

**PLANNING COMMITTEE:** 17<sup>th</sup> December 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2014/1429

**LOCATION:** Dallington Grange, Mill Lane, Kingsthorpe

**DESCRIPTION:** Outline Planning Application (all matters reserved except access) for a Sustainable Urban Extension comprising up to 3,000 dwellings including affordable housing; up to 7.2ha employment land (Class B1 office/light industry and Class B2 general industry); a local centre to accommodate a food store (2,230m<sup>2</sup>), 6 shop units (750m<sup>2</sup>) for retail (Class A1), professional and financial services (Class A2), restaurant/cafe (Class A3), drinking establishment (Class A4) and hot food takeaway (Class A5); public house/restaurant; nursery (Class D1); 2 primary schools; secondary school; redevelopment of Grange Farm for cafe/restaurant/public house or hotel; extension of the North West Bypass on the site; provision of open space and strategic landscaping and wildlife corridors; surface water/flood management works and associated engineering works for drainage and services

**WARD:** Kings Heath Ward

**APPLICANT:** Persimmon Homes & BDW Trading  
**AGENT:** Pegasus Group

**REFERRED BY:** Head of Planning  
**REASON:** Major application requiring S106 agreement

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

##### **1 RECOMMENDATION**

##### **1.1 APPROVAL IN PRINCIPLE** subject to the following:

1.1.1 The prior completion of a Section 106 agreement to secure the planning obligations as set out in the heads of terms listed in paragraph 8.11 of this report.

##### 1.1.2 The Conditions contained in paragraph 10 of this report and for the following reason:

The National Planning Policy Framework supports sustainable housing development and economic growth. The development of the site for up to 3,000 dwellings forms a significant and vital

component of the Borough Council's 5 year housing land requirement and would contribute towards the Government's aims of improving economic development and the creation of employment and training opportunities. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the National Planning Policy Framework and the submitted West Northamptonshire Joint Core Strategy (as subsequently modified) and subject to the recommended conditions and planning obligations contained within the associated S106 agreement development of the site as proposed is considered acceptable.

- 1.2 It is also recommended that in the event that the Section 106 legal agreement is not completed within three calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.
- 1.3 Furthermore, due to the nature and complexity of the planning conditions, it is recommended that delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to amend or add conditions as appropriate.

## **2 PURPOSE OF REPORT**

- 2.1 The outline application for the Kings Heath Sustainable Urban Extension (Dallington Grange) was considered by Committee on 31<sup>st</sup> October 2018 and 'approved in principle' subject to the completion of a Section 106 legal agreement and conditions. Negotiations on the Section 106 legal agreement are ongoing with the intention that matters are concluded early in 2020.
- 2.2 In addition to considering the outline application, at the same meeting Committee considered an application for a proposed footpath diversion under Section 257 of the Town and Country Planning Act (1990), and resolved that an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to permanently divert part of Footpath HW44 as detailed on the submitted S257 application and associated plan. The diversion of the route of the existing footpath, which is situated partly within the application site and then extend northwards over an uncontrolled level crossing, is considered necessary in the interests of safety as the proposed development of the application site has the potential to increase the use of the crossing significantly thereby resulting in increased risk to proposed users of the crossing.
- 2.3 **The purpose of this report is to seek Members' approval to impose an additional condition on the outline planning permission requiring that the permanent diversion of Footpath HW44 is in place prior to occupation of any dwellings within the application site.**

## **3 THE PROPOSAL**

- 3.1 The application seeks outline approval with all matters reserved, except for access, for a Sustainable Urban Extension comprising up to 3,000 dwellings including affordable housing, up to 7.2 hectares of employment land for office/light industry (Use Class B1) and general industrial (Class B2); a local centre to accommodate a food store (2,230m<sup>2</sup>), 6 shop units (750m<sup>2</sup>) for retail (Class A1), financial and professional services (Class A2), restaurant/café (Class A3), drinking establishment (Class A4), and hot food takeaway (Class A5), public house/restaurant (Class A4/A3), nursery (Class D1); 2 primary schools; a secondary school; redevelopment of Grange Farm for café/restaurant/public house or hotel; extension of the North West Relief Road on the site; provision of open space and strategic landscaping and wildlife corridors; surface water/flood management works and associated engineering works for drainage and services.

## **4 SITE DESCRIPTION**

- 4.1 The application site is situated approximately 3.7km to the north-west of the town centre on the urban and administrative fringe of Northampton, bordering Daventry District to the west. It is

bound to the north/ north east by the mainline railway and the Brampton Arm of the River Nene, and by Kings Heath residential estate to the south east. The southern boundary comprises allotments, residential development and Lodge Farm industrial Estate. Dallington Heath/ Harlestone Firs, an area of woodland, is situated to the west and north west, with Northamptonshire County Golf Course to the north. The site is currently accessed via a metalled single-track private drive from Nene Way, an estate road providing access to Mill Lane.

- 4.2 The application site comprises 208 hectares of predominantly mixed agricultural fields, with Grange Farm, a residential farmstead and associated commercial activities, located to the north of the site, a waste/storage facility adjacent and a communications building and mast situated to the north east.
- 4.3 The site is generally undulating with levels falling along a north west to south east axis through the centre of the site, dropping down towards the north eastern boundary adjacent to the Brampton Arm of the River Nene, and to the south/ south west boundary adjacent to Dallington Brook.
- 4.4 The site comprises predominantly mixed arable and grazing agricultural land, and grassland, with Grange Farm buildings to the north. There a small number of internal hedgerows delineating the field boundaries, and external boundaries are mostly marked by hedgerows and tree belts. There a small number of isolated trees within the site, but the site is flanked by managed plantation woodland at Harlestone Firs to the north, and a woodland strip at Dallington Brook.
- 4.5 The majority of the site is situated within Flood Zone 1 with the exception of parts of the site adjacent to the River Nene and Dallington Brook situated within Flood Zones 2 and 3. A water main runs north to south across the site, with a further water main running along the eastern boundary of the site with Kings Heath.
- 4.6 There are a number of archaeological assets within the site, most notably a Neolithic causewayed enclosure in the north western half of the application site, considered to be of National Importance, with evidence of Anglo-Saxon activity immediately to the north; and evidence of an Iron-Age settlement located in the south western part of the site. Kingsthorpe Village Conservation Area is situated beyond the railway line to the east of the site.
- 4.7 Bridleways HW21 and HW6 run north west/south east across the site across the southern and northern boundaries of the site respectively. Public Footpath HW44, part of which is proposed to be diverted, extends from the northern section of the site and bridleway across an uncontrolled level crossing over the railway line and into residential properties in Kingsthorpe. The footpath, forms part of a network comprising a significant number of footpaths to the north of Northampton. In summary, the path runs from Redland Drive in Kingsthorpe and runs in approximately a north western direction, before running in a south western direction. The path crosses the Brampton Arm of the River Nene and the railway line. This crossing is at grade, which effectively means that users of the path are not separated from rail traffic and therefore need to use their own judgement to identify suitably sized gaps in rail traffic in order to cross the line. Once within the outline application site for the proposed SUE, path HW44 forms a junction with Bridleway HW6, which runs from the junction of Mill Lane and Nene Way (south of Kings Heath) in broadly northern direction towards Dallington Heath, upon which it joins a further network of paths that eventually terminate adjacent to Harlestone Road. Footpath HW44 is predominantly laid to grass and does not feature any substantial areas of hard surfacing. Furthermore, the width of the path is particularly variable. Sustrans National Cycle Route 6 runs to the north of the site.
- 4.8 There are a number of sites within or adjacent to the application site that are locally designated for nature conservation, including Dallington Heath Local Wildlife Site (LWS), situated within the site and considered to be species-rich in acid grassland, and Kingsthorpe Tussocks LWS, the majority of which is situated outside of the application site located to the north east. The site is located approximately 4.5km to the north west of the Upper Nene Gravel Pits Site of Special Scientific Interest (SSSI).

- 4.9 The first phase of the Kings Heath SUE, allocated under Policy N7 of the JCS, comprising 197 dwellings and the first section of the North West Relief Road from Sandy Lane, has been constructed and is situated to the south west of the application site, within the administrative boundary of Daventry.
- 4.10 A large area within the southern part of the site, and a second area of land in the north eastern section of the site, are owned by the Borough Council and are subject to an options agreement with the developer.

## **5 PLANNING HISTORY**

- 5.1 N/2007/0154 - Development comprising up to 3,500 dwellings; a local centre of up to 4.15ha (Classes A1-A5, B1(a), C2, C3, D1 and D2); an employment area up to 10 ha (Classes B1, B2 and B8); two primary schools; reuse and redevelopment of Grange Farm for cafe/restaurant/public house or hotel; creation of ecological habitat areas; creation of general amenity areas and formal open space; creation of landscaped areas; new accesses for vehicles, pedestrians and cyclists; sustainable drainage measures, including storage ponds for surface water attenuation; and associated engineering and service operations. All such development shall accord with the development parameters contained herein - Outline application (WNDC application). Withdrawn 30.06.15 (submission of new application).
- 5.2 WN/2006/0002 - Comprehensive development of approximately 2,500 Dwellings and Mixed Use Development Site (Duplicate of Outline Application 99/0611). Withdrawn 20.06.06.
- 5.3 WN/2006/0001 – Residential and Mixed Use Development – Withdrawn 20.06.06
- 5.4 N/1995/215 – Outline application – comprehensive residential development, together with retail, employment and other land uses including access roads. Not proceeded with.

## **6 PLANNING POLICY**

### **6.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **6.2 National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development  
Section 5 – Delivering a sufficient supply of homes  
Section 7 – Ensuring the vitality of town centres  
Section 8 - Promoting healthy and safe communities.  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land

Section 12 - Achieving well-designed places  
Paragraph 148 - Planning system should support the transition to a low carbon future.  
Paragraph 163 - Ensuring development does not increase flood risk  
Paragraph 165 - Incorporating sustainable drainage systems in major developments  
Section 12 - Achieving well designed places  
Section 15 - Conserving and enhancing the natural environment  
Section 16 - Conserving and enhancing the historic environment

### 6.3 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

POLICY S1 - The Distribution of Development  
POLICY S2 – Hierarchy of Centres  
POLICY S3 - Scale and Distribution Of Housing Development  
POLICY S4 - Northampton Related Development Area  
POLICY S5 - Sustainable Urban Extensions  
POLICY S9 - Distribution of Retail Development  
POLICY S10 - Sustainable Development Principles  
POLICY S11: Low Carbon and Renewable Energy  
POLICY C1 - Changing Behaviour and Achieving Modal Shift  
POLICY C2 - New Developments  
POLICY RC2 - Community Needs  
POLICY E6 - Education, Skills and Training  
POLICY H1 - Housing Density and Mix and Type of Dwellings  
POLICY H2 - Affordable Housing  
POLICY H5 - Sustainable Housing  
POLICY BN1 - Green Infrastructure Connections  
POLICY BN2 - Biodiversity  
POLICY BN3 - Woodland Enhancement And Creation  
POLICY BN5 - The Historic Environment  
POLICY BN7a - Water Supply, Quality and Wastewater Infrastructure  
POLICY BN7 - Flood Risk  
POLICY BN8 - The River Nene Strategic River Corridor  
POLICY BN9 - Planning for Pollution Control  
POLICY INF1 - Approach to Infrastructure Delivery  
POLICY INF2 - Contributions to Infrastructure Requirements  
POLICY N1 – The Regeneration of Northampton  
POLICY N7 – Northampton Kings Heath SUE  
POLICY N10 – Convenience Shopping Needs Outside Northampton Town Centre

### 6.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

H1 – Major New Residential Development  
H4 – Sites for Major New Residential Development  
L26 – Leisure Proposals  
T4 – Main Distributor and Primary Roads  
L4 – New Local Recreation Land  
R11 – Shopping Facilities in Major Residential Development  
E1 – Landscape and Open Space  
E6 – Greenspace  
E11 and E12 – Hedgerows Trees and Woodland  
E18 – Sites of Acknowledged Nature Conservation Value

E19 – Implementing New Development  
E20 – New Development (design)  
E29 – Crime and Vandalism  
H32 – Affordable Housing  
T12 – Development requiring servicing

## **6.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)  
Biodiversity SPD for Northamptonshire (adopted September 2017)  
Planning Obligations SPD (2013)

## **6.6 Other Material Considerations**

Northampton Green infrastructure Plan (2016)  
Open Space, Sport and Recreation Needs Assessment and Audit (2009)  
Infrastructure Delivery Plan Update (2017)

## **7 CONSULTATIONS/ REPRESENTATIONS**

7.1 Consultation responses remain as previously reported to Committee on 31<sup>st</sup> October 2018. A copy of this report is attached for reference.

## **8 APPRAISAL**

8.1 The principle of development of the site as a Sustainable Urban Extension as proposed and described in paragraph 3.1 above was ‘approved in principle’ by Committee on 31<sup>st</sup> October 2018 subject to conditions and the completion of a Section 106 legal agreement.

8.2 In association with the proposed outline planning application, an application was submitted under Section 257 of the Town and Country Planning Act 1990 to divert a section of Public Footpath HW44 that extends from the northern boundary of the site crossing over an existing uncontrolled level crossing over the Northampton to Rugby Railway Line and continuing into Kingsthorpe.

8.3 The footpath diversion was proposed as part of the outline application proposals due to public safety concerns raised by Network Rail over the potential increase in the use of the crossing given the proximity of the application site to the crossing. Accordingly, Committee on 31<sup>st</sup> October 2018 authorised the making of an order under Section 257 of the Town and Country Planning Act 1990 to permanently divert part of Public Footpath HW44.

8.4 The outline application was ‘approved in principle’ without the imposition of any conditions in respect of the footpath diversion as it was considered at the time that as an application had been submitted to the Local Planning Authority under Section 257 of the Town and Country Planning Act 1990 there was a procedure in place to ensure the matter of the footpath diversion would be appropriately dealt with.

8.5 In order to address Network Rail’s concerns it is now considered necessary that the footpath diversion order should be secured before first occupation of the development and should be subject to a planning condition. This position will be secured by a Grampian condition requiring that there is no occupation of the development before the footpath diversion order under Section 257 has been confirmed and carried out. Members are therefore requested to approve the imposition of this additional condition.

8.6 A footpath diversion order under Section 257 may be made, not only where planning permission allows development to be physically carried out on the route of an existing footpath, but also where the only necessity for a diversion order arises from a condition in a planning permission which

restricts the whole or some part of the development unless and until that diversion is first authorised by an order and is then carried out.

- 8.7 As this application is not a case in which the development permitted will physically be constructed on the route of the existing footpath, it is the language by which the Grampian restriction is expressed that satisfies the necessity test under Section 257, i.e. the diversion order is necessary so that the development may be carried out in accordance with the planning permission.
- 8.8 It is anticipated that the Section 106 Agreement will be completed in early 2020 and the outline planning permission will be issued thereafter. However, Members should note that Section 257(1A) allows a diversion order to be made by a LPA in anticipation of the grant of planning permission, where the diversion would be necessary if planning permission were to be granted. An order made in advance of the grant of planning permission cannot be confirmed by either the LPA (if there are no objections), or the Secretary of State (where there are objections) until that permission has been granted.
- 8.9 A copy of the previous Committee Report dated 31<sup>st</sup> October 2018 and the addendum in respect of the proposed outline application and footpath diversion is attached for reference. The appraisal of all other matters, including the provision of affordable housing and Section 106 matters, in relation to the proposed development which has 'approval in principle' remain as previously reported.

#### Section 106 Heads of Terms

- 8.10 For reference and to accord with the recommendations of this report, Section 106 Heads of Terms are detailed below.
- 10% affordable housing
  - Highways improvements
  - Provision of public transport and infrastructure
  - Air Quality Mitigation
  - Travel Plan
  - Primary school provision; 2 x 2.1 ha sites
  - Healthcare contribution
  - Provision of local centre and community facilities
  - Construction Futures - £182,448 & 4763 training and employment weeks
  - Open space provision and future maintenance arrangements including maintenance of SUDs;
  - Council's monitoring fee

## **9 CONCLUSION**

The National Planning Policy Framework supports sustainable housing development and economic growth. The development of the site for up to 3,000 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement and would contribute towards the Government's aims of improving economic development and the creation of employment and training opportunities. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the National Planning Policy Framework and the submitted West Northamptonshire Joint Core Strategy (as subsequently modified) and subject to the recommended conditions and planning obligations contained within the associated 106 agreement development of the site as proposed is considered acceptable.

## **10 CONDITIONS**

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") in any phase or sub-phase shall be submitted to and approved in writing by the local planning authority before any development in that phase or sub-phase begins and the development shall be carried out as approved.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and application for approval of all remaining reserved matters shall be made within ten years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin no later than two years from the date of approval of the first of the reserved matters to be approved, and development of any subsequent phase or sub-phase shall begin no later than two years from the date of approval of the reserved matters for that phase or sub-phase.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The number of dwellings to be constructed shall not exceed 3,000.

Reason: To accord with the requirements of Policy N7 of the West Northamptonshire Joint Core Strategy.

