; maintenance operational areas to be identified and shown on the plans to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site and details of expected design life of all assets with a schedule of when replacement assets may be required

Reason - In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system.

### **Landscaping Scheme**

14. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
- (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
- (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps,
- (d) details of all boundary treatments.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance contained within the National Planning Policy Framework.

### **Landscaping Maintenance**

15. 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 on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance contained within the National Planning Policy Framework.

### **Material Samples and Details**

16. Samples of the tiles (including ridge tiles) to be used in the covering of the roof of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire

Local Plan Part 2 and Policy and Government guidance contained within the National Planning Policy Framework.

17. Samples of the bricks to be used in the construction of the walls of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance contained within the National Planning Policy Framework.

18. A schedule of materials and finishes to be used in the external surfaces of the building hereby approved, except those covered by conditions 16 and 17, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

### **Architectural detailing**

19. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the development, including the windows and doors and their colour, surrounds, reveals, lintels and cills; the porches and canopies; chimneys and rainwater goods; together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the area and to ensure a high-quality design which is compatible and integrated with its surroundings and the distinctive local character of the area in accordance with the National Planning Policy Framework, Policy SS2 of the South Northamptonshire Local Plan (Part 2) and the Council's adopted Design Guide.

20. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details

Reason : In order to safeguard the visual amenities of the area and to ensure a high-quality design which is compatible and integrated with its surroundings and the distinctive local character of the area in accordance with the National Planning Policy Framework, Policy SS2 of the South Northamptonshire Local Plan (Part 2) and the Council's adopted Design Guide.

### **Lighting**

21. No external lighting shall be installed until details including the design, position, orientation and any screening of the lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: To protect the amenities of nearby residents and to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2.

### **Access**

22. Details of the proposed levels, gradient, construction, materials, surfacing and drainage of the new vehicle access and its junction with the public highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the approved details before first occupation of the building and thereafter permanently maintained as such.

Reason: In the interests of highway safety, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance in Section 12 of the National Planning Policy Framework.

23. No gate(s), barriers or means of enclosure across the vehicle access shall be erected within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards only. The gates shall be retained as such thereafter.

Reason: In the interests of road safety to accord with Government guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan Part 2 and to enable a vehicle to stop clear of the highway whilst the driver opens the gate.

### **Noise**

24. A scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the plant and machinery and the measures implemented in accordance with the approved scheme at all times whilst the building is in use for the purposes hereby permitted.



Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2.

25. Prior to the construction of the building hereby permitted above slab level, a scheme for the glazing of the external elevations (to include full specification details) and a scheme for the method of mechanical ventilation of the proposed apartment building where/if necessary shall be submitted to and approved in writing by the Local Planning Authority. The approved glazing and ventilation scheme shall be installed and operated in accordance with the approved scheme at all times the building is in use for the purposes hereby permitted.

Reason: In order to safeguard the amenities of the residents of the development and to minimise the impact of noise to comply with the aims of paragraph 182 of the National Planning Policy Framework 2019 to ensure that the new development can be integrated effectively with existing businesses and community facilities, and Policy SS2 of the South Northamptonshire Local Plan Part 2.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION**

### **Ecological Mitigation**

26. Full details of a scheme for the location of bat, bird, owl and invertebrate boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of the building the bat, bird, owl and invertebrate boxes shall be installed on the site in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

### **Security Measures**

27. Prior to first occupation of the development further details of the security measures to be taken and site management to be employed shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include information about the levels of access control throughout the building, how external patio areas and circulation space will be defined and secured, how the entrance door operates after hours, how the site is managed particularly after hours and how all doors and windows will meet the requirements of a recognised security standard such as BS PAS24:2016 and be 3rd party accredited.

Reason: In order to provide a secure environment where there is limited potential for anti-social behaviour and nuisance as well as limited opportunities

for 'walk in' theft in accordance with section 8 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan Part 2.

### **EV Charging**

28. Prior to occupation of the development hereby approved 2no. electric vehicle charging points shall be provided on the site.

Reason: To comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy INF4 of the South Northamptonshire Local Plan Part 2 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

### **Stop Up Existing Access**

29. Prior to occupation of the development hereby approved, the existing access onto the Waitrose Access Road shall be permanently stopped up in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority and shall not thereafter be used by any vehicular traffic whatsoever.

Reason: In the interests of highway safety, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance in Section 12 of the National Planning Policy Framework.

### **Pedestrian Visibility Splays**

30. Prior to the first occupation of the development hereby permitted pedestrian visibility splays of at least 2m x 2m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. Any features within or affecting the resultant triangular areas shall not exceed 0.6m above the access/footway level.

Reason: To provide adequate visibility of pedestrians for drivers in the interests of safety in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance in Section 12 of the National Planning Policy Framework.

### **Remediation**

31. If remedial works have been identified in condition 7, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2, Policy BN9 of the West

Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

### **Parking**

32. The vehicle parking hereby approved shall be provided prior to first occupation of the development hereby approved and shall be permanently set aside and reserved for that purpose and no other purpose whatsoever.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

### **Boundary treatment**

33. Notwithstanding the approved plans full details of all enclosures (including any gates) along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Such approved means of enclosure shall be erected prior to the first occupation of the apartments.

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy and security of the occupants of the apartments and to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **Travel Plan**

34. A residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The approved Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

Reason : In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government advice in the National Planning Policy Framework.

### **Surface Water Verification**

35. Prior to first occupation of the development hereby permitted a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Impact Assessment, ref 30481/4079 dated 16th August 2019 prepared by Peter Brett Associates shall be submitted in writing by a suitably qualified drainage engineer to, and approved by, the Local Planning Authority. The report shall include:
- a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos

- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

##### **Occupancy**

36. The development hereby approved shall be occupied only by person(s) over the age of 60 (with or without a partner over 55 years of age).

Reason: To ensure adequate parking is provided on site in accordance with policy SS2 of the South Northamptonshire Local Plan Part 2.

##### **Working Hours**

37. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2.

## 20 **Land East of Lower Road, Milton Malsor**

The Committee considered application S/2020/0599/MAO for the erection of up to 65 dwellings with associated works and access on land at Lower Lane, Milton Malsor for Hollins Strategic Land LLP.

A pre-recorded address from Brian Sumpton, of Milton Malsor Parish Council, speaking in objection to the application was played to the Committee.

A pre-recorded address from Stephen Harris, agent for the applicant, speaking in support of the application was played to the Committee.

In reaching its decision the Committee considered the officer's report and presentation, and the addresses of the public speakers.

### **Resolved**

- (1) That application S/2020/0599/MAO be refused for the following reasons:

1. The application sites lies outside the settlement confines of Milton Malsor as designated in the adopted South Northamptonshire Local Plan (Part 2) and is therefore in open countryside. The adopted Development Plan seeks to focus new development within the settlement boundaries of settlements and be of an appropriate scale to the existing settlement. The development proposed would therefore conflict with an up to date and adopted Development Plan, in particular Policy R1(e) and R1(g) of the adopted West Northamptonshire Joint Core Strategy 2014 and Policies SS1 and LH1 of the adopted South Northamptonshire Local Plan (Part 2). In addition, to permit the development would conflict with paragraphs 12 and 47 of the National Planning Policy Framework.

2. A development of the scale proposed would comprise a substantial new development that would erode the rural setting of Milton Malsor and adversely change the character of the village. The development would therefore conflict with Policy R1(b) of the 2014 West Northamptonshire Joint Core Strategy, Policy SS2 of the South Northamptonshire Local Plan (Part 2), and paragraph 170 of the NPPF.

3. Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy 2014 are concerned with infrastructure and developer contributions, and state that 'developers will be expected, in negotiation with the Local Planning Authority to make provision for related infrastructure and community facilities the need for which arises from the development'. This is consistent with the National Planning Policy Framework. In the absence of a signed legal undertaking the Council cannot be satisfied that the development proposal would make sufficient provision to mitigate the impacts of the development on existing community services and infrastructure serving the development including early years and primary education infrastructure; affordable housing; public open space and facilities (including maintenance); public transport and off site highway improvements; refuse/recycling infrastructure; libraries and primary healthcare infrastructure. The application is therefore contrary to Policies H2, INF1 and INF2 of the West Northamptonshire Joint Core Strategy 2014, Policies LH8, INF1 and GS1 of the South Northamptonshire Local Plan (Part 2) and the adopted Supplementary Planning Document 'Developer Contributions' (December 2010).