5. The development and all reserved matters applications shall pursuant to this permission shall not materially depart from the following plans and parameters:

- Land Use Parameter Plan, drawing no. P1053-04 Sheet 2 Rev O
- Green Infrastructure Parameter Plan, drawing no. P1053-04 Sheet 4 Rev O
- Building Heights Parameter Plan, drawing no. P1053-04 Sheet 5 Rev O
- Access Parameter Plan, drawing no. P1053-04 Sheet 03 Rev O
- Design and Access Statement, document ref. P.1053\_11F, April 2018
- Illustrative Masterplan, drawing no. P1053\_01 Rev Q.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

6. Prior to the submission of the first reserved matters application, a Design Code covering the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be formulated having regard to the approved Design and Access Statement (document ref. P.1053\_11F, April 2018), and respond to the recommendations of Building for Life 12, and shall include the following details:

- The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
- Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- The proposed layout, use and function of all open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.
- The approach to and design principles applied to parking (on street and off-street).



- The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
- Servicing, including utilities, design for the storage and collection of waste and recyclable materials.

7. Prior to the submission of the first reserved matters application, a detailed phasing plan for the development that identifies stages at which each element of the proposed development (including affordable housing, the local centre, open space, community facilities, employment areas, open space, sports provision, play equipment, primary schools, secondary school, housing, highway infrastructure and SUDs) shall be commenced, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the timely provision of facilities and to ensure the delivery of a sustainable and satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Contemporaneously with the submission of reserved matters applications for each phase or sub-phase of development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of BREEAM “very good” (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority. No development in that phase or sub-phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved sustainability strategy.

Reason: In the interests of the environment and to promote sustainable development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

9. As part of each reserved matters application details of existing and proposed ground levels and finished floor levels of the development in relation to adjoining land levels shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of surrounding amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

10. As part of each reserved matters application, a scheme shall be submitted for approval in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development as identified in the approved Design and Access Statement (document ref. P.1053\_11F, April 2018). The approved details shall be implemented concurrently with the reserved matters development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

11. A minimum of 10% of the residential units on any phase or sub-phase shall be designed to provide accessible and adaptable accommodation that meets the requirements of M4(2) of Part M of the Building Regulations or any subsequent equivalent standard.

Reason: To ensure the provision of a range of housing to meet different accommodation needs in accordance with the requirements of Policy H1 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

12. Concurrently with the submission of reserved matters applications for each phase or sub-phase of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients, within that phase shall be submitted to the Local Planning Authority. No development in that phase shall take place until the details have been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

13. As part of the relevant reserved matters application, engineering and construction details of the proposed access from Conway Close as shown indicatively on drawing no. 2560-GA-101 Rev B shall be submitted for approval in writing by the Local Planning Authority. The access shall be provided in accordance with the approved details prior to the occupation of the 300<sup>th</sup> dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

14. Prior to the occupation of any dwelling, engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority:

- Harlestone Road/ Quarry Road/ Lodge Way (shown indicatively on drawing no. 2560/SK/020 Rev A);
- A428/Harlestone Road/ Firs View/ Lodge Drive/ Lodge Way (shown indicatively on drawing no. 2560/SK/021 Rev A);

The works shall be carried out in accordance with the approved details prior to the occupation of the 100<sup>th</sup> dwelling on site.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

15. Prior to the occupation of the 501<sup>st</sup> dwelling, engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details as follows:

- New Sandy Lane/ Harlestone Road roundabout (as shown indicatively on drawing no. 2560/SK/017 Rev A) to be delivered prior to occupation of 601<sup>st</sup> dwelling;
- Mill Lane site access roundabout and link (as shown indicatively on drawing no. 2560/SK/015 Rev A) to be delivered prior to occupation of 1429<sup>th</sup> dwelling;
- Hawksmoor Way/ Hawksmoor Drive access (as shown indicatively on drawing no. 2560/SK/009 Rev E) to be delivered prior to occupation of 2,274<sup>th</sup> dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. Notwithstanding the details submitted, full details of walking and cycling measures into the site (including two Pegasus crossings on the proposed section of the North West Relief Road to be delivered within the site) and including full engineering and construction details and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details, be implemented in accordance with the agreed timetable and shall be retained thereafter.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Concurrently with the submission of each reserved matters application, details of the precise number, location and details of the bus stop provision for that phase or sub-phase, including raised boarders, flag, pole, shelter with real time, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of any dwellings within the relevant phase.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

18. Prior to the first occupation of any dwelling a full Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

19. No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

20. The development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) Location of access points for site traffic for that phase of development;
- c) Detailed measures for the control of dust during the construction phase of development;
- d) The location and size of compounds;
- e) The location and form of temporary buildings, adverts and hoardings;
- f) Details for the safe storage of any fuels, oils and lubricants;
- g) Construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) A scheme for the handling and storage of topsoil;
- i) A scheme for the protection of areas and species of ecological interest and for the mitigation of any possible harm to such areas or species in accordance with the principles set out in the Outline Construction Ecological Management Plan dated September 2018 by Ecology Solutions Ltd;
- j) Details of any temporary lighting;
- k) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- l) Measures for the control of noise emanating from the site during the construction period;
- m) Construction Plant Directional signage (on and off site);

n) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;

o) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: In the interests of the protecting the surrounding environment and amenity, and highway impacts in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

21. Concurrently with the reserved matters submission for each phase or sub-phase, a noise assessment of the exposure of proposed residential premises, with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted for approval in writing to the Local Planning Authority. The assessment shall take into account the likely growth of traffic over the next 15 years. Where any habitable room or outdoor amenity space cannot achieve the noise levels recommended by the World Health Organisation, a scheme to protect outdoor amenity space and any affected habitable rooms shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

22. Before any non-residential development commences as part of the overall development a Noise Assessment shall be submitted for approval in writing by the Local Planning Authority specifying the sources of internal and external noise and the provisions to be made for its control. The approved scheme shall be implemented prior to the occupation of the non-residential unit in accordance with the approved details.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

23. Concurrently with the reserved matters submission for each phase or sub-phase of the site adjoining Lodge Farm Industrial Estate, a Noise Assessment shall be submitted for approval in writing by the Local Planning Authority specifying the sources of internal and external noise and the provisions to be made for its control to mitigate impacts on proposed residential units within that phase or sub-phase. The approved scheme shall be implemented prior to the occupation of any residential units within that phase or sub-phase.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

24. For each development phase or sub-phase containing non-residential uses, a scheme for the containment, mitigation and management of noise emanating from non-residential uses within the site, including details of all external mechanical fixed plant equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each individual building. The scheme shall be implemented in accordance with approved scheme.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

25. Prior to construction work commencing in each phase or sub-phase of development, an intrusive site investigation for that phase or sub-phase of development shall be carried out in accordance with the recommendations of the WSP Report contained within the submitted Environmental

Statement and the results shall be used to produce a remediation scheme, which shall be submitted to the Local Planning Authority for approval in writing. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner.

26. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 25, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 25, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

27. Prior to the occupation of any part of each phase or sub-phase, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter. No dwelling or other unit shall be occupied until the associated refuse storage facility has been provided in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

28. Concurrently with the Reserved Matters submission for each phase or sub-phase, a Low Emissions Strategy, for that phase or sub-phase, shall be submitted in writing to the Local Planning Authority for approval. The strategy should include an assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, rapid charging points, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

The Low Emissions Strategy shall contain target for emission reductions and timescale, with pollution savings quantified. The strategy shall be implemented in accordance with the strategy as approved.

Reason: In the interests of improving air quality and reducing greenhouse gases in accordance with the requirements of Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

29. Artificial lighting shall not be installed (other than in residential development) until full and precise details have been submitted to and approved by the Local Planning Authority. The approved scheme shall be constructed and installed in full accordance with the approved details and shall thereafter be maintained in full accordance with the approved details.

Reason: In the interests of amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

30. No reserved matters applications shall be submitted until:

- a) A Written Scheme of Investigation for archaeological trial trench evaluation for the application site has been submitted to and agreed in writing by the Local Planning Authority; and
- b) The Applicant has secured the implementation of a programme of archaeological work in accordance with the scheme approved in (a).

The development hereby approved shall be carried out in accordance with the approved programme.

Reason: To ensure the appropriate management and recording of the archaeological resource within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 31. No development shall take place in those parts of the application site which either:
  - a) the previous archaeological work (as detailed in Chapter 12 of the submitted Environmental Statement) has identified as containing archaeological activity;
  - b) the archaeological investigation(s) approved in Condition 30 identifies as comprising additional areas of archaeological interest,

until a Scheme of Archaeological Resource Management (SARM) and a Heritage Management Plan have been submitted to and approved in writing by the Local Planning Authority.

The SARM will secure an appropriate programme of archaeological mitigation for the application site as a whole identifying those archaeological areas within the site that are sufficiently significant as to require mitigation, consistent with (a) and (b) above. It will provide the strategy for the recording, management and publication of the archaeological resource identified within those areas. The SARM will include provision for a suitable and proportionate programme of mitigation to be undertaken across development phases, including, where possible, all infrastructure works, if the archaeological activity is known to extend into these areas and its legibility would be anticipated to be lost should the archaeological mitigation be split between phases. The development shall be carried out in accordance with the approved details.

Reason: To secure appropriate archaeological mitigation works within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 32. The Scheme of Archaeological Resource Management (SARM), Heritage Management Plan and associated programme of mitigation shall be used to inform the implementation of a 'no build' exclusion area defining the limits for development around the causewayed enclosure the details of which shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be used to inform the layout of subsequent reserved matters applications for that phase or sub-phase.

Reason: To ensure the appropriate management and recording of the archaeological resource within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 33. A Written Scheme of Investigation for each archaeological area identified within the SARM, consistent with Condition 32, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development within that corresponding phase or sub-phase. The development shall be carried out within that phase or sub-phase in accordance with the approved details. The Written Scheme of Investigation will include the following components, completion of each of which will trigger the phased discharging of the condition:
  - a) the approved archaeological fieldwork programme, which shall be completed in accordance with the approved Written Scheme of Investigation, for each identified archaeological site, prior to the commencement of any other works on that site;
  - b) post-excavation assessment (to be produced within eight months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority); and

- c) completion of post-excavation analysis, preparation of site archive ready for deposition at a repository approved by the Local Planning Authority, completion 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 Local Planning Authority).

Reason: To secure appropriate archaeological mitigation works within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

34. Prior to the commencement of any development or clearance/vegetation removal on land within the causewayed enclosure and the exclusion area identified in Condition 30, a detailed Heritage Management Plan shall be submitted to the Local Planning Authority for approval in writing. This shall include, but not be limited to the following:
- a) Details of the location and type of fencing to protect the archaeological exclusion zone during construction, including when it is to be erected, the duration of its retention and how it will be maintained/checked at appropriate intervals to ensure it remains effective;
  - b) A detailed strategy for the preservation *in situ* of the causewayed enclosure, including the extent of the buffer zone, the treatment and planting of this area and its future maintenance and management in perpetuity;
  - c) Details of enhanced public access to the causewayed enclosure site, including the position and treatment of any footpaths;
  - d) Measures to enhance public knowledge, education and understanding of the causewayed Enclosure (e.g. heritage trails/interpretation boards/information leaflets etc.);
  - e) A written scheme of investigation for any archaeological mitigation that maybe required in association with works (public access, engagement) within the causewayed Enclosure. This shall include the timeframe for the completion of the works and submission of the report and archive if required.
  - f) A provision that in the event that archaeological mitigation by record is required it will be undertaken according to the SARM.

Reason: To ensure the preservation *in situ* and management of the causewayed enclosure, a heritage asset of high significance, in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

35. No development shall take place in each phase or sub-phase of development until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in relation to Design, Demolition and Construction – Recommendations", including details of timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase or sub-phase of development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner.

36. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to Design, Demolition and Construction – Recommendations', have been submitted for approval in writing by, the Local Planning Authority for that phase of the development. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas

shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

37. Concurrently with the reserved matters submission for each phase or sub-phase, a detailed Landscaping and Ecological Management Plan (LEMP) setting out in detail the measures to achieve an overall long-term gain in biodiversity and landscape value throughout the site, timescales for implementation, and the long-term management measures to be implemented, shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the principles of the submitted Outline LEMP dated September 2018 by Ecology Solutions Ltd, and shall make specific provision for the re-location, provision and future management of acid grassland within the application site, and measures for the protection of the Kingsthorpe Tussocks Local Wildlife Site. The development shall be carried out in accordance with the approved details.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

38. Prior to the submission of each reserved matters application for each phase or sub-phase of development, details of the need and scope for updating any protected species surveys for that phase or sub-phase of development shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The development shall be carried out in accordance with any approved mitigation measures contained therein.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy.

39. Bat and bird boxes shall be provided in accordance with a scheme which has been submitted to and approved by the Local Planning Authority as part of each reserved matters application. The details shall be implemented concurrently with the development and thereafter retained and maintained.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy.

40. Before any above ground works commence a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy in relation to that phase.

Reason: In the interests of flood prevention and to ensure a satisfactory standard of development in accordance with Policies BN7 and S10 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework.

41. The development hereby permitted shall not be commenced until such time as a plan, showing all built development to be located in Flood Zone 1 (<0.1% 1 in 1000) (with the exception of the Hawksmoor Way Access) is submitted to, and approved in writing by, the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

42. The development hereby permitted shall not be commenced until such time as a scheme to provide suitable access roads over the Main River has been submitted to, and approved in writing by, the Local Planning Authority.



The structure should be clear span with a soffit above the 0.5% (1 in 200) plus climate change flood level. Any abutments should be outside the 5% (1 in 20) flood extent.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

43. No development approved by this planning permission shall take place until such time as a scheme to ensure appropriate land use and flood mitigation within the reservoir flood extents, has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme approved under Condition 7.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

44. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment prepared by WSP UK Limited document reference number 70002560 dated as revised 30<sup>th</sup> April 2018 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

These 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. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting 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) Demonstration that for events with a return-period in excess of 3.3% (1in30), exceedance flow routes are appropriately routed such that there is no residual risk to property and critical infrastructure.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

45. Notwithstanding the submitted details, the development shall include the provision of a minimum of 7.2 hectares of employment land (Use Class B1/B2 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) and a further minimum of 2.8 hectares of employment land for non-Class B employment uses.

Reason: To ensure the delivery of an appropriate level of employment within the site In accordance with Policy N7 of the West Northamptonshire Local Plan.

46. The development hereby permitted shall include a single food store (Use Class A1) of no more than 2,230 square metres (gross) and no more than six retail units (which shall be used for purposes falling within Use Classes A1, A2, A3, A4 and A5) and will have a combined area of no more than 750 square metres (gross).

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

47. The food store hereby permitted shall have a floor space of no more than 2,230 square metres GIA, of which no more than 1,500 square metres shall be used for the display and sale of goods and services. A minimum of 75% of the retail unit shall be used for the display and sale of convenience goods and a maximum of 25% of the retail unit shall be used for the display of comparison goods.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

48. The food store hereby permitted shall not be divided to form more than one retail unit.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

49. The retail units hereby permitted shall be kept as separate units and shall not be merged, at any time, to form a smaller number of units.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

50. Prior to any works commencing to the Mill Lane access (as shown indicatively on drawing no. 2560/SK/015 Rev A), full details including a timetable for the laying out of the re-configured sports pitches adjacent to Nene Way in accordance with drawing no. P.1053-01 Sheet No. 12 Rev. Q shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of amenity and to ensure continued provision of existing sports facilities in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

51. Notwithstanding the details submitted, full details, including a timetable for implementation, of re-surfacing to ensure all weather usage to Public Right of Way HW44 and Public Bridleway HW6 within the application site as shown on drawing no. P1053-04 sheet No. 01 Rev O shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure the provision of a safe route away from vehicles and to secure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

52. No occupation of any part of the development shall take place until the footpath diversion order in relation to part of Public Right of Way HW44 as shown on drawing no. P.1053\_30 has been made, confirmed and brought into effect.

Reason: In the interests of public safety and to ensure a safe and secure development due to the proximity of the development to a level crossing in accordance with the aims of Policy S10 of the West Northamptonshire Joint Core Strategy.

## **11 BACKGROUND PAPERS**

- 11.1 N/2014/1429 & N/2018/1096

## **12 LEGAL IMPLICATIONS**

- 12.1 The development is CIL liable.

## **13 SUMMARY AND LINKS TO CORPORATE PLAN**

- 13.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



**PLANNING COMMITTEE:** 31<sup>st</sup> October 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2014/1429

**LOCATION:** Dallington Grange  
Mill Lane

**DESCRIPTION:** Outline Planning Application (all matters reserved except access) for a Sustainable Urban Extension comprising up to 3,000 dwellings including affordable housing; up to 7.2ha employment land (Class B1 office/light industry and Class B2 general industry); a local centre to accommodate a food store (2,230m<sup>2</sup>), 6 shop units (750m<sup>2</sup>) for retail (Class A1), professional and financial services (Class A2), restaurant/cafe (Class A3), drinking establishment (Class A4) and hot food takeaway (Class A5); public house/restaurant; nursery (Class D1); 2 primary schools; secondary school; redevelopment of Grange Farm for cafe/restaurant/public house or hotel; extension of the North West Bypass on the site; provision of open space and strategic landscaping and wildlife corridors; surface water/flood management works and associated engineering works for drainage and services.

**WARD:** Kings Heath Ward

**APPLICANT:** Persimmon Homes & BDW Trading  
**AGENT:** Pegasus Group

**REFERRED BY:** Head of Planning  
**REASON:** Major application requiring S106 agreement and Council Owned Land

**DEPARTURE:** No

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**1. RECOMMENDATION**

**N/2014/1429 – Outline application**

**1.1 APPROVAL IN PRINCIPLE** subject to the following:

a) The prior completion of a Section 106 agreement to secure the planning obligations as set out in the heads of terms listed in paragraph 7.94 of this report.

The National Planning Policy Framework supports sustainable housing development and economic growth. The development of the site for up to 3,000 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement and would contribute towards the Government's aims of improving economic development and the creation of employment and training opportunities. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the National Planning Policy Framework and the submitted West Northamptonshire Joint Core Strategy (as subsequently modified) and subject to the recommended conditions and planning obligations contained within the associated S106 agreement development of the site as proposed is considered acceptable.

- 1.2 It is also recommended that in the event that the Section 106 legal agreement is not completed within six calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.
- 1.3 Furthermore, due to the nature and complexity of the planning conditions, it is recommended that delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to amend the conditions as appropriate.

#### **N/2018/1096 – Public Footpath Diversion Application**

- 1.4 That an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to permanently divert part of Footpath HW44 as detailed on the submitted S257 application and shown on the plan attached.

### **2. THE PROPOSAL**

- 2.1 The application seeks outline approval with all matters reserved, except for access, for a Sustainable Urban Extension comprising up to 3,000 dwellings including affordable housing, up to 7.2 hectares of employment land for office/light industry (Use Class B1) and general industrial (Class B2); a local centre to accommodate a food store (2,230m<sup>2</sup>), 6 shop units (750m<sup>2</sup>) for retail (Class A1), financial and professional services (Class A2), restaurant/café (Class A3), drinking establishment (Class A4), and hot food takeaway (Class A5), public house/restaurant (Class A4/A3), nursery (Class D1); 2 primary schools; a secondary school; redevelopment of Grange Farm for café/restaurant/public house or hotel; extension of the North West Relief Road on the site; provision of open space and strategic landscaping and wildlife corridors; surface water/flood management works and associated engineering works for drainage and services.
- 2.2 In association with the proposed outline application for the development of the Kings Heath SUE, an application has been received under Section 257 of the Town and Country Planning Act 1990 to divert a section of Public Footpath HW44.

### **3. SITE DESCRIPTION**

- 3.1 The application site is situated approximately 3.7km to the north-west of the town centre on the urban and administrative fringe of Northampton, bordering Daventry District to the west. It is bound to the north/north east by the mainline railway and the Brampton Arm of the River Nene, and by Kings Heath residential estate to the south east. The southern boundary comprises allotments, residential development and Lodge Farm industrial Estate. Dallington Heath/Harlestone Firs, an area of woodland, is situated to the west and north west, with Northamptonshire County Golf Course to the north. The site is currently accessed via a metalled single-track private drive from Nene Way, an estate road providing access to Mill Lane.

- 3.2 The application site comprises 208 hectares of predominantly mixed agricultural fields, with Grange Farm, a residential farmstead and associated commercial activities, located to the north of the site, a waste/storage facility adjacent and a communications building and mast situated to the north east.
- 3.3 The site is generally undulating with levels falling along a north west to south east axis through the centre of the site, dropping down towards the north eastern boundary adjacent to the Brampton Arm of the River Nene, and to the south/ south west boundary adjacent to Dallington Brook.
- 3.4 The site comprises predominantly mixed arable and grazing agricultural land, and grassland, with Grange Farm buildings to the north. There a small number of internal hedgerows delineating the field boundaries, and external boundaries are mostly marked by hedgerows and tree belts. There a small number of isolated trees within the site, but the site is flanked by managed plantation woodland at Harlestone Firs to the north, and a woodland strip at Dallington Brook.
- 3.5 The majority of the site is situated within Flood Zone 1 with the exception of parts of the site adjacent to the River Nene and Dallington Brook situated within Flood Zones 2 and 3. A water main runs north to south across the site, with a further water main running along the eastern boundary of the site with Kings Heath.
- 3.6 There are a number of archaeological assets within the site, most notably a Neolithic causewayed enclosure in the north western half of the application site, considered to be of National Importance, with evidence of Anglo-Saxon activity immediately to the north; and evidence of an Iron-Age settlement located in the south western part of the site. Kingsthorpe Village Conservation Area is situated beyond the railway line to the east of the site.
- 3.7 Bridleways HW21 and HW6 run north west/south east across the site across the southern and northern boundaries of the site respectively. Public Footpath HW44, part of which is proposed to be diverted, extends from the northern section of the site and bridleway across an uncontrolled level crossing over the railway line and into residential properties in Kingsthorpe. The footpath, forms part of a network comprising a significant number of footpaths to the north of Northampton. In summary, the path runs from Redland Drive in Kingsthorpe and runs in approximately a north western direction, before running in a south western direction. The path crosses the Brampton Arm of the River Nene and the railway line. This crossing is at grade, which effectively means that users of the path are not separated from rail traffic and therefore need to use their own judgement to identify suitably sized gaps in rail traffic in order to cross the line. Once within the outline application site for the proposed SUE, path HW44 forms a junction with Bridleway HW6, which runs from the junction of Mill Lane and Nene Way (south of Kings Heath) in broadly northern direction towards Dallington Heath, upon which it joins a further network of paths that eventually terminate adjacent to Harlestone Road. Footpath HW44 is predominantly laid to grass and does not feature any substantial areas of hard surfacing. Furthermore, the width of the path is particularly variable. Sustrans National Cycle Route 6 runs to the north of the site.
- 3.8 There are a number of sites within or adjacent to the application site that are locally designated for nature conservation, including Dallington Heath Local Wildlife Site (LWS), situated within the site and considered to be species-rich in acid grassland, and Kingsthorpe Tussocks LWS, the majority of which is situated outside of the application site located to the north east. The site is located approximately 4.5km to the north west of the Upper Nene Gravel Pits Site of Special Scientific Interest (SSSI).
- 3.9 The first phase of the Kings Heath SUE, allocated under Policy N7 of the JCS, comprising 197 dwellings and the first section of the North West Relief Road from Sandy Lane, has been constructed and is situated to the south west of the application site, within the administrative boundary of Daventry.
- 3.10 A large area within the southern part of the site, and a second area of land in the north eastern section of the site, are owned by the Borough Council and are subject to an options agreement with the developer.

## **4. PLANNING HISTORY**

- 4.1 N/2007/0154 - Development comprising up to 3,500 dwellings; a local centre of up to 4.15ha (Classes A1-A5, B1(a), C2, C3, D1 and D2); an employment area up to 10 ha (Classes B1, B2 and B8); two primary schools; reuse and redevelopment of Grange Farm for cafe/restaurant/public house or hotel; creation of ecological habitat areas; creation of general amenity areas and formal open space; creation of landscaped areas; new accesses for vehicles, pedestrians and cyclists; sustainable drainage measures, including storage ponds for surface water attenuation; and associated engineering and service operations. All such development shall accord with the development parameters contained herein - Outline application (WNDC application). Withdrawn 30.06.15 (submission of new application).
- 4.2 WN/2006/0002 - Comprehensive development of approximately 2,500 Dwellings and Mixed Use Development Site (Duplicate of Outline Application 99/0611). Withdrawn 20.06.06.
- 4.3 WN/2006/0001 – Residential and Mixed Use Development – Withdrawn 20.06.06
- 4.4 N/1995/215 – Outline application – comprehensive residential development, together with retail, employment and other land uses including access roads. Not proceeded with.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **5.2 National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 76 – Viability within residential developments

Section 7 – Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Paragraph 109 – development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe.

Paragraph 110 – development should give priority first to pedestrian and cycle movements and then to facilitating access to high quality public transport, creating safe, secure environments and enabling the provision of low emission vehicles in safe, accessible and convenient locations.

Section 12 – Achieving well-designed places

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Paragraph 148 – planning system should support the transition to a low carbon future.  
Paragraph 163 – ensuring development does not increase flood risk  
Paragraph 165 – incorporating sustainable drainage systems in major developments  
Section 15 – Conserving and enhancing the natural environment  
Section 16 – Conserving and enhancing the historic environment

### 5.3 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

POLICY S1 - The Distribution of Development  
POLICY S2 – Hierarchy of Centres  
POLICY S3 - Scale and Distribution Of Housing Development  
POLICY S4 - Northampton Related Development Area  
POLICY S5 - Sustainable Urban Extensions  
POLICY S9 - Distribution of Retail Development  
POLICY S10 - Sustainable Development Principles  
POLICY S11: Low Carbon and Renewable Energy  
POLICY C1 - Changing Behaviour and Achieving Modal Shift  
POLICY C2 - New Developments  
POLICY RC2 - Community Needs  
POLICY E6 - Education, Skills and Training  
POLICY H1 - Housing Density and Mix and Type of Dwellings  
POLICY H2 - Affordable Housing  
POLICY H5 - Sustainable Housing  
POLICY BN1 - Green Infrastructure Connections  
POLICY BN2 - Biodiversity  
POLICY BN3 - Woodland Enhancement And Creation  
POLICY BN5 - The Historic Environment  
POLICY BN7a - Water Supply, Quality and Wastewater Infrastructure  
POLICY BN7 - Flood Risk  
POLICY BN8 - The River Nene Strategic River Corridor  
POLICY BN9 - Planning for Pollution Control  
POLICY INF1 - Approach to Infrastructure Delivery  
POLICY INF2 - Contributions to Infrastructure Requirements  
POLICY N1 – The Regeneration of Northampton  
POLICY N7 – Northampton Kings Heath SUE  
POLICY N10 – Convenience Shopping Needs Outside Northampton Town Centre

### 5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

H1 – Major New Residential Development  
H4 – Sites for Major New Residential Development  
L26 – Leisure Proposals  
T4 – Main Distributor and Primary Roads  
L4 – New Local Recreation Land  
R11 – Shopping Facilities in Major Residential Development  
E1 – Landscape and Open Space  
E6 – Greenspace  
E11 and E12 – Hedgerows Trees and Woodland  
E18 – Sites of Acknowledged Nature Conservation Value  
E19 – Implementing New Development  
E20 – New Development (design)



E29 – Crime and Vandalism  
H32 – Affordable Housing  
T12 – Development requiring servicing

#### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)  
Biodiversity SPD for Northamptonshire (adopted September 2017)  
Planning Obligations SPD (2013)

#### 5.6 **Other Material Considerations**

Northampton Green infrastructure Plan (2016)  
Open Space, Sport and Recreation Needs Assessment and Audit (2009)  
Infrastructure Delivery Plan Update (2017)

### 6. **CONSULTATIONS/ REPRESENTATIONS**

Representations are summarised as follows;

#### 6.1 **Anglian Water**

No objections, commenting that the Great Billing water recycling centre has adequate capacity. Mitigation is required to avoid unacceptable risk of flooding of the foul sewerage network downstream, so a foul water strategy is required.

#### 6.2 **British Horse Society**

Object on the grounds of the apparent lack of provision of rights of way for horse riders.

#### 6.3 **Canal & River Trust**

No comments.

#### 6.4 **Church with Chapel Brampton Parish Council**

Object on the grounds of inadequate highways capacity to cope with the increased traffic without the NWRR, and the impact this would have on the villages of Church and Chapel Brampton.

#### 6.5 **NHS Nene CCG**

No objection subject to a financial contribution of £1, 242 per dwelling to support commissioned services.

#### 6.6 **NBC Conservation**

No objection, on the grounds that the impact on views from the Kingsthorpe Conservation Area will not be significant.

#### 6.7 **Construction Futures**

Request a financial contribution of £182, 448 and the provision of 4763 employment/training weeks.

#### 6.8 **NCC Archaeology**

Raised concern regarding the extent of archaeological investigation carried out and evidence submitted to enable a thorough understanding of the impact of the development proposal on the significance of heritage assets, requesting further archaeological evaluation of the whole site.

Following receipt of further information, maintain concern, particularly with regard to clarifying the extent of buffer surrounding the Neolithic causeway. However, propose conditions to ensure further archaeological investigation is carried out prior to submission of any reserved matters application to ensure appropriate mitigation.

**6.9 NCC Development Management**

No objection, subject to the provision of 2 x 2.1 hectare sites for the delivery of two primary schools and financial contributions towards primary education, and the provision of a 7.7ha site for the delivery of a secondary school and a financial contribution towards secondary education. Request contributions towards fire and rescue infrastructure and libraries and the provision of fire hydrants.

**6.10 NCC Ecology**

Raised initial concern regarding the extent of biodiversity off-set and potential net loss of biodiversity at the site. Following the receipt of an outline Construction and Environmental Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP), no overall objection subject to conditioning the approval of a more detailed CEMP and LEMP.

**6.11 Northamptonshire Police**

Request financial contributions for the funding of 6 Police Community Support Officers for a period of 3 years and the provision of an on-site drop in facility.

**6.12 Crime Prevention Design Advisor**

Recommends that the development is built to comply with the principles of Secured By Design.

**6.13 Daventry District Council**

No objections subject to the proposals complying with Policy N7, the impacts on highways and community facilities being adequately mitigated, Parish Councils being notified, and the development being integrated with other developments in the vicinity.

**6.14 Duston Parish Council**

Comment on the impact on the highway network and the need for the NWRR, the need for flood control measures and adequate lagoons, need to understand the impact on fauna and flora, the archaeology of the site, and the history of ground slippage on parts of the site.

**6.15 Environment Agency**

Objected on the grounds that the application did not comply with the requirements of the NPPF.

Following the submission of a revised Flood Risk Assessment, withdrew the objection subject to conditions requiring no development in the Flood zone 1 area, details of the access roads over Dallington Brook, implementation of agreed mitigation measures, contamination measures, and works being completed before any residential occupation.

**6.16 NBC Environmental Health**

Following further discussions and correspondence regarding appropriate mitigation in respect of air quality, no objection subject to conditions for Construction and Environmental Management Plan (CEMP), and detailed measures for mitigation for noise, air quality and contamination, hours of delivery, refuse storage and lighting.

**6.17 Highways England**

No objection, subject to securing a contribution of £638,433 towards the Northampton Growth Management Scheme (NGMS) through CIL payments.

**6.18 Historic England**

Concerns that the impact of the proposals on the heritage assets on the site will be greater than that assessed by the applicant, and that the Council should consider the level of harm when determining the application.

**6.19 NBC Housing Strategy**

Request 300 affordable homes with a tenure split of 70% Affordable Rent and 30% Affordable Home Ownership, and the provision of 60% 3 bed and 40% 3 bed in the 100 Council Homes, and a range of 1,2 3 and 4 bed houses in the remaining 200 houses.

**6.20 NCC Highways**

No objections, subject to;

- The section of the NWRR within the application site being delivered by end of September 2021, or such later date agreed with the Local Planning Authority, and sufficient land secured for dualling.
- The provision of £10m of CIL money towards the second phase of the NWRR.
- The securing of the provision of land within the site for the construction of a second phase of the NWRR
- Access from Conway Close being provided before the commencement of the 100 dwellings in the south east of the application site.
- Conditions requiring off site works to be completed before agreed trigger points
- Off-site highway works contribution
- Public transport contribution
- Walking and cycling contributions
- Conditions for a CEMP, Framework Travel Plan and Design Code.

**6.21 Kings Heath Residents Association**

Concerns over the need for the NWRR, the blocking off of Nene Way, the impact on the existing traffic infrastructure in Kings Heath, the loss of the existing Junior full size football pitch, the impact of new retail units within the development on existing retail facilities in Kings Heath, and suggestions for tree planting to improve water retention.

**6.22 NCC Lead Local Flood Authority**

No objections, subject to conditions relating to details of a surface water drainage scheme, development not taking place until that has been approved, and all development complying with the approved Flood Risk assessment.

**6.23 NHS England**

Request a financial contribution of £779.23 per dwelling.

**6.24 Natural England**

No objections.

**6.25 Network Rail**

Object on the basis of the impact of the proposal on existing footpaths and crossings, but will revisit this on the basis of diversions of existing footpaths, closure of the level crossing and creation of a diversionary route before the occupation of any dwellings.

**6.26 North Northants Badger Group**

No objections, subject to appropriate conditions for the protection of badgers.

**6.27 The Ramblers**

No objection in principle.

**6.28 Sport England**

No objection in principle, subject to comments about the provision of appropriate sports pitches facilities. Indoor sports provision subject to CIL.

**6.29 Councillor T Eales**

Comments about community concerns relating to traffic and access, the cutting off of Nene Way from Mill Lane, drainage, extent of Harlestone Firs to be lost, environmental impact and provision of extra police.

**6.30 NCC Waste**

No objections, subject to there being no impact on the recycling and waste transfer site at Dallington Grange Farm, Duston.

**6.31 Whitehills and Spring Park Residents Association**

Concerns about the impact on traffic at The Cock Hotel junction, the need to build the Northern Orbital Road and the Council's recent objection to the Buckton Fields proposal.

#### 6.32 **Wildlife Trust**

Maintain their overall objection advising that the proposal represents a significant reduction in the overall biodiversity of the site, but welcome the commitment to maintain biodiversity features and assets of the Kingsthorpe Tussocks LWS.

6.33 Since the submission of the planning application, 4 rounds of consultation were carried out with local residents and nearby occupiers. Some 81 individual representations have been received and they are summarised as follows:

- The development would bring new facilities to the area which is positive.
- The proposed secondary school would affect peace and quiet enjoyment of people's homes.
- Concerned about proposed residential development close to existing commercial uses in Lodge Farm and would impact on long term 24 hour operation of the commercial sites.
- Loss of green field site and affecting wildlife and trees.
- Valuable agricultural land would be lost.
- Noise, dust and air pollution.
- Development would lead to landslip of valley.
- Not ideal place to build homes with radon gas in soil.
- Traffic chaos on Harlestone Road, Mill Lane and other surrounding areas.
- Impact on bridleway and safe routes for riders need to be maintained.
- The cycle network should facilitate the needs of horse riders.
- Stable facilities for horses would be lost.
- Open views will be replaced with back gardens.
- River Nene will be prone to pollution with additional drainage and industrial activity.
- The final design of the northwest by pass has not been agreed and there are no plans/money to complete the road.
- School and other infrastructure should be in place before houses are sold.
- Traffic surveys seem very flawed.
- The development is too big and will have a huge negative impact on the local community.
- The local health services including hospital are struggling with huge developments.
- The football field will be pinned between two busy roads and will be dangerous for children to play on.
- Concerned about construction traffic.
- Concerned that Hawksmoor Way would become a rat run through to Mill Lane.
- Visual impact of the development.
- Development shall not go ahead until north orbital route is complete.
- The North West Relief Road should be made to the same size as the recently built New Sandy Lane.
- Drainage problem with run off from the development entering the local water courses and River Nene.
- Flooding risk.
- Health care facilities cannot cope with ever growing number of patients.
- Oppose to the opening up of Conway Close.
- Whether consideration has been given to implementing a CHP based solution to provide power and heat to the estate.
- Archaeological and cultural heritage has no guarantee that it will be fully excavated.
- Plenty of brownfield sites to build on.

## 7. **APPRAISAL**

7.1 The principal issues for consideration in relation to the scheme are;

- The principle of development

- Community consultation
- Design and layout
- Landscape and visual impact
- Proposed access and wider highways issues
- Flood risk and drainage issues
- Ecology impacts and Green Infrastructure
- Open space & sports provision
- Air quality, noise and contamination
- Impact on heritage assets
- Local centre, retail and community infrastructure provision
- Employment
- Education
- Healthcare
- Planning obligations and Community Infrastructure Levy (CIL)
- Proposed Footpath Diversion

### **Principle of development**

- 7.2 The National Planning Policy Framework (NPPF) advises that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework places considerable importance on the need to have an up to- date development plan and that where the development plan is out of date Local Planning Authorities are advised to grant planning permission unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Paragraph 8 of the NPPF seeks to ensure the planning system maintains the provision of a sufficient number and range of homes to meet the needs of present and future generations.
- 7.3 The application site is allocated for development as a Sustainable Urban Extension (SUE) under Policy N7 of the JCS for the development for:
- a) in the region of 3,000 dwellings;
  - b) two primary schools;
  - c) 10ha site for a secondary school;
  - d) a local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities;
  - e) a total of approximately 10ha of land for local employment opportunities;
  - f) land provision for part of, and a financial contribution to, the north west bypass;
  - g) a financial contribution to off-site highway works to mitigate the impact of the development on the highway network including improvements to the Kingsthorpe corridor (A508) and the Cock Hotel junction;
  - h) an integrated transport network focused on sustainable transport modes including public transport, walking and cycling with strong links to the adjoining neighbourhood of Kings Heath, employment areas and the town centre;
  - i) structural greenspace and wildlife corridors as indicated on the policies map (figure 5) (to include provision of a country park area);
  - j) sport and leisure provision;
  - k) archaeological and ecological assessment of the site and required mitigation; and
  - l) flood risk management including surface water management and from all other sources.
- 7.4 It is considered that the site's identification as a SUE in the adopted JCS should be given significant weight.
- 7.5 The Northampton Local Plan was adopted in June 1997. Whilst this plan is out of date and little weight should be attached to it, it is noted that the site was allocated for housing and development in that Plan, and the route of the NWRR was safeguarded.

- 7.6 Paragraph 11 of the NPPF advises that relevant policies for housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year housing land supply. The Borough Council has an up to date plan in place, but cannot demonstrate a 5 year housing land supply.
- 7.7 In this context, it is considered that the development of the site is broadly compliant with policy, would make a significant contribution towards the Council's housing requirements and that the proposal accords in principle with the overriding aims of the NPPF for the provision of housing and the Council's obligations to ensure a 5 year housing land supply as required by the Government.
- 7.8 In addition, the development of the site would also make a positive contribution to the Borough in terms of generating income through the New Homes Bonus and Council Tax.

### **Community Consultation**

- 7.9 The applicant carried out community consultation in July 2014 comprising a leaflet drop and public exhibitions. The submitted application itself has been subject to extensive consultation, including 4 separate rounds of public consultation as the scheme has been amended over time. In addition, the allocation of the site as SUE was the subject of extensive public consultation during the drafting and adoption of the Joint Core Strategy, and was considered as part of the Examination in Public.

### **Design and Layout**

- 7.10 The NPPF advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people, creating safe, inclusive and accessible places that promote health and well-being, with a high standard of amenity, and providing opportunities to promote walking, cycling and public transport. Policy S10 of the JCS seeks to achieve high standards of design and promotes the use of sustainable development principles in relation to access to facilities, alternative transport methods, waste generation and building methods.
- 7.11 The application is submitted in outline with access for approval, and therefore the detailed design of the proposal in terms of layout, appearance, scale and landscaping would be a matter for consideration at reserved matters stage.
- 7.12 The proposal is accompanied by a Design and Access Statement, an illustrative Masterplan and a number of parameter plans which sets out the broad parameters for development going forward, and Members need to consider whether these development parameters form an appropriate framework for the future development of the site. A detailed Design Code and Masterplan covering the whole site would be required by condition based on these submitted details prior to the submission of any reserved matters application and also responding to the recommendations in Building for Life 12. A condition would also require that 'Secure by Design' standards are achieved throughout the site. The approved Design Code would seek to ensure a consistent approach throughout the development to design, layout and use of materials and identify key areas for design consideration within the site, such as the local centre.
- 7.13 The submitted plans outline a broad framework of land uses identifying the key character areas for residential development including an indication of maximum building heights, the provision of a primary and secondary schools, local centre, employment land and interlinking green infrastructure and drainage. Building heights for residential are proposed at 2-storey near to existing urban buildings, or 2.5-3 storeys in key locations. These indicated heights are a maximum and a full assessment of the acceptability of any proposed building heights would be carried out at reserved matters stage in relation to impacts on the character of the surrounding area and impact on neighbouring amenity. Density is intended to be approximately 35 dwellings per hectare, which is acceptable in this location.
- 7.14 In terms of land use, the majority of the site is proposed for residential use interspersed with green infrastructure and larger areas of green space. Two 2.1ha areas are allocated for the provision of

primary schools and further 7.7ha site for the provision of a secondary school with associated sports pitch and multi-use games area. The application details refer to the potential for dual use of these facilities to provide changing facilities for the sports pitch and, where possible community facilities, however if administrative or other issues occur that would prevent this the S106 would be worded accordingly to ensure provision is made elsewhere on site whilst remaining within the parameters assessed by the EIA. Two mixed use areas are proposed comprising a smaller local centre located adjacent to the proposed community park and primary school, and a larger local centre in the eastern part of the site which makes provision for a food store, small scale retail uses, restaurants/cafes and community use to include nursery and B1/B2 employment uses. Grange Farm, in the north of the site, is proposed for redevelopment for B1/B2 employment use and a café/restaurant/public house or hotel.

- 7.15 The Design and Access statement indicates two main street types; Main Streets, with carriageways wide enough to accommodate buses, limited access points to housing plots, shared cycle/footpaths, and landscape swales; Secondary Streets, designed to promote low vehicle speeds and create a sense of enclosure.
- 7.16 In terms of relationship with the existing built form, the creation of new vehicular entrances from Hawksmoor Way and Mill Road will create linkages with those existing residential areas, and the 100 houses on the south of the site will be directly accessed from Kingsheath. Where the proposed housing would be adjacent to industrial uses on Harlestone Road, there will be adequate separation and landscaping to ensure these uses do not conflict.

### **Landscape & Visual Impact**

- 7.17 The NPPF seeks to ensure that planning protects and enhances our natural, built and historic environment contributing to conserving and enhancing the natural environment. These aims are reflected in Policies S10 and BN5 of the JCS which seek to protect the character and structure of the landscape from adverse visual impacts.
- 7.18 The site comprises of an area of undulating predominantly arable land with levels falling along a north west to south east axis through the centre of the site, dropping down towards the north eastern boundary adjacent to the River Nene, and to the south/ south west boundary adjacent to Dallington Brook. To the east and south the development would be viewed within the context of existing development situated along those boundaries, but would be visible from the east along Mill Lane across the flood plain. To the west the development would be screened from distant views by Harlestone Firs. The development would be more prominently visible from the north due to the elevated levels of the site.
- 7.19 The principle of development of site has already been accepted by the allocation for a SUE, and the visual and landscape impacts were considered as part of that. The Inspector accepted that the development would have visual and landscape impacts, but these were outweighed by the need for sustainable housing in order to meet established need.
- 7.20 The design seeks to integrate development into the wider landscape with the Masterplan structured around character corridors of open space and green infrastructure spines which cross the site, including along Dallington Brook, around the Neolithic causeway, through the residential areas and along the Brampton Valley. These corridors are intended to be open green spaces with a mixture of treed and informal layouts, thus softening the development as well as helping to integrate it into the surrounding countryside to the north. The northern boundary of the site would be further enhanced with additional planting alongside the NWRR.
- 7.21 It is inevitable that the landscape character would change significantly with the development of the site. However, these impacts need to be weighed against the requirement for growth. The provision of sufficient and appropriate green infrastructure throughout the site and sensitive design of layout and building heights at reserved matters stage would assist in mitigating some of the impact on the existing landscape.

## Proposed Access and Wider Highway Issues

- 7.22 The application is submitted in outline with access for consideration.
- 7.23 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy N7 of the JCS requires the SUE to mitigate the impacts of the proposed development on the highway network and provide an integrated transport network focused on sustainable transport modes.
- 7.24 The main access points to the site will be via three points, from Harlestone Road, via the new stretch of the NWRR, from Harlestone Road via Hawksmoor Way with a bridge proposed over Dallington Brook, and from Mill Lane. The originally proposed closure of Nene Way for the Mill Lane access has been amended in response to local residents concerns regarding the closure of Nene Way, retaining the existing junction and proposing a new roundabout.
- 7.25 These access points would all require new or altered junctions on the existing roads, the details and phasing of which will be controlled by condition. Whilst the internal road layout from these points is shown on the illustrative masterplan, the detailed configuration, with the exception of the alignment of the proposed section of the NWRR within the site, would be a matter for further consideration at reserved matters stage.
- 7.26 Consultation on the application has raised considerable local concern regarding the impacts of the proposed development on an already congested road network, particularly along Harlestone Road and the surrounding network.
- 7.27 The potential highway impacts of the application site and all the preferred option sites allocated under the submitted Joint Core Strategy were assessed under the Northampton Multi-Modal Study (revised 2004) using the transport model developed by Arup on behalf of NCC Highways. The distribution of site allocations was found to be acceptable from a highways perspective. The submitted Joint Core Strategy includes a number of proposals to mitigate the impact of traffic associated with the development of the allocated SUEs, including the measures for the A45 corridor set out in the Northampton Growth Management Scheme.
- 7.28 The application is accompanied by a Transport Assessment (TA) in accordance with the requirements of NPPF. The submitted TA and subsequent revisions received have assessed the impact of the proposed development on the existing local highway network and includes an assessment of existing junctions during the weekday AM peak hour of 08:00 to 09:00 and weekday PM peak hour of 17:00 to 18:00. The assessment shows that the junctions immediately surrounding the vicinity of the site would be operating within capacity with the inclusion of the proposed development. Following assessment of the TA, the Highway Authority has requested the following off-site mitigation measures on the surrounding road network:
- Harlestone Road/Quarry Road/Lodge Way – signalled junction improvement (before commencement)
  - Harlestone Road/Bants Lane/Mill Lane roundabout – part of wider highway infrastructure improvements identified in JCS Infrastructure Delivery Plan (IDP).
  - A428/Harlestone Road/Firs View Drive/Lodge Way - signalled junction improvement (before commencement)
  - Mill Lane/A508 Kingsthorpe Road/A508 Harborough Road and A428 Harlestone Road/A428 Spencer Bridge Road/A4500 Weedon Road - part of wider highway infrastructure improvements identified in IDP.
  - New Sandy Lane/Harlestone Road roundabout improvement (before 601<sup>st</sup> occupation)
  - Mill Lane site access and link (before 1429<sup>th</sup> occupation).
  - Hawksmoor Road access, requiring a bridge over Dallington Brook (before 2247<sup>th</sup> occupation)
  - Conway Close access for the 100 Council houses only.



- 7.29 The above highway mitigation measures would be secured either by condition or as a S106 obligation.
- 7.30 In order to accommodate the traffic generated by the scheme, the stretch of the NWRR within the site will have to be completed by September 2021, and financial contributions be made towards the stretch of the NWRR running north from the site to the A5199. The section of the NWRR within the site will be single carriageway, but will provide sufficient land for this to be dualled if this is required in the future. Both the Borough and County Councils are now committed to delivering the northern stretch of the NWRR in a similar timetable, with the Borough Council contributing up to £4.2m of s106 receipts. The current proposal will also contribute through CIL. The ability of the NWRR to accommodate the traffic generated is influenced by, but not dependent on, the delivery of the Sandy Lane Relief Road (SLRR) on the Norwood Farm/Upton Lodge SUE sites. Negotiations on this are proceeding, but the developers have reached agreement on the land ownership issues affecting that, and as a result there is more likelihood that the SLRR will be delivered.
- 7.31 The NPPF encourages the use of sustainable transport methods and seeks to focus significant development in locations which are or can be made sustainable. Policy C1 of the Core Strategy refers to the aims of implementing a change in travel behaviour and achieving a modal shift to encourage greater use of alternative transport modes such as walking, cycling and use of public transport. Policy C2 seeks to ensure that the SUEs provide such sustainable transport to provide access to a mix of uses and ensure that such facilities are secured on first occupation.
- 7.32 The proposals submitted provide good connections to both existing and proposed pedestrian and cycle links within and surrounding the site. A number of pedestrian/cycle links to Kings Heath and the wider area are illustrated, and Pegasus crossings, to allow horses and riders to cross roads, are illustrated at two points along the NWRR, with retained Public Rights of Way proposed to be upgraded to provide a shared cycle path and separate grassed route for horses.
- 7.33 The development proposals include the diversion of a section of Public Footpath HW44 in the northern section of the site from its current alignment which crosses an un-manned level crossing over the railway. The diversion is proposed as the development of the site has the potential to increase the use of this crossing significantly and therefore is considered to increase the risk to proposed users of the crossing. Network Rail has also raised this increased risk as an area of concern. A Section 257 application has been submitted to the Council for the diversion of the footpath and is considered at paragraphs 7.98-7.105 of this report.
- 7.34 A contribution is required to fund the provision of extended public transport services through the development and will be triggered by agreed occupations of residential properties. A travel plan will also be required.
- 7.35 Detailed parking provision would form part of the reserved matters details and would be assessed against the Northamptonshire Parking Standards (September 2016).
- 7.36 A Construction Management Plan will be required by condition in order to agree the route of construction traffic, site compounds and construction matters are appropriately mitigated.

### **Flood risk and drainage issues**

- 7.37 The NPPF seeks to ensure that in determining development proposals flood risk is not increased elsewhere and that development does not contribute to or is put at risk from unacceptable levels of water pollution. Policy BN7 of the Joint Core Strategy states that all new development should demonstrate that there is no increased risk of flooding to existing properties and should seek to improve existing flood risk management. Surface water management incorporating sustainable drainage techniques should be accompanied by a long term management plan and protect and enhance water quality.

- 7.38 The majority of the site falls within Flood Zone 1, with an area in the north eastern corner, associated with the River Nene Brampton Arm, and areas on the south western boundary, associated with the Dallington Brook, falling within Flood Zones 2 and 3.
- 7.39 The scheme proposes the widespread use of Sustainable Urban drainage Systems, including extensive drainage swales and the creation of a number of large balancing ponds along the eastern Brampton Valley part of the site and along the Dallington Brook edge to ensure the proposals meet the requirement that the development meets the 1 in 200 year plus climate change surface water requirement. Neither the Lead Local Flood Authority nor the Environment Agency have objected subject to conditions and implementation requirements.

### **Ecology Impacts and Green Infrastructure**

- 7.40 Section 15 of the NPPF seeks to ensure that planning decisions contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If significant harm to biodiversity resulting from development cannot be avoided, or adequately mitigated, planning permission should be refused. Policy BN2 of the JCS seeks to ensure development maintains and enhances existing designations or delivers a net gain in biodiversity, with appropriate weight attached to the status of any sites affected.
- 7.41 At a strategic level, the site forms part of a series of green infrastructure corridors within Northamptonshire. The majority of the application site comprises managed arable fields, with areas of woodland, hedgerows and vegetation, Dallington Brook along the south western boundary, and existing buildings at Grange Farm, proposed for conversion and some for demolition. There are a number of sites within or adjacent to the application site that are locally designated for nature conservation: Dallington Heath, a Local Wildlife Site (LWS) is situated within the site and considered to be species-rich in acid grassland; and Kingsthorpe Tussocks LWS, the majority of which is situated outside of the application site located to the north east. The site is located approximately 4.5km to the north west of the Upper Nene Gravel Pits Site of Special Scientific Interest (SSSI).
- 7.42 In addition to the development of large areas of arable land, the development would result in the loss of an area of woodland along the edge of Harlestone Firs to allow development of the new section of link road, an area of existing acid grassland at Dallington Heath LWS, and the loss of some existing hedgerows and trees on site.
- 7.43 The submitted Masterplan indicates a network of greenspaces and corridors linking to existing green infrastructure, SUDs and a country park. The application is also supported by a Green Infrastructure Strategy which sets out a vision for the enhancement of existing areas such as Dallington Brook by providing future management of the woodland corridor and providing native planting to create a range of habitats, extensive areas of new wildflower grassland in the northern and southern parts of the site, and the provision of a new area of acid grassland alongside the proposed new section of the link road within the site, as replacement for that lost from the existing Dallington Heath LWS. The site would also incorporate a number of attenuation areas along the northern and southern boundaries.
- 7.44 An assessment of the findings of Phase 1 habitat surveys between August 2013 and July 2014 is contained within the submitted Environmental Statement. The surveys identified the following species within the site bats, badgers, nesting birds, and reptiles (slow-worm and common lizard). It is acknowledged that these surveys are now somewhat dated, however, by virtue of the size of the development and that the construction period is likely to be in the region of 15 years, it is considered appropriate to impose a condition for the assessment of the need and scope for the updating of any protected species surveys as part of each reserved matters application to ensure appropriate protection and mitigation of any identified species is assessed at an appropriate stage going forward.
- 7.45 The County Ecologist and Wildlife Trust raised concerns regarding the biodiversity impacts of the proposed development and level of mitigation proposed. An initial assessment of the proposals

indicates that there would be an overall loss of habitat resulting from the development proposals. The Wildlife Trust in particular has raised concerns regarding the impact of the development on the adjacent Kingsthorpe Tussocks LWS site arising from the potential for significant increased activity adjacent to the site. Natural England raise no objection but promote the provision of enhanced green infrastructure provision.

- 7.46 In response to concerns raised, the applicant has submitted an outline Construction and Environmental Management Plan (CEMP), setting out principles for ensuring potential harm to designated sites, habitats and protected species is avoided during construction, and an outline Landscape and Ecological Management Plan (LEMP) which provides an initial framework for the management of both retained and newly created habitats including the Kingsthorpe Tussocks site LWS.
- 7.47 The Wildlife Trust maintain their overall objection to the development proposals on the basis that they do not consider the proposals provide an overall net gain for wildlife, but welcome the commitment within the submitted outline LEMP to maintain biodiversity features and assets of the Kingsthorpe Tussocks LWS. The County Ecologist is satisfied that subject to conditioning the submission of a more detailed CEMP and LEMP and implementation, acceptable mitigation can be achieved.
- 7.48 The development of the site will have inevitable ecological impacts, however the site is not subject to any nationally important landscape designation. As detailed in the section below, there is a general over provision of open space within the site as a whole with the proposal including approximately 62.83ha of natural and semi-natural open space. Subject to the conditions proposed relating to mitigation and a requirement for further updated survey work as part of reserved matters submissions, officers are satisfied that impacts on ecology can be sufficiently managed and mitigated with the potential to provide enhancements through the green infrastructure provision throughout the site.

### **Open Space and Sports Provision**

- 7.49 The development proposals include the provision of approximately 79.80 ha of open space including a community park, the provision of youth and adult sports pitches, attenuation areas, structural buffer planting and landscaping, and both local and neighbourhood play areas. The extent of open space provided represents a general overprovision of the level of open space required under the Council's SPD of 40.89 ha.
- 7.50 Part of the existing sports pitches owned by the Council adjacent to Nene Way will be affected by the proposed new vehicular access from Mill Lane. The pitches are proposed to be re-orientated to ensure the level of provision remains unchanged.
- 7.51 The detailed layout of open space would be a matter for consideration at reserved matters stage. The provision of an appropriate level and type of open space, including SUDs, and the management of such spaces would be secured by way of a S106 obligation.

### **Impact on Heritage Assets**

- 7.52 Section 16 of the NPPF advises on the need to conserve heritage assets in a manner appropriate to their significance, giving great weight to the asset's conservation. Where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. Proposals within the setting of heritage assets should look for opportunities to enhance or better reveal their significance. Policies S10 and BN5 of JCS seek to conserve and enhance designated and non-designated heritage assets.
- 7.53 Archaeological investigation carried out within the boundary of the proposed development has identified a variety of varying periods of historic landscape including archaeological remains of Neolithic, Bronze-Age, Iron Age, Roman British and Saxon origin. These remains include a

Neolithic causewayed enclosure within the western area of the application site and an adjacent area to the north of Saxon activity, both considered to be of National importance. An Iron Age settlement in the southern part of the site is considered to be of County importance.

- 7.54 The development proposals seek to retain the Neolithic causeway in situ, shown on the Illustrative Masterplan as an area of open space. Information submitted with the application advises that built form is located at an offset of around 30m from the geophysical survey results identifying the causeway's location. The submitted Green Infrastructure Strategy provides some detail of how the open space across the causewayed enclosure might be laid out and designed to minimise any below ground impacts whilst allowing for on-site interpretation including information boards and footpaths, which will allow a wider public understanding and appreciation of the monument than might currently be the case, due to the predominantly below ground presence of the feature.
- 7.55 In respect of other areas currently identified as having archaeological interest, the Environmental Statement suggests appropriate recording of any remains is carried out, rather than preservation in situ.
- 7.56 The assessments carried out to inform the Environmental Statement as originally submitted included a geophysical survey comprising a 50% sample across the application site, and targeted trial trenching concentrated predominantly on the three principal archaeological sites identified above. The submitted Environmental Statement acknowledges that elements of the setting of the causewayed enclosure which contribute to its significance are its topographic location and relationship with Dallington Brook as well as contemporary adjacent below-ground archaeological remains, including pits identified during trial trench evaluation, albeit that it does not currently have an above ground presence. It is acknowledged that there will be harm to the causewayed enclosure and its setting by the introduction of the proposed surrounding built form, and therefore, this needs to be weighed against any public benefit of the development proposal.
- 7.57 Both the County Archaeologist and Historic England raised concern regarding the extent of archaeological investigation carried out, and evidence submitted to enable a thorough understanding of the impact of the development proposal on the significance of heritage assets, requesting further evaluation of the whole site. In response to these concerns, additional trial trenching has been carried out focussing predominantly on the causewayed enclosure, area of Saxon activity and the Iron Age settlement.
- 7.58 Whilst both the County Archaeologist and Historic England remain of the opinion that still further investigation of the whole site should be carried out prior to determination, particularly in relation to understanding the extent of buffer required around the Neolithic causeway, this must be weighed against other considerations including the delivery of housing and part of the NWRR, and matters of viability which are considered later in this report.
- 7.59 Conditions are proposed for the approval of a scheme for further trial trenching evaluation of the application site, and the implementation of a programme of archaeological work prior to the submission of any reserved matters applications. In addition, a condition for the approval of a scheme for appropriate mitigation, recording and future management of heritage assets is recommended. The management of heritage assets will be considered alongside proposed ecological mitigation measures and more detailed green infrastructure proposals and enhancements for the site, particularly in relation to the Neolithic causeway and its setting.
- 7.60 It is considered, that subject to the above conditions appropriate mitigation could be achieved that would ensure that any harm to heritage assets would be less than substantial, and that this harm would be outweighed by the public benefit of the delivery of a substantial amount of housing contributing to the Borough's housing need.
- 7.61 In respect of the Kingsthorpe Conservation Area, whilst the development will be visible in the distance from views within the Conservation Area, it is considered that on account of the distance involved, the remaining natural separation by the Nene valley, and the proposed mitigation through

the landscape buffer, the impact on Kingsthorpe Conservation Area and any listed buildings will not be significant.

### **Air Quality, Noise & Contamination**

- 7.62 The NPPF seeks to ensure that development is appropriate for its location in respect of pollution and contamination and impacts of noise arising from development are minimised. Policies S10 and BN9 of the JCS seek to ensure new development minimises pollution from noise, air and run off.
- 7.63 Impacts on existing air quality are likely to arise from the proposed development as a result of traffic and dust during the construction phase, and traffic during the operational phase. Conditions requiring the submission and approval of a Construction Environmental Management Plan (CEMP) and a Travel Plan promoting sustainable transport methods are proposed to assist in mitigating potential impacts.
- 7.64 Noise sources from the proposed development are likely to include construction noise, noise from plant and machinery and deliveries associated with commercial uses, noise from the employment zone and local centres, and from roads and other non-specific noise sources. The CEMP will be required to address noise issues during construction. Proposed commercial uses within the local centre will be assessed as part of a reserved matters submission when layout details are known and proximity to residential properties can be fully assessed.
- 7.65 Conditions requiring delivery details and details of plant and machinery will be required for commercial premises. Prior to development a condition requiring an assessment of the noise exposure category of residential premises will be required in relation to transportation noise taking into account the likely growth over the next 15 years and in relation to potential noise impacts from existing adjoining land uses, such as employment uses at Lodge Farm.
- 7.66 Given its current use, it is unlikely that historical uses on the land have caused contamination, however, appropriate conditions are recommended to ensure appropriate assessment and mitigation as required.
- 7.67 Given the scale of the proposed development, it is likely to result in reduced air quality through vehicle emissions, and this is likely to impact on Air Quality Management Locations already identified in the vicinity of the site. Without adequate mitigation, these would be likely to trigger acceptable NOx levels, and require further action. In order to mitigate the potential impact of this, measures to encourage sustainable transport journeys should be promoted. The developer has agreed to provide electric charging points in the employment areas and at the schools, and to support other measures through the Travel Plan. Environmental Health has encouraged the provision of Electric Vehicle (EV) charging points in all the proposed houses but as it is understood that this could create the need for increases in the electricity grid network, which would render the development financially unsustainable. It has been agreed that practical measures, including the installation of 16 amp facilities in all houses with a garage or off-site parking will encourage EV take up by providing the basic infrastructure needed for EV charging. A condition is proposed for the submission and implementation of a Low Emissions Strategy with each reserved matters phase. In addition, the submission of a detailed Travel Plan will be required by condition and S106 financial contributions towards air quality mitigation.

### **Local Centre, Retail & Community Infrastructure provision**

- 7.68 The NPPF at Section 7 seeks to ensure the viability and vitality of town centres is maintained by directing town centre uses, such as retail and leisure, to these centres. Paragraph 86 requires a sequential test, and paragraph 89 an impact assessment, for main town centre uses not in an existing centre or in accordance with an up-to-date plan. Para 92 encourages positive planning for the provision and use of shared spaces and community facilities to provide social, recreational and cultural facilities and services the community needs.

- 7.69 The JCS seeks to ensure that retail uses are located primarily within the Primary Shopping Area and then other town centre locations, but recognises the need to ensure local convenience shopping is met within the wider urban area to deliver sustainable patterns of development. Policy N7 allocates the application site as a SUE and identifies the need for retail, healthcare and community facilities, recognising that such facilities should be appropriately sized (Policy S2) and not detrimentally impact other areas. This is to be measured through the submission of a Retail Impact Assessment (Policy S9).
- 7.70 The local centres in total would accommodate the following:
- A food store (up to 2,230 sq. m gross floor area) comprising a net floor area of 1,300 to 1,500 sq. m of which about 75% is proposed for convenience goods and 25% proposed for comparison
  - 6 units (up to 750 sq. m gross floor area) comprising shops (Use Class A1), financial and professional services (Use Class A2), restaurant and café (Use Class A3) drinking establishment (Use Class A4), and hot food takeaway and (Use Class A5)
  - A public house/restaurant (up to 500 sq. m gross floor area)
  - Nursery/crèche (Use Class D1) (up to 600 sq. m gross floor area)
- 7.71 Owing to the requirements of Policy N7, it is considered that the development of a food store in this location represents a sequentially preferable location. However, local retail facilities should be of an appropriate scale and whilst this term is not defined, it is considered that a unit of the size proposed is a reasonable provision, given the number of dwellings proposed.
- 7.72 The applicant's Retail Impact Assessment concludes that the food store is of an 'appropriate' scale, given the quantum of development within the SUE. Whilst the Council's own independent advice indicates that the food store is of a size that some trade would be diverted from other centres, this is unlikely to be significant.
- 7.73 In reaching this conclusion, weight is given to the fact that the site of the intended food store is some distance away from the majority of Northampton's allocated district and local centres. Furthermore, food stores within the town centre are likely to have catchment areas that would not envelop the application site or are likely to operate in conjunction with linked trips to other town centre uses.
- 7.74 As the main use of the food store would be for convenience goods retailing (which would be secured by condition), the main impacts are likely to be on existing provision within Duston, Kings Heath and Kingsthorpe and whilst there may be a limited trade diversion, consideration does also need to be given to the fact that occupiers of the SUE would also be utilising existing facilities, owing to the nature of convenience retailing. As a consequence, this increase in spending power, is considered to be likely to result in a broadly neutral impact.
- 7.75 Conditions are necessary that would limit the maximum floorspace of the food store unit, prevent its subdivision and limit the floorspace for the sale of comparison goods such that the level of impact on existing centres could be controlled.
- 7.76 The proposal includes the provision of 6 retail/commercial units for varying 'A' Class uses. The proposed uses are considered appropriate to serve the needs of the proposed SUE, and a condition is proposed to limit the maximum floorspace of each unit and range of uses such that any impact on the vitality and viability of existing centres can be controlled.
- 7.77 The provision of a community facility has been assessed as part of the Environmental Statement and viability assessment. The application is in outline, and the exact location and design of the community facility is yet to be defined, however, it is anticipated that this would either form part of the local centre, or a facility would be provided as part of the Community Park indicated on the illustrative Masterplan.

7.78 The requirement for the provision and phasing of the local centre and community centre would be subject to a S106 obligation, and precise details of the layout and design would be dealt with as part of subsequent reserved matters submissions

### **Employment**

7.79 Policy N7 of the JCS requires; d) a local centre to include local retail facilities of an appropriate scale (including a convenience store), health care services and community facilities; e) a total of approximately 10ha of land for local employment opportunities.

7.80 Two employment areas are proposed, totalling 7.2ha. Whilst this is not compliant with policy N7, it is, provided it is agreed to be at least 7.2ha and at least 2.8ha of the employment land is not use class B in order to provide mixed employment opportunities, considered to be acceptable in the wider context of the scheme and the contribution this will make towards meeting housing need and delivering essential infrastructure. It is also noted that the local centres will themselves provide local employment opportunities.

7.81 The employment sites include Dallington Grange Farm, which offers the opportunity to refurbish and re-use these existing buildings, preserving some of the history of the site.

7.82 The Environmental Statement accompanying the application has also identified significant job creation during construction, and a contribution towards Construction training will be required.

### **Education**

7.83 The application includes the provision of two primary schools and a secondary school in accordance with the requirements of Policy N7 of the JCS. The primary schools would be for 2-form entry and are located within the development so as to be accessible from both existing and proposed residential areas.

7.84 The secondary school site would comprise a 7.7ha site and is shown on the indicative plans as being located to the eastern side of the site. The land for the secondary school would be less than 10ha policy requirement but the County Council has not objected to this. The section S106 will give the option as to whether it is built by the County Council or developer.

7.85 Primary education contributions will be secured through the s106 agreement. Secondary education forms part of the Councils CIL Regulation 123 requirements.

### **Healthcare**

7.86 Financial contributions have been requested from NHS England and Nene Clinical Commissioning Group (CCG) to mitigate the healthcare impacts arising from the development proposals. The contributions would be secured through a S106 obligation, subject to meeting the necessary tests of paragraph 56 of the NPPF. Discussions are ongoing with the healthcare authorities as to where these funds would specifically be directed to ensure they remain relevant to the impacts of the development proposed.

### **Planning Obligations and CIL**

7.87 Paragraph 54 of the NPPF advises that Local Planning Authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The Heads of Terms as listed below form the basis for the formulation of planning obligations in order to mitigate the unacceptable impact of the development. It is considered that the impact of the development in terms of affordable housing, educational requirements, highway improvements, public transport provision and healthcare are all capable of being sufficiently mitigated.

- 7.88 Paragraph 57 of the NPPF advises that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances, including whether the plan and the viability evidence under pinning is up-to-date.
- 7.89 The application is supported by a Viability Report which has been subject to independent assessment on behalf of the Council. Further amendments to the original viability report have been assessed to take account of varying consultee and infrastructure requirements and alterations to the proposed affordable housing mix. The independent assessment concludes that it is reasonable to expect a developer to achieve a profit and, given the size and complexity of the scheme, it is considered current market expectations would be for a profit equating to circa 20% of market gross domestic value (GDV). From further testing of the viability, the assessment concludes that the scheme could achieve a profit level of 18.43% and provide 10% affordable housing and S106/CIL contributions. CIL contributions are non-negotiable and would be payable on all residential and retail development within the SUE.

The affordable housing element is considered in more detail below:

#### Affordable Housing

- 7.90 Paragraph 64 of the NPPF advises that at least 10% of the homes in major housing developments should be available for affordable home ownership. Policy H2 of the JCS requires the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.
- 7.91 An area of land within the proposed development site, owned by the Borough, has been put forward for the early delivery of 100 units of affordable housing as part of a wider Council aspiration for the accelerated delivery of affordable homes. It has been agreed that the developers will service the site and build the proposed dwellings which will form part of the overall proposed 10% affordable housing provision for the development. The 100 houses will be served by a vehicular access from Conway Close, the access restricted by the Highway Authority to provide access to no more than 100 dwellings due to the nature of surroundings roads, with pedestrian and cycle access only to the wider SUE site. Whilst the access arrangement and concentration of affordable dwellings in planning terms is not ideal, the siting of the proposed dwellings will ensure early delivery of a considerable number of affordable units. The 100 units will comprise a mix of 60% 2-bedroom and 40% 3-bedroom properties for affordable rent. An indicative Phasing Parameter Plan has been submitted indicating the early delivery of this element of affordable housing as part of Phase 1. The early delivery of these dwellings will be secured by way of a S106 obligation ensuring delivery prior to occupation of the 300<sup>th</sup> market dwelling on site.
- 7.92 In respect of affordable housing provision on the remainder of the site, this would comprise a tenure type of 70% affordable rent and 30% Affordable Home Ownership (Shared Ownership and/or Rent to Buy).
- 7.93 S106 Heads of Terms
- 10% affordable housing
  - Highways improvements
  - Provision of public transport and infrastructure
  - Air Quality Mitigation
  - Travel Plan
  - Primary school provision; 2 x 2.1 ha sites
  - Healthcare contribution
  - Provision of local centre and community facilities
  - Construction Futures - £182,448 & 4763 training and employment weeks.
  - Open space provision and future maintenance arrangements including maintenance of SUDs;
  - Council's monitoring fee.



- 7.94 Requirements in respect of contributions towards the provision of police officers, fire and libraries are not required by planning policy. As part of any reserved matters submission, further consideration can be given to the provision of facilities within any proposed community facility for the provision of an on-site drop in facility.
- 7.95 The development will be subject to CIL payments which are non-negotiable. The contributions will be considered against the requirements of the Council's CIL Regulation 123 list which includes the following infrastructure: the North West Relief Road, secondary education, the Northampton Growth Management Strategy (NGMS) (M1/A45 junction improvements, and indoor sports provision.
- 7.96 It is disappointing to both officers and the applicant that the site is only able to achieve this reduced level of affordable housing provision and S106 contributions. The S106 agreement will make provision for the scheme to be re-valued at each phase of the development. Should this re-valuation demonstrate that the viability of the site has improved, the amount of affordable housing will be increased accordingly. For certainty, the base level will remain as a minimum for the whole scheme so that planning obligations once revisited will not fall below this agreed baseline.
- 7.97 These viability issues must be weighed against the provision of much needed housing to meet the Borough's housing need and the associated New Homes Bonus, the early delivery of an element of affordable housing, and that the development will assist in the delivery of the North West Relief Road.

#### **Proposed Footpath Diversion under S257 of the Town and Country Planning Act (1990)**

- 7.98 The S257 application has been subject to initial consultation: Comments received are summarised as follows:
- **Network Rail** – has made separate representations to the Local Planning Authority detailing concern at the increase in safety risk posed by the new settlement given the increase in users and likely change in the character of users at the level crossing. Require existing level crossing is closed prior to occupation of new residential units and advise on matters for the developer in relation to crossing under the existing railway bridge as a result of the diversion.
  - **The Ramblers** – no objection, subject to the provision of an appropriate width and surface to the new path, the provision and retention a footbridge over the ditch/ watercourse and appropriate future maintenance.
  - **Highway Authority** – no objection in principle. The proposed diversion is probably the most expedient route available, despite being much longer and less direct than the current route, as the position of the railway line would prevent a more convenient diversion.
- 7.99 Under the provisions of Section 257 of the Planning Act, the relevant test to be applied to applications to divert footpaths is whether it is necessary to divert the footpath in order to implement a previously approved development. In this particular case, the development proposed under application N/2014/1429 would result in the provision of up to 3000 homes, in addition to other facilities, in close proximity to an at grade crossing of the railway line.
- 7.100 The scale of the proposed development therefore has the potential to increase the usage of the path and crossing by a significant amount. Given that this existing crossing arrangement is less than desirable from a safety perspective, such a momentous increase in the usage of the path could potentially lead to a significant decline in the level of safety for those using both the path and railway line. This risk has also been highlighted in the representations from Network Rail. As a consequence, it is considered that in order to implement a development that is of a good standard of development and is also safe and secure, the proposed diversion is necessary.

- 7.101 The proposed diversion would increase the length of the footpath from approximately 1,000m to approximately 1,776m. Whilst this is an increase in the region of 61.45%, which is not insignificant, weight does need to be given to the integration of the path within the wider network.
- 7.102 As an example, users of the path would need to travel from Redland Drive in Kingsthorpe (to the north east of the site), across open space and then the application site. At this juncture the path joins path HW6 and users have the choice of either travelling east to the junction of Mill Lane and Nene Way or west towards Harlestone Firs and then south towards Harlestone Road. As a consequence, users of path HW44 are likely to use the path in combination with other footpaths of significant length within the vicinity and, within this context, the increase in length is unlikely to add significantly to journey times or lengths. As a consequence, the diversion would not generate excessive inconvenience for users of the footpath.
- 7.103 In addition, significant weight should be given to the fact that the diversion of the path would remove an at grade crossing over a major rail line, which does not benefit from particularly good natural surveillance. The proposed diversion would allow for the creation of a safe means of crossing the railway line through the creation of an underpass. This improvement to the safety of the path would be of some benefit to users of the path and would offset any inconvenience caused by the increase in the length of the path.
- 7.104 Further to these points, it is acknowledged that Network Rail have undertaken to close off the existing crossing at the earliest opportunity and install suitable boundary treatments to the railway line in order to prevent unauthorised access to the railway line across the original route.
- 7.105 As part of the certification process and agreement of the reserved matters, the Council would ensure that the footpath diversion is carried out using appropriate surfacing in order to ensure the path remains accessible and usable throughout its life and ensure the appropriate provision of a small footbridge across a small section of water. Furthermore, the path diversion would be carried out to a prescribed minimum width, which would also aid accessibility. These measures would also be of some benefit to the users of the diverted path.

## **8. CONCLUSION**

### **N/2014/1429**

- 8.1 The National Planning Policy Framework supports sustainable housing development and economic growth. The development of the site for up to 3,000 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement and would contribute towards the Government's aims of improving economic development and the creation of employment and training opportunities. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the National Planning Policy Framework and the submitted West Northamptonshire Joint Core Strategy (as subsequently modified) and subject to the recommended conditions and planning obligations contained within the associated 106 agreement development of the site as proposed is considered acceptable.

### **N/2018/1096**

- 8.2 In view of the above, it is therefore considered the diversion as proposed is necessary to implement the development proposed under planning application N/2014/1429, should Members be minded to approve that application.

## **9. CONDITIONS**

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") in any phase shall be submitted to and approved in writing by the local planning authority

before any development in that phase begins and the development shall be carried out as approved.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and application for approval of all remaining reserved matters shall be made within ten years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin no later than two years from the date of approval of the first of the reserved matters to be approved, and development of any subsequent phase shall begin no later than two years from the date of approval of the reserved matters for that phase.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The number of dwellings to be constructed shall not exceed 3,000.

Reason: To accord with the requirements of Policy N7 of the West Northamptonshire Joint Core Strategy.

5. The development and all reserved matters applications shall pursuant to this permission shall not materially depart from the following plans and parameters:

- Land Use Parameter Plan, drawing no. P1053-04 Sheet 2 Rev O
- Green Infrastructure Parameter Plan, drawing no. P1053-04 Sheet 4 Rev K
- Building Heights Parameter Plan, drawing no. P1053-04 Sheet 5 Rev O
- Access Parameter Plan, drawing no. P1053-04 Sheet 03 Rev O
- Up to 2 x 2.1 hectare sites for the provision of two primary

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

6. Prior to the submission of any reserved matters application, a detailed Masterplan and Design Code covering the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code shall be formulated having regard to the submitted Design and Access Statement, and respond to the recommendations of Building for Life 12, and shall include the following details:

- A phasing plan for the development, including an affordable housing phasing plan;
- The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
- Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- The proposed layout, use and function of all open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.
- The approach to and design principles applied to parking (on street and off-street).

- The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
- Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
- The design principles that will be applied to the development to encourage security and community safety.
- Design principles that will be applied to the mixed use areas, local centres and employment areas;
- External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods
- Design principles for the incorporation of Sustainable Urban Drainage Systems (SUDS) throughout the development.

Thereafter, any reserved matters application for any phase of development shall comply with the principles established by the approved masterplan and within the approved Design Code.

Reason: In the interests of securing a sustainable and secure development in accordance with the requirements of Policies S10 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Prior to the submission of any reserved matters application, a detailed phasing plan for the development that identifies stages at which each element of the proposed development (including the local centre, open space, community facilities, employment areas, open space, sports provision, play equipment, primary schools, secondary school, housing, highway infrastructure and SUDs) shall be commenced, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the timely provision of facilities and to ensure the delivery of a sustainable and satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Contemporaneously with the submission of reserved matters applications for each phase of development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of BREEAM “very good” (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority. No development in that phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved sustainability strategy.

Reason: In the interests of the environment and to promote sustainable development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

9. As part of each reserved matters application details of existing and proposed ground levels and finished floor levels of the development in relation to adjoining land levels shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of surrounding amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

10. As part of each reserved matters application, a scheme shall be submitted for approval in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have

been addressed in the development as identified in the submitted Design and Access Statement. The approved details shall be implemented concurrently with the reserved matters development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

11. A minimum of 10% of the residential units on any phase shall be designed to provide accessible and adaptable accommodation that meets the requirements of M4(2) of Part M of the Building Regulations or any subsequent equivalent standard.

Reason: To ensure the provision of a range of housing to meet different accommodation needs in accordance with the requirements of Policy H1 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

12. Concurrently with the submission of reserved matters applications for each phase of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients, within that phase shall be submitted to the Local Planning Authority. No development in that phase shall take place until the details have been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

13. As part of the relevant reserved matters application, engineering and construction details of the proposed access from Conway Close as shown indicatively on drawing no. 2560-GA-101 Rev B shall be submitted for approval in writing by the Local Planning Authority. The access shall be provided in accordance with the approved details prior to the occupation of the 300<sup>th</sup> dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

14. Before any above ground works commence, engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority:

- Harlestone Road/ Quarry Road/ Lodge Way (shown indicatively on drawing no. 2560/SK/020 Rev A);
- A428/Harlestone Road/ Firs View/ Lodge Drive/ Lodge Way (shown indicatively on drawing no. 2560/SK/021 Rev A);

The works shall be carried out in accordance with the approved details prior to the first occupation of any dwelling on site with the exception of the 100 houses to be served from Conway Close.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

15. Before any above ground works commence, engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details as follows:

- New Sandy Lane/ Harlestone Road roundabout (as shown indicatively on drawing no. 2560/SK/017 Rev A) to be delivered prior to occupation of 601<sup>st</sup> dwelling;

- Mill Lane site access roundabout and link (as shown indicatively on drawing no. 2560/SK/015 Rev A) to be delivered prior to occupation of 1429<sup>th</sup> dwelling;
- Hawksmoor Way/ Hawksmoor Drive access (as shown indicatively on drawing no. 2560/SK/009 Rev E) to be delivered prior to occupation of 2,274<sup>th</sup> dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. Notwithstanding the details submitted, full details of walking and cycling measures into the site (including two Pegasus crossings on the proposed section of the North West Relief Road to be delivered within the site) and including full engineering and construction details and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be implemented in accordance with the agreed timetable and shall be retained thereafter.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Concurrently with the submission of each reserved matters application, details of the precise number, location and details of the bus stop provision for that phase, including raised boarders, flag, pole, shelter with real time, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of any dwellings within the relevant phase.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

18. Prior to the first occupation of any dwelling a full Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

19. No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

20. The development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) Location of access points for site traffic for that phase of development;

- c) Detailed measures for the control of dust during the construction phase of development;
- d) The location and size of compounds;
- e) The location and form of temporary buildings, adverts and hoardings;
- f) Details for the safe storage of any fuels, oils and lubricants;
- g) Construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) A scheme for the handling and storage of topsoil;
- i) A scheme for the protection of areas and species of ecological interest and for the mitigation of any possible harm to such areas or species in accordance with the principles set out in the Outline Construction Ecological Management Plan dated September 2018 by Ecology Solutions Ltd;
- j) Details of any temporary lighting;
- k) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- l) Measures for the control of noise emanating from the site during the construction period;
- m) Construction Plant Directional signage (on and off site);
- n) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- o) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: In the interests of the protecting the surrounding environment and amenity, and highway impacts in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

21. Concurrently with the reserved matters submission for each phase, a noise assessment of the exposure of proposed residential premises, with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted for approval in writing to the Local Planning Authority. The assessment shall take into account the likely growth of traffic over the next 15 years. Where any habitable room or outdoor amenity space cannot achieve the noise levels recommended by the World Health Organisation, a scheme to protect outdoor amenity space and any affected habitable rooms shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

22. Before any non-residential development commences as part of the overall development a Noise Assessment shall be submitted for approval in writing by the Local Planning Authority specifying the sources of internal and external noise and the provisions to be made for its control. In particular, but not exclusively, the assessment shall include appropriate levels of mitigation for properties closest to the south west boundary of the development facing Lodge Farm Industrial Estate. The approved scheme shall be implemented prior to the occupation of the non-residential unit in accordance with the approved details.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

23. For each development phase, a scheme for the containment, mitigation and management of noise emanating from the site, including details of all external mechanical fixed plant equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each individual building. The scheme shall be implemented in accordance with approved scheme.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

24. Prior to construction work commencing on site, an intrusive site investigation for each phase of development shall be carried out in accordance with the recommendations of the **WSP** Report contained within the submitted Environmental Statement and the results shall be used to produce a remediation scheme, which shall be submitted to the Local Planning Authority for approval in writing. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

25. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (Q2c above – to be substituted with the correct condition number), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (Q3c above – to be substituted with the correct condition number), which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

26. Prior to the occupation of any part of each phase, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter. No dwelling or other unit shall be occupied until the associated refuse storage facility has been provided in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

27. Concurrently with the Reserved Matters submission for each phase, a Low Emissions Strategy, for that phase, shall be submitted in writing to the Local Planning Authority for approval. The strategy should include an assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, rapid charging points, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

The Low Emissions Strategy shall contain target for emission reductions and timescale, with pollution savings quantified. The strategy shall be implemented in accordance with the strategy as approved.

Reason: In the interests of improving air quality and reducing greenhouse gases in accordance with the requirements of Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

28. Artificial lighting shall not be installed (other than in residential development) until full and precise details have been submitted to and approved by the Local Planning Authority. The approved scheme shall be constructed and installed in full accordance with the approved details and shall thereafter be maintained in full accordance with the approved details.



Reason: In the interests of amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

29. No Reserved Matters applications shall be submitted until:
- c) A Written Scheme of Investigation for archaeological trial trench evaluation for the application site has been submitted to, and agreed in writing by the Local Planning Authority; and
  - d) The Applicant has secured the implementation of a programme of archaeological work in accordance with the scheme approved in (a).

The development hereby approved shall be carried out in accordance with the approved programme.

Reason: To ensure the appropriate management and recording of the archaeological resource within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

30. The evaluation required under Condition 32, shall be used to identify a 'no build' exclusion area identifying the limits for development around the Causewayed enclosure the details of which shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be used to inform the layout of subsequent reserved matters application for that phase.

Reason: To ensure the appropriate management and recording of the archaeological resource within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

31. Prior to the commencement of any development or clearance/vegetation removal on land within the Causewayed enclosure and the exclusion area identified in Condition 33, a detailed Heritage Management Plan shall be submitted to the Local Planning Authority for approval in writing. This shall include, but not be limited to the following:

- g) Details of the location and type of fencing to protect the archaeological exclusion zone during construction, including when it is to be erected, the duration of its retention and how it will be maintained/checked at appropriate intervals to ensure it remains effective;
- h) A detailed strategy for the preservation *in situ* of the Causewayed enclosure, including the extent of the buffer zone, the treatment and planting of this area and its future maintenance and management in perpetuity;
- i) Details of enhanced public access to the Causewayed enclosure site, including the position and treatment of any footpaths;
- j) Measures to enhance public knowledge, education and understanding of the Causewayed Enclosure (e.g. heritage trails/interpretation boards/information leaflets etc.);
- k) A written scheme of investigation for any archaeological mitigation that maybe required in association with works (public access, engagement) within the Causewayed Enclosure. This shall include the timeframe for the completion of the works and submission of the report and archive if required.
- l) In the event that archaeological mitigation by record is required it will be undertaken according to the SARM

Reason: To ensure the preservation *in situ* and management of the causewayed enclosure, a heritage asset of high significance, in accordance with with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

32. No development shall take place in those parts of the application site which:
- c) the previous archaeological work (as detailed in Chapter 12 of the submitted Environmental Statement) has identified as containing archaeological activity;

d) the archaeological investigation(s) approved in Condition 32 identifies as comprising additional areas of archaeological interest, until a Scheme of Archaeological Resource Management (SARM) and a Heritage Management Plan have been submitted to, and approved in writing by the Local Planning Authority.

The SARM will secure an appropriate programme of archaeological mitigation for the application site as a whole identifying archaeological areas for preference. It will provide the strategy for the recording, management and publication of the archaeological resource in each archaeological area for preference. The SARM will include provision for mitigation to be undertaken across development phases, including where possible all infrastructure works, if the archaeological activity is known to extend into these areas and legibility would be lost if the archaeology was split between phases. The development shall be carried out in accordance with the approved details.

Reason: To secure appropriate archaeological mitigation works within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

33. A Written Scheme of Investigation for each archaeological area for preference shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development within that phase. The development shall be carried out within that Phase in accordance with the approved details. The Written Scheme of Investigation will include the following components, completion of each of which will trigger the phased discharging of the condition:
- d) the approved archaeological fieldwork programme, which shall be completed in accordance with the approved Written Scheme of Investigation, for each identified archaeological site, prior to the commencement of any other works on that site;
  - e) post-excavation assessment (to be produced within eight months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority); and
  - f) completion of post-excavation analysis, preparation of site archive ready for deposition at a repository approved by the Local Planning Authority, completion 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 Local Planning Authority).

Reason: To secure appropriate archaeological mitigation works within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

34. No development shall take place in each phase of development until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in relation to Design, Demolition and Construction – Recommendations", including details of timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase of development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

35. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to Design, Demolition and Construction – Recommendations', have been submitted for approval in writing by, the Local Planning Authority for that phase of the development. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas

shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

36. Concurrently with the reserved matters submission for each phase, a detailed Landscaping and Ecological Management Plan (LEMP) setting out in detail the measures to achieve an overall long-term gain in biodiversity and landscape value throughout the site, timescales for implementation, and the long-term management measures to be implemented, shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the principles of the submitted Outline LEMP dated September 2018 by Ecology Solutions Ltd, and shall make specific provision for the re-location, provision and future management of acid grassland within the application site, and measures for the protection of the Kingsthorpe Tussocks Local Wildlife. The development shall be carried out in accordance with the approved details.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

37. Prior to the submission of each reserved matters application, details of the need and scope for updating any protected species surveys shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The development shall be carried out in accordance with any approved mitigation measures contained therein.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy.

38. Bat and bird boxes shall be provided in accordance with a scheme which has been submitted to and approved by the Local Planning Authority as part of each reserved matters application. The details shall be implemented concurrently with the development and thereafter retained and maintained.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy.

39. Before any above ground works commence a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy in relation to that phase.

Reason: In the interests of flood prevention and to ensure a satisfactory standard of development in accordance with Policies BN7 and S10 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework.

40. The development hereby permitted shall not be commenced until such time as a plan, showing all built development to be located in Flood Zone 1 (<0.1% 1 in 1000) (with the exception of the Hawksmoor Way Access) is submitted to, and approved in writing by, the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

41. The development hereby permitted shall not be commenced until such time as a scheme to provide suitable access roads over the Main River has been submitted to, and approved in writing by, the Local Planning Authority.

The structure should be clear span with a soffit above the 0.5% (1 in 200) plus climate change flood level. Any abutments should be outside the 5% (1 in 20) flood extent.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework.

42. No development approved by this planning permission shall take place until such time as a scheme to ensure appropriate land use and flood mitigation within the reservoir flood extents, has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme approved under Condition 7.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework.

43. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment prepared by WSP UK Limited document reference number 70002560 dated as revised 30<sup>th</sup> April 2018 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

These 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. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting 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) Demonstration that for events with a return-period in excess of 3.3% (1in30), exceedance flow routes are appropriately routed such that there is no residual risk to property and critical infrastructure.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

44. Notwithstanding the submitted details, the development shall include the provision of a minimum of 7.2 hectares of employment land (Use Class B1/B2 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) and a further minimum of 2.8 hectares of employment land for non-Class B employment uses.

Reason: To ensure the delivery of an appropriate level of employment within the site in accordance with Policy N7 of the West Northamptonshire Local Plan.

45. The development hereby permitted shall include a single food store (Use Class A1) of no more than 2,230 square metres (gross) and no more than six retail units (which shall be used for purposes falling within Use Classes A1, A2, A3, A4 and A5) and will have a combined area of no more than 750 square metres (gross).

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

46. The food store hereby permitted shall have a floor space of no more than 2,230 square metres, of which no more than 1,500 square metres shall be used for the display and sale of goods and services. A minimum of 75% of the retail unit (1,125 square metres) shall be used for the display and sale of convenience goods and a maximum of 25% (375 square metres) shall be used for the display of comparison goods.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

47. The food store hereby permitted shall not be divided to form more than one retail unit.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

48. The retail units hereby permitted shall be kept as separate units and shall not be merged, at any time, to form a smaller number of units.;

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

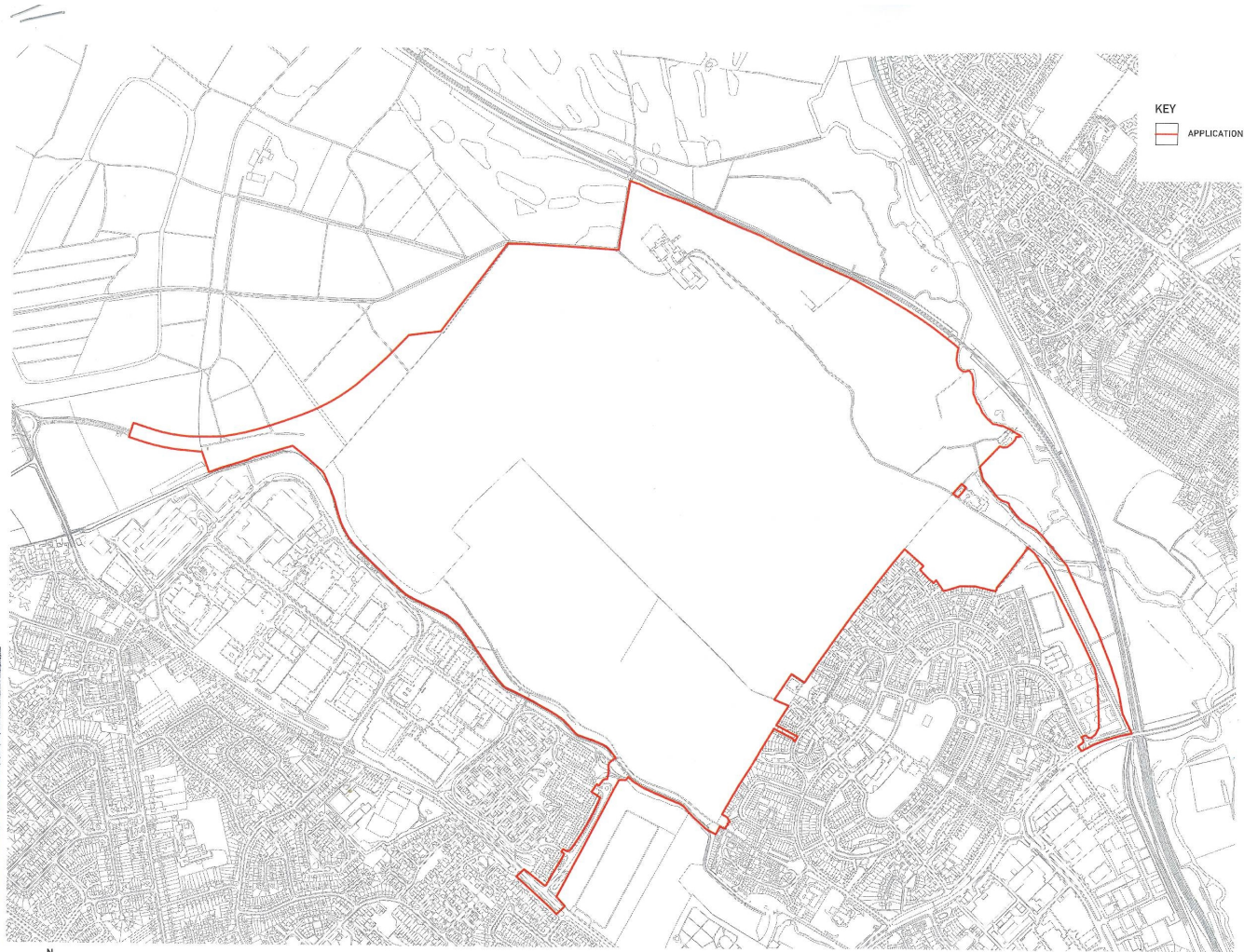
- 10.1 N/2014/1429 & N/2018/1096

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is CIL liable.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



KEY  
APPLICATION BOUNDARY

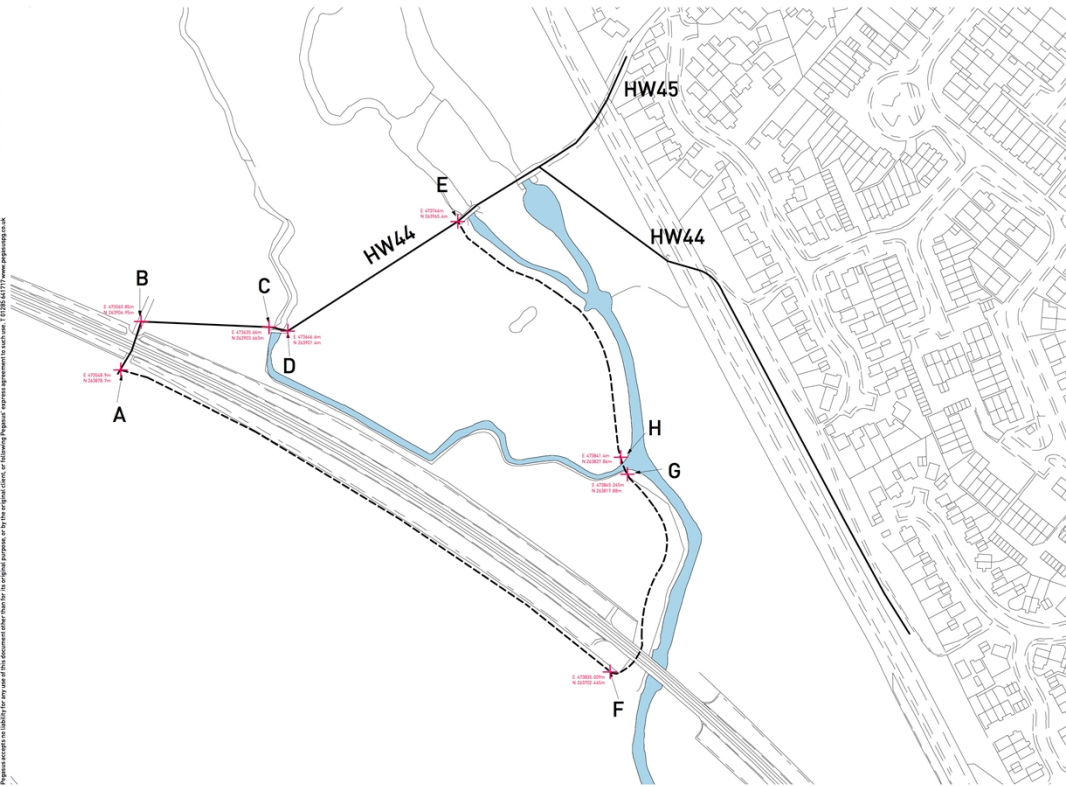


### DALLINGTON GRANGE, NORTHAMPTON - SITE LOCATION PLAN

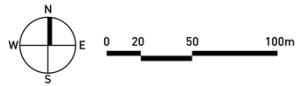


PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | WWW.PEGASUSPG.CO.UK | TEAM/DRAWN BY E.T/KM | APPROVED BY P.M. EJT | DATE: 17/04/16 | SCALE: 1:5000 @ A1 | DRWG: P1653\_04 | SHEET NO: 01 | REV: 0 | CLIENT: PERSIMMON HOMES LTD & BOW TRADING LTD

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**KEY**  
 ——— A-B-C-D-E ROUTE TO BE DIVERTED  
 - - - - - A-F-G-H-E PROPOSED NEW ROUTE



**DALLINGTON GRANGE, NORTHAMPTON - PROPOSED FOOTPATH DIVERSION**

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | WWW.PEGASUSPG.CO.UK | TEAM/DRAWN BY KM | APPROVED BY P.M: RR | DATE: 27/07/2018 |  
 SCALE: 1:2000 @ A3 | DRWG: P.1053\_01 SHEET NO: 30 REV: A | CLIENT: PERSIMMON HOMES LTD & BDW TRADING LTD |





## Addendum to Agenda Item Wednesday 31st October 2018

### 5. ITEMS FOR DETERMINATION

#### Item 5

N/2014/1429

Outline Planning Application (all matters reserved except access) for a Sustainable Urban Extension comprising up to 3,000 dwellings including affordable housing; up to 7.2ha employment land (Class B1 office/light industry and Class B2 general industry); a local centre to accommodate a food store (2,230m<sup>2</sup>), 6 shop units (750m<sup>2</sup>) for retail (Class A1), professional and financial services (Class A2), restaurant/cafe (Class A3), drinking establishment (Class A4) and hot food takeaway (Class A5); public house/restaurant; nursery (Class D1); 2 primary schools; secondary school; redevelopment of Grange Farm for cafe/restaurant/public house or hotel; extension of the North West Bypass on the site; provision of open space and strategic landscaping and wildlife corridors; surface water/flood management works and associated engineering works for drainage and services.

Dallington Grange, Mill Lane, Kingsthorpe

#### Paragraph 7.91 - amendment

The early delivery of the 100 units of affordable housing "will be secured by way of a S106 obligation ensuring delivery prior to occupation of the 300<sup>th</sup> dwelling on site". (reference to 'market' removed)

#### Paragraph 7.93 – amendment

##### Additional

Inclusion of obligation within the S106 legal agreement to ensure delivery of the section of NWRR within the application site by 30<sup>th</sup> September 2021 and ensure appropriate land is retained for dualling.

#### 104 further representations have been received, the comments of whom are summarised as follows:

- NCC Highways' own data predicts that traffic on Brampton Lane will increase by 87% in 2021 if the NWRR goes ahead. This will have huge impact on residents in Kingsthorpe, Whitehills, Spring Park and far beyond.
- Added congestion on Ryehill, Mill Lane, Harlestone Road
- Lack of confidence in NCC Highways' presentation of data in consultation on the North West Relief Road and Northampton North Orbital Route which exaggerated greatly the benefits of the schemes.
- Surely a dualled carriageway is the only viable option.
- Development plans should cease until proper road infrastructure is in place.



- The highways are inadequate and villages used as rat runs.
- Loss of part of Harlestone Firs, green space, wildlife and dog walking area.
- No provision on plan for doctors surgeries or dentists, lack of healthcare.
- Proposals will take away a home and successful livery yard.
- Committee objected to Buckton Fields application, how can Dallington be considered so soon?
- Increase in noise and air pollution.
- Impact on enjoyment of adjacent allotment.
- The new estate will attract crime.
- Not enough affordable housing.
- Lack of school places for children.
- Impact on flooding.
- No money injected into local areas, it will make a divide between the local communities.
- Not enough police to cope.
- Being flooded with estates in a very short period, and becoming hard to absorb them and have decent quality of life.

**Officer response:**

The site is allocated in the West Northamptonshire Joint Core Strategy for development as a Sustainable Urban Extension and the necessary infrastructure requirements have been identified within the Core Strategy as part of that allocation, including the provision of the North West Relief Road (NWRR). The proposed development is only required to mitigate the impacts arising from this development, and the Highway Authority are satisfied that the proposed off-site highway mitigation measures and the delivery of the NWRR will sufficiently mitigate the impacts of the proposed development such that the impact will not be severe, in accordance with the requirements of the National Planning Policy Framework. The NWRR will re-distribute traffic, and it is recognised that whilst the NWRR will bring significant relief to some areas, it will bring additional traffic to other areas such as Brampton Lane. However, the NWRR will be subject to its own planning application, and will be required to mitigate its own environmental and highway impacts in accordance with policy requirements.

In respect of comments raised regarding the Council' objection to the consultation on the Buckton Fields development, the matter was considered by Planning Committee on 21<sup>st</sup> November 2018 and Committee resolved to object to the proposal on the grounds of insufficient provision of highway infrastructure to mitigate the impacts of the development prior to delivery. Since that time, both the Borough and County Council have confirmed their commitment to the delivery and funding of the NWRR and it is currently expected that construction of the scheme will begin early in 2020, with the road opening toward the end of 2021. In addition, the delivery of the Dallington Grange development would deliver the next section of the NWRR and contribute towards the funding of the required final link. As such, there is now significant commitment towards the delivery of additional highway infrastructure to mitigate the impacts of development proposed.

In respect of concerns raised regarding crime, Condition 10 requires details to be submitted demonstrating how the scheme will achieve Secure By Design standards, and the potential provision of a police drop-in centre within the local centre or community facility would form part of ongoing discussions with the developer as part of any reserved matters application.

In respect of other concerns raised above, these matters are addressed in the committee report.

**Amendments to Conditions and additional Conditions 49 & 50**

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") in any phase or sub-phase shall be submitted to and approved in writing by the local planning authority before any development in that phase or sub-phase begins and the development shall be carried out as approved.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and application for approval of all remaining reserved matters shall be made within ten years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin no later than two years from the date of approval of the first of the reserved matters to be approved, and development of any subsequent phase or sub-phase shall begin no later than two years from the date of approval of the reserved matters for that phase or sub-phase.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The number of dwellings to be constructed shall not exceed 3,000.

Reason: To accord with the requirements of Policy N7 of the West Northamptonshire Joint Core Strategy.

5. The development and all reserved matters applications shall pursuant to this permission shall not materially depart from the following plans and parameters:

- Land Use Parameter Plan, drawing no. P1053-04 Sheet 2 Rev O
- Green Infrastructure Parameter Plan, drawing no. P1053-04 Sheet 4 Rev O
- Building Heights Parameter Plan, drawing no. P1053-04 Sheet 5 Rev O
- Access Parameter Plan, drawing no. P1053-04 Sheet 03 Rev O
- Design and Access Statement, document ref. P.1053\_11F, April 2018
- Illustrative Masterplan, drawing no. P1053\_01 Rev Q.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

6. Prior to the submission of the first reserved matters application, a Design Code covering the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be formulated having regard to the approved Design and Access Statement (document ref. P.1053\_11F, April 2018), and respond to the recommendations of Building for Life 12, and shall include the following details:

- The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
- Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- The proposed layout, use and function of all open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.
- The approach to and design principles applied to parking (on street and off-street).
- The design approach for areas within the public realm including landscaping and hard

surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.

- Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
- The design principles that will be applied to the development to encourage security and community safety.
- Design principles that will be applied to the mixed use areas, local centres and employment areas;
- External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods
- Design principles for the incorporation of Sustainable Urban Drainage Systems (SUDS) throughout the development.

Thereafter, any reserved matters application for any phase or sub-phase of development shall comply with the principles established within the approved Design Code.

Reason: In the interests of securing a sustainable and secure development in accordance with the requirements of Policies S10 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Prior to the submission of the first reserved matters application, a detailed phasing plan for the development that identifies stages at which each element of the proposed development (including affordable housing, the local centre, open space, community facilities, employment areas, open space, sports provision, play equipment, primary schools, secondary school, housing, highway infrastructure and SUDs) shall be commenced, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the timely provision of facilities and to ensure the delivery of a sustainable and satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Contemporaneously with the submission of reserved matters applications for each phase or sub-phase of development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of BREEAM “very good” (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority. No development in that phase or sub-phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved sustainability strategy.

Reason: In the interests of the environment and to promote sustainable development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

9. As part of each reserved matters application details of existing and proposed ground levels and finished floor levels of the development in relation to adjoining land levels shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of surrounding amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West

Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

10. As part of each reserved matters application, a scheme shall be submitted for approval in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development as identified in the approved Design and Access Statement (document ref. P.1053\_11F, April 2018). The approved details shall be implemented concurrently with the reserved matters development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

11. A minimum of 10% of the residential units on any phase or sub-phase shall be designed to provide accessible and adaptable accommodation that meets the requirements of M4(2) of Part M of the Building Regulations or any subsequent equivalent standard.

Reason: To ensure the provision of a range of housing to meet different accommodation needs in accordance with the requirements of Policy H1 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

12. Concurrently with the submission of reserved matters applications for each phase or sub-phase of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients, within that phase shall be submitted to the Local Planning Authority. No development in that phase shall take place until the details have been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

13. As part of the relevant reserved matters application, engineering and construction details of the proposed access from Conway Close as shown indicatively on drawing no. 2560-GA-101 Rev B shall be submitted for approval in writing by the Local Planning Authority. The access shall be provided in accordance with the approved details prior to the occupation of the 300<sup>th</sup> dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

14. Prior to the occupation of any dwelling, engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority:

- Harlestone Road/ Quarry Road/ Lodge Way (shown indicatively on drawing no. 2560/SK/020 Rev A);
- A428/Harlestone Road/ Firs View/ Lodge Drive/ Lodge Way (shown indicatively on drawing no. 2560/SK/021 Rev A);

The works shall be carried out in accordance with the approved details prior to the occupation of the 100<sup>th</sup> dwelling on site.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of

securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

15. Prior to the occupation of the 501<sup>st</sup> dwelling, engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority, and the works have been carried out in accordance with the approved details as follows:

- New Sandy Lane/ Harlestone Road roundabout (as shown indicatively on drawing no. 2560/SK/017 Rev A) to be delivered prior to occupation of 601<sup>st</sup> dwelling;
- Mill Lane site access roundabout and link (as shown indicatively on drawing no. 2560/SK/015 Rev A) to be delivered prior to occupation of 1429<sup>th</sup> dwelling;
- Hawksmoor Way/ Hawksmoor Drive access (as shown indicatively on drawing no. 2560/SK/009 Rev E) to be delivered prior to occupation of 2,274<sup>th</sup> dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. Notwithstanding the details submitted, full details of walking and cycling measures into the site (including two Pegasus crossings on the proposed section of the North West Relief Road to be delivered within the site) and including full engineering and construction details and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be implemented in accordance with the agreed timetable and shall be retained thereafter.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Concurrently with the submission of each reserved matters application, details of the precise number, location and details of the bus stop provision for that phase or sub-phase, including raised boarders, flag, pole, shelter with real time, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of any dwellings within the relevant phase.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

18. Prior to the first occupation of any dwelling a full Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

19. No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

20. The development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) Location of access points for site traffic for that phase of development;
- c) Detailed measures for the control of dust during the construction phase of development;
- d) The location and size of compounds;
- e) The location and form of temporary buildings, adverts and hoardings;
- f) Details for the safe storage of any fuels, oils and lubricants;
- g) Construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) A scheme for the handling and storage of topsoil;
- i) A scheme for the protection of areas and species of ecological interest and for the mitigation of any possible harm to such areas or species in accordance with the principles set out in the Outline Construction Ecological Management Plan dated September 2018 by Ecology Solutions Ltd;
- j) Details of any temporary lighting;
- k) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- l) Measures for the control of noise emanating from the site during the construction period;
- m) Construction Plant Directional signage (on and off site);
- n) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- o) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: In the interests of the protecting the surrounding environment and amenity, and highway impacts in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

21. Concurrently with the reserved matters submission for each phase or sub-phase, a noise assessment of the exposure of proposed residential premises, with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted for approval in writing to the Local Planning Authority. The assessment shall take into account the likely growth of traffic over the next 15 years. Where any habitable room or outdoor amenity space cannot achieve the noise levels recommended by the World Health Organisation, a scheme to protect outdoor amenity space and any affected habitable rooms shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

22. Before any non-residential development commences as part of the overall development a Noise Assessment shall be submitted for approval in writing by the Local Planning Authority specifying the sources of internal and external noise and the provisions to be made for its control. The approved scheme shall be implemented prior to the occupation of the non-residential unit in accordance with the approved details.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

23. Concurrently with the reserved matters submission for each phase or sub-phase of the site adjoining Lodge Farm Industrial Estate, a Noise Assessment shall be submitted for approval in writing by the Local Planning Authority specifying the sources of internal and external noise and the provisions to be made for its control to mitigate impacts on proposed residential units within that phase or sub-phase. The approved scheme shall be implemented prior to the occupation of any residential units within that phase or sub-phase.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

24. For each development phase or sub-phase containing non-residential uses, a scheme for the containment, mitigation and management of noise emanating from non-residential uses within the site, including details of all external mechanical fixed plant equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each individual building. The scheme shall be implemented in accordance with approved scheme.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

25. Prior to construction work commencing in each phase or sub-phase of development, an intrusive site investigation for that phase or sub-phase of development shall be carried out in accordance with the recommendations of the **WSP** Report contained within the submitted Environmental Statement and the results shall be used to produce a remediation scheme, which shall be submitted to the Local Planning Authority for approval in writing. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

26. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 25, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 25, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

27. Prior to the occupation of any part of each phase or sub-phase, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter. No dwelling or other unit shall be occupied until the associated refuse storage facility has been provided in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

28. Concurrently with the Reserved Matters submission for each phase or sub-phase, a Low Emissions Strategy, for that phase or sub-phase, shall be submitted in writing to the Local Planning Authority for approval. The strategy should include an assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, rapid charging points, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

The Low Emissions Strategy shall contain target for emission reductions and timescale, with pollution savings quantified. The strategy shall be implemented in accordance with the strategy as approved.

Reason: In the interests of improving air quality and reducing greenhouse gases in accordance with the requirements of Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

29. Artificial lighting shall not be installed (other than in residential development) until full and precise details have been submitted to and approved by the Local Planning Authority. The approved scheme shall be constructed and installed in full accordance with the approved details and shall thereafter be maintained in full accordance with the approved details.

Reason: In the interests of amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

30. No reserved matters applications shall be submitted until:

- e) A Written Scheme of Investigation for archaeological trial trench evaluation for the application site has been submitted to and agreed in writing by the Local Planning Authority; and
- f) The Applicant has secured the implementation of a programme of archaeological work in accordance with the scheme approved in (a).

The development hereby approved shall be carried out in accordance with the approved programme.

Reason: To ensure the appropriate management and recording of the archaeological resource within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

31. No development shall take place in those parts of the application site which either:
- e) the previous archaeological work (as detailed in Chapter 12 of the submitted Environmental Statement) has identified as containing archaeological activity;
  - f) the archaeological investigation(s) approved in Condition 30 identifies as comprising additional areas of archaeological interest,



until a Scheme of Archaeological Resource Management (SARM) and a Heritage Management Plan have been submitted to and approved in writing by the Local Planning Authority.

The SARM will secure an appropriate programme of archaeological mitigation for the application site as a whole identifying those archaeological areas within the site that are sufficiently significant as to require mitigation, consistent with (a) and (b) above. It will provide the strategy for the recording, management and publication of the archaeological resource identified within those areas. The SARM will include provision for a suitable and proportionate programme of mitigation to be undertaken across development phases, including, where possible, all infrastructure works, if the archaeological activity is known to extend into these areas and its legibility would be anticipated to be lost should the archaeological mitigation be split between phases. The development shall be carried out in accordance with the approved details.

Reason: To secure appropriate archaeological mitigation works within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

32. The Scheme of Archaeological Resource Management (SARM), Heritage Management Plan and associated programme of mitigation shall be used to inform the implementation of a 'no build' exclusion area defining the limits for development around the causewayed enclosure the details of which shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be used to inform the layout of subsequent reserved matters applications for that phase or sub-phase.

Reason: To ensure the appropriate management and recording of the archaeological resource within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

33. A Written Scheme of Investigation for each archaeological area identified within the SARM, consistent with Condition 32, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development within that corresponding phase or sub-phase. The development shall be carried out within that phase or sub-phase in accordance with the approved details. The Written Scheme of Investigation will include the following components, completion of each of which will trigger the phased discharging of the condition:

- g) the approved archaeological fieldwork programme, which shall be completed in accordance with the approved Written Scheme of Investigation, for each identified archaeological site, prior to the commencement of any other works on that site;
- h) post-excavation assessment (to be produced within eight months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority); and
- i) completion of post-excavation analysis, preparation of site archive ready for deposition at a repository approved by the Local Planning Authority, completion 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 Local Planning Authority).

Reason: To secure appropriate archaeological mitigation works within the application site in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

34. Prior to the commencement of any development or clearance/vegetation removal on land within the causewayed enclosure and the exclusion area identified in Condition 30, a detailed Heritage Management Plan shall be submitted to the Local Planning Authority for approval in writing. This shall include, but not be limited to the following:

- m) Details of the location and type of fencing to protect the archaeological exclusion zone during construction, including when it is to be erected, the duration of its retention and how it will be maintained/checked at appropriate intervals to ensure it remains effective;
- n) A detailed strategy for the preservation *in situ* of the causewayed enclosure, including the extent of the buffer zone, the treatment and planting of this area and its future maintenance and management in perpetuity;
- o) Details of enhanced public access to the causewayed enclosure site, including the position and treatment of any footpaths;
- p) Measures to enhance public knowledge, education and understanding of the causewayed Enclosure (e.g. heritage trails/interpretation boards/information leaflets etc.);
- q) A written scheme of investigation for any archaeological mitigation that maybe required in association with works (public access, engagement) within the causewayed Enclosure. This shall include the timeframe for the completion of the works and submission of the report and archive if required.
- r) A provision that in the event that archaeological mitigation by record is required it will be undertaken according to the SARM.

Reason: To ensure the preservation *in situ* and management of the causewayed enclosure, a heritage asset of high significance, in accordance with the requirements of Policies BN5 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

35. No development shall take place in each phase or sub-phase of development until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in relation to Design, Demolition and Construction – Recommendations", including details of timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase or sub-phase of development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

36. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to Design, Demolition and Construction – Recommendations', have been submitted for approval in writing by, the Local Planning Authority for that phase of the development. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

37. Concurrently with the reserved matters submission for each phase or sub-phase, a detailed Landscaping and Ecological Management Plan (LEMP) setting out in detail the measures to achieve an overall long-term gain in biodiversity and landscape value throughout the site, timescales for implementation, and the long-term management measures to be implemented, shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the principles of the submitted Outline LEMP dated September

2018 by Ecology Solutions Ltd, and shall make specific provision for the re-location, provision and future management of acid grassland within the application site, and measures for the protection of the Kingsthorpe Tussocks Local Wildlife Site. The development shall be carried out in accordance with the approved details.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

38. Prior to the submission of each reserved matters application for each phase or sub-phase of development, details of the need and scope for updating any protected species surveys for that phase or sub-phase of development shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The development shall be carried out in accordance with any approved mitigation measures contained therein.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy.

39. Bat and bird boxes shall be provided in accordance with a scheme which has been submitted to and approved by the Local Planning Authority as part of each reserved matters application. The details shall be implemented concurrently with the development and thereafter retained and maintained.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy.

40. Before any above ground works commence a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy in relation to that phase.

Reason: In the interests of flood prevention and to ensure a satisfactory standard of development in accordance with Policies BN7 and S10 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework.

41. The development hereby permitted shall not be commenced until such time as a plan, showing all built development to be located in Flood Zone 1 (<0.1% 1 in 1000) (with the exception of the Hawksmoor Way Access) is submitted to, and approved in writing by, the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

42. The development hereby permitted shall not be commenced until such time as a scheme to provide suitable access roads over the Main River has been submitted to, and approved in writing by, the Local Planning Authority.

The structure should be clear span with a soffit above the 0.5% (1 in 200) plus climate change flood level. Any abutments should be outside the 5% (1 in 20) flood extent.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework.

43. No development approved by this planning permission shall take place until such time as a scheme to ensure appropriate land use and flood mitigation within the reservoir flood extents, has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme approved under Condition 7.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies BN7 of the West Northamptonshire Joint Core Strategy the National Planning Policy Framework.

44. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment prepared by WSP UK Limited document reference number 70002560 dated as revised 30<sup>th</sup> April 2018 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

These 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. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting 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) Demonstration that for events with a return-period in excess of 3.3% (1in30), exceedance flow routes are appropriately routed such that there is no residual risk to property and critical infrastructure.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

45. Notwithstanding the submitted details, the development shall include the provision of a minimum of 7.2 hectares of employment land (Use Class B1/B2 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) and a further minimum of 2.8 hectares of employment land for non-Class B employment uses.

Reason: To ensure the delivery of an appropriate level of employment within the site in accordance with Policy N7 of the West Northamptonshire Local Plan.

46. The development hereby permitted shall include a single food store (Use Class A1) of no more than 2,230 square metres (gross) and no more than six retail units (which shall be used for purposes falling within Use Classes A1, A2, A3, A4 and A5) and will have a combined area of no more than 750 square metres (gross).

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

47. The food store hereby permitted shall have a floor space of no more than 2,230 square metres GIA, of which no more than 1,500 square metres shall be used for the display and sale of goods and services. A minimum of 75% of the retail unit shall be used for the display

and sale of convenience goods and a maximum of 25% of the retail unit shall be used for the display of comparison goods.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

48. The food store hereby permitted shall not be divided to form more than one retail unit.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

49. The retail units hereby permitted shall be kept as separate units and shall not be merged, at any time, to form a smaller number of units.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

50. Prior to any works commencing to the Mill Lane access (as shown indicatively on drawing no. 2560/SK/015 Rev A), full details including a timetable for the laying out of the re-configured sports pitches adjacent to Nene Way in accordance with drawing no. P.1053-01 Sheet No. 12 Rev. Q shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of amenity and to ensure continued provision of existing sports facilities in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

51. Notwithstanding the details submitted, full details, including a timetable for implementation, of re-surfacing to ensure all weather usage to Public Right of Way HW44 and Public Bridleway HW6 within the application site as shown on drawing no. P1053-04 sheet No. 01 Rev O shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure the provision of a safe route away from vehicles and to secure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.