- (2) That it be further resolved that authority be delegated to the Assistant Director – Planning and Economy to agree the content of a Section 106 Agreement in the event that an appeal is received.

## 21 **Land off Northampton Road, Blisworth**

The Committee considered application S/2020/0223/MAO for the development of up to 3 residential dwellings with all matters reserved except access at Land off Northampton Road, Blisworth for Manor Farm Developments (UK) Ltd & CBC Meats Ltd.

A pre-recorded address from Viv Hartley, Clerk to Blisworth Parish Council, speaking in objection to the application was played to the Committee.

In reaching its decision the Committee considered the officer's report and presentation, and the address of the public speaker.

### **Resolved**

(1) That application S/2020/0223/MAO be refused for the following reasons:

1. The application site lies outside Blisworth, beyond its established built up limits and outside the settlement confines of the village as designated in the adopted South Northamptonshire Local Plan (Part 2). The site therefore lies within open countryside. The adopted Development Plan seeks to meet identified housing needs via an urban-focussed distribution of development which concentrates development primarily in the rural service centres of Brackley and Towcester, whilst limiting development in the remainder of the rural areas in order to promote sustainable growth, reduce the need to travel and to protect the intrinsic character of the countryside and rural area. In this case the application site is detached from the village and does not integrate well with the existing built form of the village, the site surrounds and the character of the area and would therefore result in moderate adverse landscape and visual effects.

The development proposed would therefore conflict with the adopted Development Plan as a whole, in particular Policies SA, S1, S3 and R1 of the adopted West Northamptonshire Joint Core Strategy 2014 and Policies SS1, SS2, and LH1 of the adopted South Northamptonshire Local Plan (Part 2). In addition, it would conflict with paragraph 170 of the National Planning Policy Framework and National Planning Guidance. The Council can demonstrate a 5-year supply of deliverable housing sites (with the appropriate buffer), such that the policies which are most important for determining any application on this site, are not out of date and the presumption under Paragraph 11(d) of the NPPF does not apply. Given the Council's evidenced housing delivery, there is no over-riding need to deliver 30 homes on this site in contravention of the Development Plan. Material planning considerations sufficient to outweigh the provisions of the Development Plan in this instance have not been demonstrated.

2. Policies INF 1 and INF 2 of the West Northamptonshire Joint Core Strategy 2014 are concerned with infrastructure and developer contributions, and state that 'developers will be expected, in negotiation with the Local Planning Authority to make provision for related infrastructure and community facilities the need for which arises from the development'. This is consistent with the National Planning Policy Framework. In the absence of a signed legal undertaking the Council cannot be satisfied that the development proposal would make sufficient provision to mitigate the impacts of the development on existing

community services and infrastructure serving the development including early years and primary education infrastructure; affordable housing; public open space; refuse/recycling infrastructure; libraries and primary healthcare infrastructure. The application is therefore contrary to Policies H2, INF 1 and INF 2 of the West Northamptonshire Joint Core Strategy 2014, Policies LH8, INF1 and GS1 of the South Northamptonshire Local Plan (Part 2) and the adopted Supplementary Planning Document 'Developer Contributions' (December 2010).

- (2) That it be further resolved that authority be delegated to the Assistant Director – Planning and Economy to agree the content of a Section 106 Agreement in the event that an appeal is received.

**22 9 Church Lane, Cold Higham, NN12 8LS**

The Committee considered application S/2020/1486/LDP which requested that a Certificate of Lawfulness be granted for the proposed development comprising of a dormer roof extension to the rear of 9 Church Lane, Cold Higham, NN12 8LS for Mr Alex Butcher.

In reaching its decision, the Committee considered the officer's report and presentation.

**Resolved**

- (1) That authority be delegated to the Assistant Director – Planning and Economy to grant the Certificate of Lawfulness for the proposed development.

**23 Urgent Business (previously agreed with the Chairman)**

There were no items of urgent business.

The meeting closed at 5.10 pm

Chairman:

Date: