# APPLICATIONS FOR DETERMINATION

## PLANNING MANAGEMENT COMMITTEE - 17 February 2016

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Land off A45

London Road, Raunds
Committee Report

Case Officer: Anna Lee  

Date received: 19 November 2015  
Date valid: 2 December 2015  
Overall Expiry: 2 March 2016  
Ward: Thrapston Market  
Parish: Raunds  

Applicant: Asda Stores Ltd With Roxhill Warth Ltd And Robert How  
Agent: David Shaw - Mr David Shaw  
Location: Land Off A45 London Road Raunds Northamptonshire NN9 6EG  
Proposal: Development of foodstore with access, service area, car parking, petrol filling station, and landscaping

The application has been brought to Committee as it is a major planning application proposing more than 1,000 square metres of non-residential development.

1  Summary of Recommendation

1.1 That planning permission be GRANTED subject to the following:
- objection from the Environment Agency regarding the impact of the development on ground waters being resolved;
- confirmation being received from Northamptonshire Highways that the details contained within the amended Transport Assessment and Travel Plan are acceptable;
- receipt of satisfactory amended plans for the foodstore and landscaping; and
- subject to conditions.

2  The Proposal

2.1 The application proposes the construction of a 24 hour foodstore with 1,372 m² gross floor area (931 m² net sales area) together with a petrol filling station, jet wash, customer car park, service yard, access and associated landscaping works.

2.2 The proposed foodstore would be accessed from the western site boundary, via Warth Park Way and the London Road roundabout.

2.3 A separate application ref: 16/00064/ADV has been submitted seeking advertisement consent and this application has been brought together to Committee for consideration.

3  The Site and Surroundings

3.1 The site measures 1.16 hectares in area and falls within Phase 2 of the Warth Park development, situated on the northeast corner. The site is surrounded by industrial warehouses (occupied by DpD, Indesit, Geopost, Airwair, Exertis, Robert Wiseman Dairies) to the south and west. The A45 is situated to the north; the B663 (London Road), BP petrol station and Mcdonalds are found to the immediate east; and existing residential development lies further to the southeast off Brick Kiln Road.

3.2 The majority of the site is relatively flat and is situated on lower level ground compared with the road levels on Warth Park Way and London Road. The site is surrounded by elevated landscape areas on the eastern and southern borders.
4 Policy Considerations

4.1 National Planning Policy Guidance:
National Planning Policy Framework (NPPF) 2012
National Planning Policy Guidance (NPPG) 2014

4.2 North Northamptonshire Core Spatial Strategy (NNCSS) 2008
Policy 1 - Strengthening the Network of Settlements
Policy 6 - Infrastructure Delivery and Developer Contributions
Policy 8 - Delivering Economic Prosperity
Policy 9 - Distribution and Location of Development
Policy 11 - Distribution of Jobs
Policy 13 - General Sustainable Development Principles
Policy 14 - Energy Efficiency and Sustainable Construction

4.3 North Northamptonshire Joint Core Strategy 2011-2031 Submission Plan 2015
Policy 1 - Presumption in Favour of Sustainable Development
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources & Flood Risk Management
Policy 6 - Development on Brownfield Land & Land Affected By Contamination
Policy 8 - Place shaping principles
Policy 9 - Sustainable Buildings & Allowable Solutions
Policy 10 - Provision of Infrastructure
Policy 11 - Network of Urban & Rural Areas
Policy 12 - Town Centres and Town Centre Uses
Policy 18 - HGV Parking
Policy 22 - Delivering Economic Prosperity
Policy 23 - Distribution of New Jobs

4.4 Supplementary Planning Guidance:
Parking SPG 2003

4.5 Other Documents:
Developer Contributions SPD 2006
Trees and Landscape SPD 2013
Planning Out Crime in Northamptonshire SPG 2003
Paying SPG 2003
Northamptonshire Parking Standards 2015 Draft Consultation Document
Northamptonshire Minerals and Waste Local Plan (MWLP) 2014
MWLP Development & Implementation Principles SPD 2011

5 Relevant Planning History
5.1 The site falls on land covered by a wider outline planning permission ref: 11/00700/OUT. This planning permission granted development of an employment park incorporating a mixture of uses falling under Class A3/4/5 (restaurant, pub, takeaway), B1b and c (offices), B8 (storage and distribution), C1 (hotel), D1 (crèche/ nursery) and D2 (health and fitness centre). The industrial uses together with offices have been implemented, leaving the hotel, restaurant, health and fitness centre and crèche/ nursery uses. According to the illustrative layout submitted for the 2011 application, these uses were identified to be positioned on land to the northeast of the development, to which the proposed foodstore now partly sits.

5.2 An application was submitted and approved under ref: 12/00522/VAR to rectify two conditions that were imposed on the outline planning permission 11/00700/OUT, both relating to the timescales for submitting reserved matters details and carrying out the development.
5.3 Reserved matters applications have been submitted and approved for the industrial units situated to the south and west of the site; with the most recent ones, being for DSV (international logistics company) ref: 15/01220/REM and Geopost ref: 15/00422/REM.

5.4 The Council has recently received a reserved matters application for a fast food unit (Class A5) to be situated on the land north of the proposed foodstore under ref: 16/00108/REM. Though, this application is not yet valid.

6 Consultations and Representations
6.1 Neighbours: No representations received.

6.2 Raunds Town Council: Comment as follows:
- It is preferable for the store to be at the rear and parking in front so that the impact of the building is lessened;
- The height of the building should not be higher than other buildings in the vicinity;
- Signage should be sympathetic to the site and not be overbearing on what is one of the key entrances into the town;
- Will the smaller industrial/trade units be built at the same time as the foodstore?;
- The Town Council would like to see appropriate numbers of dog bins and litter bins be incorporated in the open space for the site.

6.3 Ringstead Parish Council: Objection raised and the reasons are summarised below:
- The Parish Council support the Environment Agency’s objection;
- The development may add congestion to the A45 roundabout;
- Concerns over impact on other local stores in Raunds and Thrapston, i.e. Co-op and small store in Ringstead;
- “If this development is to create additional jobs for local people, we would like to see a permanent and upgraded footpath”.

6.4 Northamptonshire County Council (NCC): “The site is located within a crushed rock committed minerals development consultation buffer therefore prior to any development taking place the applicant should demonstrate that the proposed development would not adversely affected the continued operation of the facility or prevent or prejudice the use of the site” and refers to Policy 34 (preventing land use conflict) in the Northamptonshire Minerals and Waste Local Plan (MWLP) 2014.

6.5 Lead Local Flood Authority (LLFA, NCC): No objection. The LLFA has considered the submitted Flood Risk Assessment (FRA) and is satisfied that the impacts of surface water drainage have been adequately addressed, subject to confirmation of the party responsible for the maintenance of the system(s).

6.6 Highways England: No objection, "as no access is being proposed along the common boundary between the planning site and the Strategic Road Network".

6.7 Local Highway Authority (Northamptonshire Highways): Has requested for the following additional information:
- The Travel Plan (TP) to be updated to confirm the promotion of car sharing with a current operator; that monitoring be carried out on an annual basis; and details to secure other commitments, should the targets set out in the Travel Plan not be achieved.
- The Transport Assessment (TA) to be amended/updated to provide clarification on the consented uses; trip rates are to be included for the weekends, where it is expected that trip rates would be greater; this information is required for considering the net traffic and the impact that the proposed development, and other consented uses, would have on the A45 and B663 London Road roundabout; the TA has only carried out assessments up to 2021 and forecasts should be made up to the year 2031, as traffic is likely to increase significantly over that time; also, concerns have been raised in relation to the number of proposed parking spaces.
- In addition, the Local Highway Authority has requested that a formal bus stop be provided at the front of the proposed foodstore on Warth Park Way to be used as a stopping point for two local bus service operators.

6.8 Environment Agency (EA): Objection raised. The EA consider that the proposed development would have an unacceptable risk on groundwater quality and has requested that the applicant provides further information in the form of appropriate risk assessments and storage options, to detail the existing underground conditions, water levels and evidence to demonstrate that the proposed storage tanks will be positioned above seasonal groundwater level.

6.9 Commission for Dark Skies: Recommends that conditions be imposed to require external lighting details be submitted for the entire site. This should include the car park, building perimeters, petrol filling station, illuminated advertisements and delivery area. The lighting to be used should ensure minimal upward waste light and glare emission from the site, whilst ensuring the safety and security of staff and users.

6.10 Crime Prevention Officer (Northamptonshire Police): No objection, but have the following comments:
- The security fencing should be constructed to British Standards;
- The proposed CCTV needs to cover all vulnerable areas and have a facility to be monitored off site when the store is closed;
- External lighting needs to ensure safety and security;
- The presence of an external ATM pod raises significant concerns. "ATM attack is on the increase both nationally and locally and any security measures need to be appropriate to ensure that the pod is not attacked, particularly when the store is closed. Measures are to be confidentially agreed in accordance with the ATM Security Working Group Guidance."
However, the Officer considers that the above matters could be dealt with by way of conditions.

6.11 ENC Senior Planning Policy Officer: No objection raised on the basis that there are no sequentially preferred sites inside and on the edge of the town centre and that the case has been made that there is retail capacity in Raunds, where there is a specific need for an additional convenience facility. See recommendation in Section 7.2 for full details.

6.12 Planning Prospects: The Council has commissioned a Retail Specialist/Consultant to independently assess the retail impact of the development and the same conclusions were reached by the Consultant as that by the Council's Senior Planning Policy Officer. See recommendation in Section 7.2 for full details.

6.13 ENC Design Officer: Has made the following recommendations:
- The location of the site entrance does not relate to or align with the existing pedestrian crossings and the Officer recommends that consideration be given to whether the position of the crossing could be relocated or an additional crossing added to give a clearer route to the foodstore from both London Road and Brick Kiln Lane;
- Concerns regarding the aesthetics and environment created for users along the ramp, due to the expanse of grey cladding that would be seen from the blank southern elevation of the building. An alternative should be explored such as use of a 'green wall' to add visual interest and reduce the impact of the blank elevation;
- The route to the area to the north should be adjusted slightly to create a straight route;
- The location of the service yard, whilst logical, the boundary treatment should be further considered;
- The car parking spaces would benefit from the use of differing and contrasting materials, and elements of (vertical) soft landscaping.

6.14 ENC Trees and Landscape Officer: The edges of the site show comprehensive landscaping proposals, however, this appears to become much weaker towards the centre of the site. The Officer recommends that further consideration be given to the inclusion of
planting for the northern access road, site entrance, car park and the areas surrounding the service yard.

6.15 Environmental Protection Officer: Recommends the imposition of the following conditions:
- Vehicles shall not leave their engines idling whilst waiting to deliver;
- Reversing beepers shall be turned off vehicles between the hours of 22:00 to 07:00;
- The jet wash facility shall not be operational between the hours of 22:00 to 07:00;
- Details of lighting to be submitted;
- Construction hours to be limited to 08:00 to 18:00 Mondays to Fridays, 08:00 to 13:00 Saturdays and at no times on Sundays or Bank Holidays;
- Measures adopted for dust mitigation;
- Construction traffic, deliveries, must not park outside the development site;
- Precautions to be undertaken to prevent the deposit of mud on the roads.

6.16 Environmental Protection Officer (air quality): No objection raised in respect of air quality.

6.17 Site notice posted: No other representations received.

6.18 Letter (dated 6 January 2016) from the applicant Foxhill and the key issues are set out below:
- "Once approved and completed, the 10,000 sq ft supermarket will provide Raunds with a much needed facility, which will eliminate the need for residents to travel to other towns such as Wellingborough or Kettering to do their shopping";
- "Plans for the adjacent KFC will also be submitted shortly, and together, both businesses will create additional jobs for the area, which could total around 60. This in addition to the 500 jobs already created by the development, with companies included DPD, Dr Martens and DVS. The large Howden's Joinery unit is under construction and will be completed later this year";
- "Other potential ideas for the remainder of the front part of the site are still under consideration. We are currently designing a hotel, and are continuing to market the scheme to hotel operators".

7 Evaluation
7.1 The following issues are relevant to the consideration of this planning application:

7.2 Principle of Development

7.2.1 The National Planning Policy Framework (NPPF) seeks to promote sustainable development and requires Local Planning Authorities (LPAs) to apply a sequential test to planning applications for main town centre uses that are not in an existing centre and which are not in accordance with an up to date Local Plan, "They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered", (NPPF, Paragraph 24). The applicant has carried out the relevant 'sequential test' and the findings are set out within the submitted 'Planning and Retail Statement'. This concludes that as there are no alternative suitable sites within or on the edge of the existing town centre, the site at Warth Park should be favourably considered for the proposed development.

7.2.2 Paragraph 34 of the NPPF is also relevant as it advises that in considering out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Whilst the site is geographically positioned away from the town centre (by approximately a mile), it could be argued that it is well connected to the town centre by existing bus route(s) and is within several minutes walking distance of established residential communities and employment areas. Therefore, the site could be regarded as being suitable and 'sustainable' in transportation terms for the proposed development.
7.2.3 Raunds is identified in the 2015 Submission Joint Core Strategy as a 'Growth_Town' with the role of providing a service role for the local community, where proposals that involve the regeneration, diversification and expansion of the employment and service base would normally be supported (Policy 11.1a of the Joint Core Strategy). However, "The scale of development will be related to existing commitments, the current and potential capacity of infrastructure and services, regeneration needs and the character of the town" (Table 1, Joint Core Strategy). Policy 12(a) of the Plan is also relevant as this seeks to promote vitality and viability of town centres. It could be considered that the proposed foodstore would contribute towards the 'service base' role of the town and subject to the scale of the proposed foodstore satisfying local needs, retail capacity and providing it would not have an adverse impact on Raunds Town Centre as well as other existing local centres, the proposal would comply with the planning policies/strategies as set out in the submission Joint Core Strategy.

7.2.4 The Council has commissioned a retail specialist (Consultant) to assess the retail impact of the proposal. The Consultant is of the opinion that there is a need and capacity within Raunds for an additional foodstore as the convenience retail offer at present is limited. For example, the most recent Retail Capacity Study (October 2014) demonstrated that a significant proportion of people shop outside of Raunds and the proposed additional foodstore would allow local people to conduct more of their main shopping locally:

"The Co-op and, in particular, Spar stores are small. There is a baker, off licence and news agents, but no main food shopping offer. The nearest main shopping provision is about five miles drive away in Rushden (Asda) with a more extensive offer in more distant locations such as Wellingborough and Kettering, both of which have Tesco and Morrisons stores. The most recent (October 2014) update to the North Northamptonshire Retail Capacity Study prepared by Peter Brett Associates (the PBA Study) shows that for survey zone 10, within which Raunds is located, about a third (31%) of convenience goods spending is directed to Asda at Rushden, with almost a quarter (24%) shared between the Tesco and Morrisons stores at Wellingborough. The Co-op in Raunds attracts just 4%. The survey zones used in the PBA Study are quite widely drawn, as is appropriate for a strategic study of this nature, and do not tell us about localised shopping patterns in and around Raunds. However, in crude terms, this work does indicate the limited extent to which Raunds currently performs a convenience shopping function. As such, the proposal would allow local people to conduct more of their main food shopping locally, without travelling to these other locations", (Page 2, Planning Prospect comments dated 12 January 2016).

7.2.5 With regards to the impact of the proposal on existing town centres, the Consultant observed Raunds town centre to be "a relatively healthy centre", where there are a range of shops and services that would continue to provide reasons for people to visit the town centre i.e. post office, pharmacy, opticians, library and town council offices and a range of eating and drinking facilities that would encourage day time and night time activity. As such, it is not envisaged that the proposal would have a significant adverse effect on Raunds Town Centre.

7.2.6 An assessment has also been carried out of the impact of the proposed foodstore on two other nearby local centres including Church Street, Irthlingborough and the Cattle Market Site in Thrapston. Planning permission was recently granted for the construction of a 930m² foodstore on Church Street (ref: 15/00990/FUL) and a 3341m² foodstore was permitted on the Cattle Market site in 2013 (ref: 11/01234/FUL). In considering the foodstore proposed in Raunds, the Council would need to be content that this would not prejudice the delivery of the two other sites. On this matter, the Consultant is of the opinion that as the proposal is for a modestly sized foodstore it would provide a convenience shopping point for the local area (where the catchment area would be Raunds), rather than compete with the foodstores in the nearby towns. The situation is similar with the foodstores proposed for Thrapston and Irthlingborough, as both of these are scaled to meet the needs of the individual towns to which they would be located, rather than attract trade from the wider area, they would not
compete with foodstore proposed in Raunds to a material extent. Therefore, it is not envisaged that the proposal would have an adverse impact on the closest nearby towns, and vice-versa.

7.2.7 The site has outline planning permission for a mixture of uses falling under Class A3/4/5 (restaurant, pub, takeaway), B1b and c (offices), C1 (hotel), D1 (crèche/ nursery) and D2 (health and fitness centre) (ref: 11/00700/OUT). However, it should be noted that some of these previously approved uses would be replaced by the proposed foodstore. A masterplan covering the land to the north of the proposed foodstore has been submitted with the current application ('Gateway Site Plan drawing number: 13059-F0092') and this indicates that with the exception of the nursery and health and fitness centre (D1 and D2 uses), it would seem that a fast food takeaway, pub/restaurant, hotel and trade units would continue to be provided. Furthermore, the Council has recently received an application for a fast food takeaway (KFC) ref: 16/00108/REM and the applicant has indicated that they have been actively promoting the site to a hotel operator. The specific type of use(s)/development that would be finally delivered on the adjacent land would depend to a significant extent on the market; however, the applicant has nevertheless demonstrated that the proposed foodstore would not prejudice the comprehensive development of the wider site for mixed uses and it could be considered that the proposed foodstore (Class A1) would complement and contribute towards this wider strategy. Furthermore, the submitted illustrative masterplan demonstrates that there would remain to be adequate room for implementing the other uses, where suitable access and connections could also be provided from the proposed foodstore to the area to the north.

7.2.8 Therefore, the development has been assessed to be acceptable in principle and it is considered that it would be extremely difficult for the Council to resist a foodstore in the location proposed.

7.3 Design Issues, Visual and Landscape Impact

7.3.1 The proposed foodstore consists of a flat-roofed building measuring 6.3 metres in height. The foodstore would be positioned towards the far west of the site on lower level ground and this reduces the overall visual impact of the building, as viewed from the key public viewpoints on London Road and Warth Park Way.

7.3.2 The front (main) elevation of the foodstore comprises of a substantially glazed shop front that would be surrounded by vertical timber cladding and this is proposed facing the car park and the main public viewpoints. It is considered that the siting and design of the building would add variety and interest to the character and appearance of the area, which is currently characterised predominantly by large industrial units.

7.3.3 The applicant is proposing to construct the foodstore using a ‘grey’ coloured steel cladding to allow the foodstore to be in-keeping with the surrounding industrial buildings. In the meeting held on 26 January, Raunds Members expressed concerns about the use of metal cladding for the entire building and wanted to see the inclusion of alternative materials that would add interest to the building. In addition, the Council’s Design Officer also expressed concerns about the design of the south and northern elevations of the building which seem to be ‘blank’ and lack interest. These concerns have been passed onto the agent and the applicant has been requested to re-consider the fenestration and treatment of the southern and northern elevations of the building and any amended plans received will be reported on the Committee Update Sheet. Subject to the receipt of amended plans to show the inclusion of additional timber cladding for the upper sections, it is considered that this would help to visually ‘break-up’ the metal cladding and would also add interest to the building.

7.3.4 Members should note that due to the fact that the building would be positioned on lower level ground and would be partly concealed by the proposed walkway and existing elevated landscaping strip on the southern side, this reduces the amount of the building that
would be visible. With regards to the north elevation, a small glazed section continues from the shop front to this side of the building and views of this elevation would be 'broken-down' by the proposed supermarket furniture, including two cycle shelters and trading unit. Therefore, in the view of your Officers, it is considered that the overall design of the building and the use of metal cladding would be extremely difficult to resist in this instance.

7.3.5 The proposed petrol filling station would be positioned on the east side of the site and would be positioned close to London Road. However, no significant visual harm would result from this proposal, as this consists of an open-sided canopy measuring 4.5 metres in height and which would be positioned on lower level ground and orientated away from the road.

7.3.6 The Council's Design Officer has also expressed concerns about the location and alignment of the pedestrian crossings to give a clearer route between the proposed foodstore and the land to the north. The option of relocating the walkway and stairway further to the east of the site was explored with the agent and the agent's architect. However, due to the difference in levels, it is not recommended that these features be relocated as this would increase the length of the staircase and walkway such that it would be unfriendly for pedestrians and other users. Furthermore, it could be considered that the pedestrian routes, as proposed, are positioned close enough to 'desire routes' taken from Warth Park Way and London Road such that these would not raise significant issues in terms of access.

7.3.7 The applicant has been requested to amend the site layout plan to include landscaping for the car park, site entrance, verge on the northern boundary and areas surrounding the service yard. Overall, subject to the provision of suitable planting/landscaping, hard surfaced materials and that appropriate external finishes and colours be used for the proposed foodstore and petrol filling station, there would be no significant visual impact from this proposal, and conditions have been recommended accordingly.

7.4 Residential Amenity

7.4.1 The closest residential properties are positioned over 100 metres away from the proposed foodstore in Catlows Close and Nichols Way (to the southeast of the site) and are separated away from the proposed development by the existing roads and roundabouts. The air-conditioning units and service yard proposed for the foodstore would be located towards the far west of the site and these would be positioned some distance away from the nearest residential properties.

7.4.2 The Council's Environmental Protection Officer has recommended conditions to require that the jet wash not be used overnight as the sound emitting from the equipment exceeds night time background noise levels and that reversing beepers on HGVs be turned off between the hours of 22:00 and 07:00 hours. In recognition that the background noise levels are much lower over night, these conditions have been recommended in the interest of preserving the residential amenities of the nearest residential occupiers.

7.4.3 The Council's Environmental Protection Officer has also suggested that a condition be imposed to require that vehicles do not leave their engines idling whilst waiting to deliver to the store. However, officers have concerns regarding whether such a condition would be necessary, as deliveries are likely to be made around the service yard and this area would be positioned over 100 metres away from the nearest residential properties. Furthermore, it is expected that there would only be 4 HGVs per day with 3 smaller deliveries.

7.5 Highway Impact

7.5.1 A Transport Assessment (TA) has been submitted with the application and this has been assessed by the Local Highway Authority (Northamptonshire Highways). The Highway Officer considers that it is unlikely that the proposed foodstore would generate so much more traffic that the surrounding road network and roundabouts into the site become over capacity. However, in order to allow Northamptonshire Highways to properly consider this matter, the
Highway Officer has requested that the TA be updated and amended, to clearly set out the trip rates associated with the consented uses (for the industrial units and for the uses anticipated for the land to the north), trip rates for the weekends and traffic forecasts for up to 2031.

7.5.2 As the proposal is for a foodstore in an out of centre location, it should be recognised that due to the nature of the proposal, a significant portion of its users are likely to prefer to travel to the site by car. However, notwithstanding this, a Travel Plan (TP) has been submitted with the application and this mainly seeks to set out measures aimed at reducing car travel for employees and to provide customers/visitors with information on how to travel to the site more sustainably. The measures proposed within the submitted TP have been assessed by Northamptonshire Highways and have been found to be generally acceptable, subject to confirmation being received on details of the car sharing operator; that annual monitoring would be carried out, and details to secure other commitments should the targets set out in the TP not be achieved. Additional reports received in respect of the TP and TA and Northamptonshire Highway’s comments to this information will be reported on the Committee Update Sheet.

7.5.3 The site is considered to be generally sustainable in transportation terms as it lies inside an urban area and is accessible by various non-car modes, including walking, cycling and by bus. Two cycle parking facilities are proposed adjacent to the foodstore and the site is surrounded and could be accessed by existing footpaths. In order to facilitate the TP and to make public transport an attractive and convenient mode for users, Northamptonshire Highways has requested that a bus stop be provided at the front of the proposed foodstore on Warth Park Way and a condition has been recommended to secure this provision.

7.5.4 Concerns were initially raised by the Highway Officer that the proposed parking provision may not be adequate. According to Northamptonshire Parking Standards (as set out in the recently published draft consultation document), 98 car parking spaces would be required for the proposed development. The application proposes 89 parking spaces, of which include 76 standard car parking spaces, 5 disabled parking spaces, 5 parent and child spaces, 2 click and collect spaces and 1 secure parking space (TA, paragraph 3.4). Whilst the proposed 89 spaces would fall below the 98 spaces by 9 spaces, on balance, it is considered that sufficient parking would be provided for the development and it would be extremely difficult to refuse planning permission on parking grounds.

7.6   Flood Risk

7.6.1 Paragraph 103 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific Flood Risk Assessment (FRA). The application site is not a site identified with significant flood risk according to the Environment Agency Maps as it does not lie within Flood Zones 2 or 3. A FRA has been submitted with the application and the Lead Local Flood Authority (LLFA) is generally satisfied that the development could be carried out without increasing the risk of flooding from the site to elsewhere.

7.6.2 As in any other development, it is the developer’s responsibility to ensure that adequate drainage and sewerage systems are put into place. However, in the interest of highway safety and to safeguard public health, and in light of the scale of the development, a condition is recommended to require that full surface water drainage details be submitted prior to commencement of development.

7.6.3 Overall, subject to the recommended condition, there would be no significant drainage issues from this proposal.

7.7   Contamination

7.7.1 An objection has been received from the Environment Agency (EA) raising concerns
about the impact of the proposed development on existing groundwaters. The EA have concerns due to the limited information provided on the existing ground conditions and that the groundwater at the site may be shallow such that the tanks associated with the proposed petrol filling station may not be positioned above seasonal ground water level. The applicant has been requested to provide further information detailing the existing groundwater conditions/levels, set out the storage options and to carry out the appropriate risk assessments. A copy of this information has been received and has been forwarded to the EA for consideration and the EA’s comments will be reported on the Committee Update Sheet.

7.8 Sustainable Construction
7.8.1 Policy 9 of the Joint Core Strategy (replacing Policy 14 of the NNCSS) requires developments of 1000 m² or more of non-residential floor space to meet BREEAM very good or equivalent nationally recognised standards as a minimum. Therefore, a condition has been recommended to ensure that the development satisfies the requirement of this policy.

7.9 S106 Financial Contributions
7.9.1 The site measures over 1.0 hectares in area and the Council's Developer Contributions SPD 2006 makes provisions for contributions towards transport, flood risk, biodiversity and crime and disorder for commercial/non-residential development. However, as any impact associated with this development could be mitigated by the recommended conditions, it is considered that a S106 legal agreement would not be required in this instance.

7.9.2 Ringstead Parish Council has requested that a permanent footpath be provided from Ringstead to Raunds. This matter was considered as part of the wider development proposals for Warth Park (as part of 11/00700/OUT), where it was previously considered that contributions could not be reasonably requested as such a proposal would not satisfy the tests set out in CIL. Since then, a gravel surfaced path has been provided by Mick George Ltd as part of the adjacent Ringstead Grange Quarry development. As the proposal now is for a modestly sized foodstore, your Officers are of the view that the requested off-site highway improvement works (involving the provision of a footway for over 1 mile) would be excessive and would not be reasonably necessary for the proposed development. Furthermore, Northamptonshire Highways has been consulted for their views on this matter and confirmation has been received to say that they do not consider that they could reasonably justify such works.

8 Other Issues
8.1 Wildlife and Ecology – The site has been cleared and with the exception of new planting surrounding the south, east and western borders, there are no known habitats or areas that may be affected by this proposal.

8.2 Impact on Ringstead Grange Quarry – The comments from NCC have been noted. It is not envisaged that the proposed development would have an adverse impact or would adversely affect the operation of the adjacent quarry site.

8.3 Crime and Disorder – As there would be good surveillance across the front of the proposed foodstore, car park and other public areas, this proposal does not raise any significant issues. Details of lighting, CCTV and measures to ensure the security of the ATM and the boundary treatment for the service yard could be dealt with by way of conditions.

8.4 Waste Light and Glare – The comments from Commission for Dark Skies have been noted. A condition has been recommended to require that lighting details be submitted for approval and this would ensure that the lighting associated with this proposal would not lead to significant “upward waste light and glare”.

8.5 Height of the Foodstore – The foodstore would not be taller than the other industrial buildings on Warth Park, including the immediately adjacent building to the south. The building would measure 6.3 metres in height and would be positioned below road level by
approximately 2 metres.

8.6 Timescales for Delivering the Trade/Industrial Units – This has been raised by the Town Council. The Council does not have timescales for the delivery of the trade/industrial units on the land to the north of the proposed foodstore. So far, the Council has yet not received a planning application for this development.

8.7 Signage - An informative is recommended to advise the applicant that any signage would require separate advertisement consent and would not be covered by this planning permission.

8.8 Construction Management Plan – A condition (Condition 15) has been recommended to require that a 'Construction Method Statement' be submitted detailing the measures that would be undertaken to ensure that the development would be carried out with minimum impact/disturbance on the surrounding area.

9 Recommendation
9.1 That planning permission be GRANTED subject to the items listed in paragraph 1.1 of this report and subject to the following conditions:

Conditions/Reasons -

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
   Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the submitted details and prior to commencement of the development hereby permitted, details of the external finishes for the foodstore building hereby permitted, including the colour and finish details for the external walls and roof, together with a representative sample (measuring no less than 1 metre squared) of the external metal cladding to be used for the walls, shall be submitted to and approved in writing by the Local Planning Authority. The foodstore shall thereafter be constructed in accordance with the details so approved.
   Reason: To ensure a satisfactory elevational appearance for the development and in the interest of visual amenity.

3. Notwithstanding the submitted details and prior to the commencement of the construction of the petrol filling station hereby permitted, details of the external materials and the colour and finish details of the petrol filling station shall be submitted to and approved in writing by the Local Planning Authority. The petrol filling station shall thereafter be constructed in accordance with the details so approved.
   Reason: To ensure a satisfactory elevational appearance for the development and in the interest of visual amenity.

4. Notwithstanding the submitted details and prior to the commencement of the development hereby permitted, details showing the proposed slab levels of the foodstore and petrol filling station in relation to the existing and proposed levels of the site and the surrounding roads (London Road and Warth Park Way) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.
   Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to the surrounding land and buildings.

5. Notwithstanding the submitted details and prior to commencement of the construction of the foodstore and car park hereby permitted, a comprehensive scheme of landscaping for the entire site shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the type, height and density of planting
and shall include planting for:
1. The entrance into the car park and main car park;
2. The area surrounding the service yard;
3. The southern boundary adjacent to the walkway and stairway;
4. The area to the northern boundary of the site;
The landscaping scheme shall be implemented strictly in accordance with the approved
details in the first planting season following the first occupation of the development.
Reason: To ensure a reasonable standard of development and to avoid detriment to
the visual amenity of the area.

6. Notwithstanding the submitted details and prior to commencement of the development
hereby permitted, details of the boundary treatment to be provided for the service yard
shall be submitted to and approved in writing by the Local Planning Authority. Boundary
treatment shall thereafter be provided in accordance with the details so approved, prior to
the first use of the service yard.
Reason: To ensure a reasonable standard of development and in the interest of visual
amenity and pedestrian safety.

7. Notwithstanding the submitted details and before any work is commenced on the
development the subject of this permission, full details of the surface water drainage
installations to serve the development, together with details of the party responsible for
maintenance, shall have been submitted to and be approved in writing by the Local
Planning Authority. The development shall thereafter be implemented in accordance with
the approved details before the development is first brought into use.
Reason: To ensure flood risk is not increased elsewhere and in the interest of highway
safety.

8. Before any work is commenced on the development the subject of this permission, details
to show the vehicular access and road levels/gradients from Scalley Way into the northern
access road, service yard and car parking areas hereby permitted shall be submitted to
and be approved in writing by the Local Planning Authority. The development shall thereupon be carried out in accordance with the details so approved.
Reason: In the interest of highway safety.

9. Notwithstanding the submitted details and before the development hereby permitted is
commenced, details of the construction and surfacing of the vehicular accesses to the
public highway, parking facilities and all other hard-surfaced areas within the site shall
have been submitted to and approved in writing by the Local Planning Authority. These
facilities shall then be provided in accordance with the details so approved prior to the first
occupation of the development and be thereafter retained in perpetuity.
Reason: In the interest of highway safety, visual amenity and to ensure a reasonable
standard of development

10. A bus stop shall be provided towards the front of the store on Warth Park Way. Prior to
commencement of the development hereby permitted, details to show the precise
position, size and design of the bus stop shall be submitted and approved in writing by the
Local Planning Authority. The bus stop shall thereafter be provided in accordance with the
details so approved before the foodstore is first brought into use.
Reason: To facilitate the implementation of the Travel Plan and to ensure that the
development is sustainable in transportation terms.

11. Cycle parking facilities shall be provided to serve the foodstore hereby permitted In
accordance with the submitted details and these shall be provided before the foodstore is
first brought into use and be thereafter permanently retained.
Reason: To facilitate the implementation of the Travel Plan and to ensure that the
development is sustainable in transportation terms.
12. Bins shall be provided to serve the development hereby permitted and prior to the completion of the construction of the foodstore hereby permitted, details to show the number, location and type of bin(s) to be provided shall be submitted and approved in writing by the Local Planning Authority. The bins shall thereafter be provided before the foodstore is first brought into use and shall thereafter be retained in perpetuity.

Reason: To ensure a reasonable standard of development and in the interest of conserving the local environment.

13. Details of a scheme of lighting for the entire site shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the development hereby permitted. The details to be submitted shall include (but not be limited to) the following:

1. Details of the type of lighting, number, exact location and level and type of illumination;
2. A layout plan to show details of the beam orientation and schedule of equipment in the design (luminaire type; mounting height; aiming angles and luminaire profiles); and
3. A report setting out the cumulative impact of the lighting proposals, together with calculations and measures taken to minimise light emissions from the development; and
4. The means of illumination to be provided shall not be of a flashing or intermittent nature; The scheme shall thereafter be implemented in accordance with the details so approved prior to any of the foodstore, petrol filling station, walkways, stairway (s) or car park areas being first brought into use.

Reason: In the interest of minimising light pollution and preventing crime, anti-social behaviour and reducing the fear of crime.

14. A scheme to ensure the security of the site shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the construction of the foodstore. This shall include the provision of a scheme of CCTV for the vulnerable areas and measures to ensure the security of any external ATM pod to be provided. The development shall thereafter be carried out in accordance with the details so approved before any of the foodstore, car park, walkways or petrol filling station areas are first brought into use.

Reason: In the interest of prevention of crime and anti-social behaviour.

15. Prior to the commencement of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include (but not be limited to) details which specify the provision to be made for the following:

i. Location and details of contractors' compounds, materials storage and other storage arrangements for plant, equipment and other related temporary infrastructure;
ii. Designation, layout and design of construction access and egress points;
iii. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;
iv. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
v. Details of daily volumes of traffic entering and leaving the site, including number and vehicle types;
vi. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles and other similar debris on the adjacent public highways;
vii. Details of the means of enclosure to be provided for the site during the construction for security and public safety;
viii. Detail of measures to be adopted for the mitigation of dust;
The details so approved as part of the Construction Management Plan shall thereafter be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of highway safety, residential amenity of the occupiers in the surrounding residential properties and local amenity.
16. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays.
   Reason: In the interest of local amenity and residential amenity.

17. The jet wash facility hereby permitted shall not be brought into use between the hours of 2200 hours and 0700 hours.
   Reason: In the interest of local amenity and residential amenity.

18. Notwithstanding the submitted details and prior to commencement of the construction of the foodstore hereby permitted, a Sustainability Strategy to demonstrate that the foodstore would be constructed as a minimum to meet BREEAM 'very good' or equivalent nationally recognised standards shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved and a copy of the final energy certificate shall be submitted to the Local Planning Authority before the foodstore is first brought into use.
   Reason: To ensure that the development is sustainable in accordance with the NPPF and Policy 9 of the Joint Core Strategy.

19. Except where expressly stated by other conditions on this planning permission, the development hereby permitted shall be carried out strictly in accordance with the following approved drawings:
   [Drawing numbers to be confirmed on the Committee Update Sheet]
   Reason: In order to clarify the terms of this planning permission and to ensure that the development is carried out as permitted.

Informatives

1. In reaching this decision the Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraphs 186 and 187. The applicant was provided with the opportunity to provide amended drawings and reports to address concerns raised about design, materials, landscaping and other matters raised by the Environment Agency and Northamptonshire Highways.

2. The following additional information was taken into consideration in reaching this decision:
   Transport Assessment
   Travel Plan
   Design and Access Statement
   Planning and Retail Statement
   Statement of Community Involvement
   Landscape Design Statement
   Biodiversity Survey and Report
   Flood Risk Assessment
   Noise Impact Assessment
   Energy Strategy

3. The applicant is advised that this planning permission does not confer consent to any signage as this is to be considered as part of an application for advertisement consent.

4. No works within the existing highway may commence without the express written permission of the Local Highway Authority (Northamptonshire Highways) and this planning permission does not give or infer such permission. The Highway Authority will only give consent to commencement works subject to the completion of an appropriate agreement within the Highways Act 1980.
5. The details pursuant to conditions 2 to 15 and 18 are required prior to the commencement of development because they are critical to the material considerations of the scheme. The development or works would not be acceptable without these details being first approved. Please note: a formal application for the discharge of the conditions will be required prior to the commencement of works. This application will require a fee and could take up to 8 weeks for determination.

6. In respect of condition 15 (viii), the applicant is advised to adopt measures to prevent or mitigate impacts of dust that would be associated with the construction of the development and operational vehicles arriving and leaving the site. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption. In addition, the applicant is advised that all operational vehicles arriving at and leaving the site shall be properly sealed so as to prevent material spillage, wind blow and dust nuisance. All operational vehicles leaving the site shall be cleansed of mud and all other debris to ensure that no material is deposited on the adopted highway, which is maintainable at public expense.
London Road, Raunds
Committee Report

Case Officer: Anna Lee

Date received: 11 January 2016
Date valid: 11 January 2016
Overall Expiry: 7 March 2016
Ward: Thrapston Market
Parish: Raunds

Applicant: Asda Stores Ltd With Roxhill Warth Ltd And Robert How
Agent: David Shaw - Mr David Shaw
Location: Land Off A45 London Road Raunds Northamptonshire NN9 6EG

Proposal: Two fascia signs and two totem poles

The application has been brought to Committee for consideration as it is associated with the foodstore proposed under planning application reference: 15/02095/FUL.

1 Summary of Recommendation

1.1 That advertisement consent be GRANTED subject to satisfactory amended plans being received for one of the totem pole signs, that no adverse comments be received from highways and subject to conditions.

2 The Proposal
2.1 The application proposes two fascia signs and two totem pole signs.

2.2 The two fascia signs would be externally illuminated and be mounted on the front and rear (east and west) elevations of the proposed foodstore. The signs would contain text reading 'ASDA' and would have maximum dimensions measuring 3.8 metres in length by 1.1 metre in height.

2.3 One totem pole sign is proposed adjacent to the road entrance to the foodstore on the west side and this would measure 4.8 metres in height by 2.0 metres in width - this sign is identified on the submitted drawings as 'T-PFS1'. Another totem pole sign, identified as 'T-PFS2', is proposed on the eastern boundary immediately adjacent to London Road and this would measure 5.5 metres in height. Both of these signs would contain information on petrol prices and to promote the store's 'Click & Collect' service and 'Seattle's Best Coffee'. Both totem pole signs would be illuminated using LED.

3 The Site and Surroundings
3.1 The site measures 1.16 hectares in area and falls within Phase 2 of the Warth Park development, situated on the northeast corner. The site is surrounded by industrial warehouses to the south and west. The A45 is situated to the north; London Road (B663), BP petrol station and Mc Donalds are found to the immediate east; and existing residential development lies further to the southeast off Brick Kiln Road.

3.2 The majority of the site is relatively flat and is situated on lower level ground compared with the road levels on Warth Park Way and London Road. The site is surrounded by elevated landscape areas on the eastern and southern borders.

4 Policy Considerations

4.1 National Planning Policy Guidance
National Planning Policy Framework (NPPF) 2012
National Planning Policy Guidance (NPPG) 2014

4.2 North Northamptonshire Core Strategy
Policy 13 - General Sustainable Development Principles

4.3 North Northamptonshire Joint Core Strategy 2011-2031 Submission Plan 2015
Policy 1 – Presumption in Favour of Sustainable Development
Policy 3 – Landscape Character
Policy 8 – Place Shaping Principles

4.4 Supplementary Planning Document:
Design SPD, March 2009

4.5 Other Documents
Highway Authority Standing Advice for Planning Authorities 2013
Shop Front SPD 2011

5 Planning History
5.1 None relevant to this proposal.

6 Consultations and Representations
6.1 Raunds Town Council: Has no objection or comments to make.

6.2 Site notice posted: No representations received.

6.3 Local Highway Authority: Any comments received will be reported on the Committee Update Sheet.

6.4 Environmental Protection Officer: No objection, “whilst there are no obvious issues with light from the proposed signage, the applicant should note that should complaints of light be received, then the Environmental Protection team will investigate them under the relevant legislation where necessary”.

7 Evaluation
7.1 The following issues are relevant to the consideration of this application:

7.2 Principle of development:

7.2.1 Subject to planning permission being granted for the foodstore, the proposed signage should be considered in terms of visual amenity and public safety, taking into account of cumulative impacts, in accordance with the guidance contained in the National Planning Policy Framework (paragraph 67).

7.3 Visual impact
7.3.1 The two proposed fascia signs are modestly sized and would be well positioned in relation to the shopfront and rear part of the building, and would add interest to the overall building. The totem pole sign (T- PFS1) proposed adjacent to the vehicular access into the store and service yard area would not appear unduly prominent or overbearing as it would measure 4.8 metres in height and there would only be distant views of this sign from London Road.

7.3.2 With regards to the totem sign proposed adjacent to London Road (T – PFS2), this sign is proposed on the periphery of the site and would be situated immediately adjacent to the public footpath and would be highly visible from the footpath and London Road. As this sign measures up to 5.5 metres in height and would be positioned on levels similar to the road, there are concerns that this sign would appear unduly prominent and would be harmful to visual amenity. In order to reduce the harm identified, the agent/applicant has been requested to consider repositioning the sign further towards the petrol filling station.
the visual impact would be lessened as the sign would be positioned further away (set inwards) from the surrounding public footpaths, main road and would be mounted on lower level ground. Furthermore, such a sign would be better related to the part of the premises to which it would be associated and this would also avoid the proliferation of signage across the frontage of the site and at the entrance into the town.

7.3.3 Therefore, subject to the receipt of amended drawings for totem sign T-PSFS2, the individual and cumulative visual impacts of the proposed signage could be made acceptable.

7.4 Highway impact
7.4.1 A low level of illumination is proposed for each of the individual signs and providing it be conditioned that the lighting used is of a non-intermittent type, the lighting from the signs is unlikely to cause distraction or result in detriment to highway users. However, the Local Highway Authority (Northamptonshire Highways) has been consulted on this proposal and their views to the submitted proposals will be reported on the Committee Update Sheet.

8 Other issues
8.1 None.

9 Recommendation
9.1 That advertisement consent be GRANTED subject to satisfactory amended plans being received for one of the totem pole signs, that no adverse comments be received from highways and subject to the following conditions:

10 Conditions/Reasons -

1. This consent shall expire at the end of a period of 5 years from the decision date shown below.

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

3. No advertisement shall be sited or displayed so as to:
   a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
   b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
   c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

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

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

   Reason for conditions 2-6: Required by regulation Schedule 2(1) of the Town and country Planning (control of Advertisements) (England) Regulations 2007.

7. In accordance with the submitted details, the signage hereby permitted shall be of a non flashing, pulsating or intermittent kind.
   Reason: In the interests of highway safety.
8. The development hereby permitted shall be carried out strictly in accordance with the following approved plans:
[Drawing numbers to be confirmed on the Committee Update Sheet].
Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

Informatives

1. The following additional information was taken into consideration in reaching this decision:
Application forms

2. The applicant is advised that should complaints of light be received, then the Council's Environmental Protection team will investigate them under the relevant legislation where necessary.
The Croft, Alexandra Road, Rushden
Committee Report

Date received 21 December 2015  Date valid 6 January 2016  Overall Expiry 2 March 2016  Ward Rushden Hayden  Parish Rushden

Applicant Mr B Essig

Agent Blueprint Architectural Design

Location The Croft Alexandra Road Rushden Northamptonshire NN10 0HY

Proposal Three/Four bedroom 1.5 storey detached dwelling - Plot 1

The application has been brought to Planning Management Committee because of the planning history.

1 Summary of Recommendation

1.1 That outline planning permission be GRANTED subject to conditions.

2 The Proposal
2.1 The application seeks outline planning approval for the construction of a one and a half storey detached dwelling. All matters are reserved for consideration, with the exception of the means of access.

2.2 A concurrent application has been submitted under ref: 15/02264/OUT seeking outline planning approval for another one and a half storey detached dwelling (identified as Plot 2) to be situated immediately adjacent to the proposed development.

2.3 Outline planning permission was previously granted for the construction of four bungalows across the two application sites under ref: 14/02080/OUT. The two dwellings proposed in the current applications (ref: 15/02264/OUT & 15/02265/OUT), in effect, would replace the development previously permitted.

3 The Site and Surroundings
3.1 The application site lies on the east side of Rushden and is accessed off the A6 bypass via Alexandra Road.

3.2 Alexandra Road is hard surfaced for approximately the first 15-20 metres and the remaining stretch of the road is a single access track that is un-adopted road.

3.3 There is a pair of semi-detached bungalows (The Croft and Sunny View) to the east of the site. Also, Spenwood to the south of the site is another residential property.

3.4 There is a vegetated area to the west, which is identified as 'allotment gardens' on the submitted drawings.
3.5 The site is surrounded by a mixture of uses, including an agricultural track leading to Hayden's Farm to the north/northeast; a builder's yard on the southwest side; and allotments and former nursery buildings on the east side.

4 Policy Considerations
4.1 National Planning Policy Guidance:
National Planning Policy Framework (NPPF) 2012
National Planning Policy Guidance (NPPF) 2014

4.2 North Northamptonshire Core Spatial Strategy (NNCSS) 2008:
Policy 1 - Strengthening the Network of Settlements
Policy 7 - Delivering Housing
Policy 9 - Distribution & Location of Development
Policy 10 - Distribution of Housing
Policy 13 - General Sustainable Development Principles
Policy 14 - Energy Efficiency and Sustainable Construction
Policy 15 - Sustainable Housing Provision

4.3 North Northamptonshire Joint Core Strategy 2011-2031 Submission Plan 2015
Policy 1 – Presumption in Favour of Sustainable Development
Policy 3 – Landscape Character
Policy 8 – Place Shaping Principles
Policy 9 – Sustainable Buildings and Allowable Solutions
Policy 11 – Network of Urban & Rural Areas
Policy 28 – Housing Requirements
Policy 29 – Distribution of New Homes
Policy 30 – Housing Mix and Tenure

4.4 Supplementary Planning Documents:
Trees and Landscape SPD 2013
Domestic Waste SPD 2012

4.4 Other Documents:
Highway Authority Standing Advice for Planning Authorities 2013
Parking SPG 2003

5 Other Relevant Planning History
5.1 11/01061/OUT - Planning permission was originally refused for the construction of four dwellings on the site because 1) the site was considered to be situated beyond the built up part of Rushden and falls in open countryside, 2) the development would alter the character of the site to one which is suburban, and 3) effect on highway safety due to the substandard width of Alexandra Road.

5.2 A resubmission was subsequently made for the four dwellings under ref: 11/01871/OUT. Officer's recommended refusal to Committee for the same reasons as those set out in the 11/01061/OUT application; with the exception of highway safety, as the applicant had demonstrated that the road improvement works required by Northamptonshire Highways could be made to Alexandra Road, subject to permission being obtained from the owner of the access (Rushden Allotments Society). The Officer recommendation was overturned by members, as whilst the site falls outside of the built up part of the town, it historically formed part of Rushden prior to the construction of the bypass and Committee resolved to grant planning permission to the application subject to conditions.

5.3 Following the expiry of planning permission number 11/01871/OUT, the applicant submitted an application for a similar proposal in 2014 under ref: 14/02080/OUT and this application was approved by Planning Management Committee on 7.01.2015.
6 Consultations and Representations
6.1 Neighbours: No comments received.

6.2 Rushden Town Council: No objection.

6.3 Site notice posted: No representations received.

6.4 Local Highway Authority (Northamptonshire Highways): No objection and confirmation has been received to say that the Local Highway Authority would accept two additional dwellings to be accessed off the existing private road without any improvements.

6.5 Environmental Protection Officer: No objection, subject to a condition to investigate and remediate any contamination that may be present (see recommendations in Section 7.6).

6.6 Tree and Landscape Officer: No objection.

7 Evaluation
7.1 The following issues are relevant to the determination of this application:

7.2 Principle of Development

7.2.1 The site lies on the east side of Rushden outside of the built up part of the settlement separated by the A6. During the determination of the early planning applications (ref: 11/01061/OUT & 11/01871/OUT) in 2011 the site was considered to fall in the open countryside to which residential development was not considered appropriate and would be contrary to national and local planning policies. However, notwithstanding this, the principle of residential development on the site was established by the grant of planning permission for the construction of four new dwellings under reference 11/01871/OUT and more recently under 14/02080/OUT. Furthermore, fundamental changes were taken into consideration during the determination of the 2014 application, as the site was deemed to fall within the emerging Rushden East SUE (Sustainable Urban Extension). Therefore, it was considered inappropriate to continue to treat the site(s) as open countryside and as the current proposals seek to reduce the number of dwellings (from the previously permitted four dwellings down to two), the development is considered to be acceptable in principle.

7.2.2 The implications of the proposed development on the wider Rushden East SUE proposals were considered in the previous application ref: 14/02080/OUT and the Council’s Planning Policy team came to the view that any planning permissions granted would not prejudice the delivery of the Rushden East SUE. The reasons are set out below:

"The Rushden East Project Board is driving the masterplanning of Rushden East; with close working between Rushden Town Council, Higham Ferrers Town Council, the principal landowners, ENC and other appropriate stakeholders. While the area of land around Alexandra Road is in piecemeal ownership, this would not in any way preclude the development of a comprehensive masterplan for Rushden East. It would be up to the Project Board, through the masterplanning work, to identify a preferred approach to land assembly; e.g. through the use of compulsory purchase powers. Land assembly could take place irrespective of whether or not the application site (14/02080/OUT) has a current planning permission."

7.3 Visual Impact
7.3.1 The proposed dwelling(s) could be accommodated on the site without resulting in any more harm on the character and layout of this part of Alexandra Road than the schemes previously permitted.

7.3.2 As the existing dwellings on Alexandra Road are one to one and a half storeys in height, it is considered that the proposed one a half storey tall dwelling(s) would not detract or appear out of character with the existing surrounding development and the precise scale,
siting and design of the dwelling(s), and materials, are matters for consideration at the reserved matters.

7.4 Neighbouring Amenity
7.4.1 The submitted indicative layout plan would show that the proposed dwelling(s) could be positioned within the site without resulting in undue overbearing and overlooking on the occupiers in the adjacent property (The Croft). Furthermore, as this neighbouring building is currently in the ownership of the applicant, it would be difficult to justify a refusal of planning permission on these grounds.

7.4.2 All other neighbouring buildings would be sufficiently located away and would not be adversely affected by the proposal.

7.5 Highway Impact
7.5.1 The first 15 – 20 metres of the Alexander Road (as measured from the A6) is adopted highway. Due to the remaining parts of Alexandra Road being a single track road of substandard width and not adequately surfaced, the Local Highway Authority (Northamptonshire Highways) had previously considered that highway improvement works would be necessary in order to accommodate the proposed intensification of traffic associated with the four dwellings previously proposed and to allow emerging drivers to pass without conflict. The required improvement works included widening and resurfacing works for a significant stretch of Alexandra Road "reconstructed to 4.8 metres in width for the first 26 metres from the rear of the adopted highway (after the first 20 metres from the A6) to allow emerging vehicles to pass without conflict and 3.6 metres in width for the remainder of the track down to the bottom of the development" (Paragraph 7.5.2 Committee Report for 14/02080/OUT). However, as the total number of proposed residential units is now reduced to two, where the resultant number of dwellings on Alexandra Road would be increased only from three dwellings to five dwellings (as opposed to the seven), the Local Highway Authority is satisfied that in the event that the existing access road is used by the two proposed additional dwellings without any improvements, such a proposal would not be detrimental to the extent that highway safety would be compromised. The other existing uses on Alexandra Road i.e. allotments and builders yard, were also taken into consideration in reaching this view.

7.5.2 Therefore, in light of the comments received from Northamptonshire Highways, it would be extremely difficult for the Council to justify improvements to the existing access road, as the required highway improvement works could be considered to be excessive for the scale and nature of the development that is now being proposed.

7.5.3 Parking could be accommodated within the curtilage of the proposed dwellings and the full details are to be considered at the reserved matters. Therefore, providing satisfactory off-road parking and turning facilities are provided within the site to serve the proposed development, there would be no significant highway issues from this proposal.

7.6 Contamination
7.6.1 The Environmental Protection Officer makes the following comments: "The land has been used for the storage, sale and possible repair and maintenance of vehicles. No environmental information has been submitted with the application; however, the applicant is aware of the potential risks from contamination. Planning applications must be assessed in line with the National Planning Policy Framework (NPPF) and soil contamination is a material planning consideration and the NPPF seeks to prevent unacceptable risks from pollution and to ensure that development be appropriate to its location. Where a site is affected by contamination, the responsibility for securing safe development rests with the developer and/or land owner."
7.6.2 Conditions to investigate and remEDIATE contamination were recommended on the previous application and the Officer recommends the same conditions for the current application to ensure any contamination present does not pose significant risk to the development.

8 Other issues
8.1 Amenity Space - From the submitted illustrative layout, it would appear that adequate private amenity space could be provided within the curtilage of the dwelling.

8.2 Collection for Refuse and Recycling - ENC currently collect from the site using the smaller waste vehicles. Therefore, no significant issues have been identified.

8.3 Sustainable Construction and Energy Efficiency - Policy 14 of the NNCSS requires new development to incorporate techniques of sustainable construction, provision for waste reduction and recycling, and water efficiency and recycling; and this Policy will soon be replaced by Policy 9 of the Joint Core Strategy which seeks to ensure that new development incorporates measures which conserve/limit the use of water. Therefore, a condition is recommended to require that details of these measures be submitted.

9 Recommendation
9.1 That planning permission be GRANTED subject to the following conditions:

Conditions/Reasons -

1. Notwithstanding the submitted details, approval of the details of the layout, scale and appearance of the dwellings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development is commenced.
   Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.

2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

4. This decision confers consent in principle to the construction of a single dwelling inside the redline area identified on drawing numbers 15-167-01 and 15-167-03, received by the Local Planning Authority on 21 December 2015.
   Reason: In avoidance of doubt and to clarify the terms of this outline planning permission.

5. Prior to the commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the dwelling hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved.
   Reason: To achieve a satisfactory appearance for the development.
6. The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include details of the provision of screening to all boundaries of the site and dwelling. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved prior to the first occupation of the dwelling and shall thereafter be retained in perpetuity.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

7. Before any work is commenced on the development hereby permitted, details showing the slab levels of the proposed dwelling in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge heights and eaves height of neighbouring buildings The Croft and Sunny View) shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall thereafter be constructed in accordance with the details so approved.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

8. Notwithstanding the submitted details and prior to the commencement of development, details of water conservation measures to be provided for the dwelling hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: To ensure that the development is sustainable in accordance with the NPPF, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy 2008 and Policy 9 of the submission Joint Core Strategy 2015.

9. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

Reason: To ensure potential risks arising from previous site uses have been fully assessed.

10. Prior to the commencement of the development hereby permitted, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model procedures for the Management of Land Contamination, CLR11’. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure the proposed remediation plan is appropriate and to ensure site remediation is carried out to the agreed protocol.

11. On completion of remediation, two copies of a closure report shall be submitted to the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.
Reason: To provide verification that the required remediation has been carried out to the required standards.

12. If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority.
   Reason: To ensure all contamination within the site is dealt with.

13. The development hereby permitted shall be carried out in accordance with the principles set out on the approved plan: drawing numbers 15-167-01 and 15-167-03, received by the Local Planning Authority on 21 December 2015.
   Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

Informatives

1. The following additional information was taken into consideration in the determination of this planning application:
   Design and Access Statement dated December 2015, received by the Local Planning Authority on 21 December 2015.
   Tree Survey Dated 1 August 2011

2. In reaching this decision the Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraphs 186 and 187. The application was determined swiftly and the applicant/agent was provided with the opportunity to enter into discussions with the Local Highway Authority (Northamptonshire Highways).
15/02264/OUT

The Croft, Alexandra Road, Rushden
Committee Report

Case Officer Anna Lee

15/02264/OUT

Date received 21 December 2015
Date valid 6 January 2016
Overall Expiry 2 March 2016
Ward Rushden Hayden
Parish Rushden

Applicant Mr B Essig

Agent Blueprint Architectural Design

Location The Croft Alexandra Road Rushden Northamptonshire NN10 0HY

Proposal Three/Four bedroom 1.5 storey detached dwelling - Plot 2

The application has been brought to Planning Management Committee because of the planning history.

1 Summary of Recommendation

1.1 That outline planning permission be GRANTED subject to conditions.

2 The Proposal
2.1 The application seeks outline planning approval for the construction of a one and a half storey detached dwelling. All matters are reserved for consideration, with the exception of the means of access.

2.2 A concurrent application has been submitted under ref: 15/02285/OUT seeking outline planning approval for another one and a half storey detached dwelling (identified as Plot 1) to be situated immediately adjacent to the proposed development.

2.3 Outline planning permission was previously granted for the construction of four bungalows across the two application sites under ref: 14/02080/OUT. The two dwellings proposed in the current applications (ref: 15/02264/OUT & 15/02265/OUT), in effect, would replace the development previously permitted.

3 The Site and Surroundings
3.1 The application site lies on the east side of Rushden and is accessed off the A6 bypass via Alexandra Road.

3.2 Alexandra Road is hard surfaced for approximately the first 15-20 metres and the remaining stretch of the road is a single access track that is un-adopted road.

3.3 There is a pair of semi-detached bungalows (The Croft and Sunny View) to the east of the site. Also, Spenwood to the south of the site is another residential property.

3.4 The site accommodates various outbuildings including a bricked hut and timber sheds. There is a vegetated area to the west, which is identified as 'allotment gardens' on the submitted drawings.

3.5 The site is surrounded by a mixture of uses, including an agricultural track leading to Hayden's Farm to the north/northeast; a builder's yard on the southwest side; and allotments and former nursery buildings on the east side.
4 Policy Considerations
4.1 National Planning Policy Guidance:
National Planning Policy Framework (NPPF) 2012
National Planning Policy Guidance (NPPF) 2014

4.2 North Northamptonshire Core Spatial Strategy (NNCSS) 2008:
Policy 1 - Strengthening the Network of Settlements
Policy 7 - Delivering Housing
Policy 9 - Distribution & Location of Development
Policy 10 - Distribution of Housing
Policy 13 - General Sustainable Development Principles
Policy 14 - Energy Efficiency and Sustainable Construction
Policy 15 - Sustainable Housing Provision

4.3 North Northamptonshire Joint Core Strategy 2011-2031 Submission Plan 2015
Policy 1 – Presumption in Favour of Sustainable Development
Policy 3 – Landscape Character
Policy 8 – Place Shaping Principles
Policy 9 – Sustainable Buildings and Allowable Solutions
Policy 11 – Network of Urban & Rural Areas
Policy 28 – Housing Requirements
Policy 29 – Distribution of New Homes
Policy 30 – Housing Mix and Tenure

4.4 Supplementary Planning Documents:
Trees and Landscape SPD 2013
Domestic Waste SPD 2012

4.4 Other Documents:
Highway Authority Standing Advice for Planning Authorities 2013
Parking SPG 2003

5 Other Relevant Planning History
5.1 11/01061/OUT - Planning permission was originally refused for the construction of four
dwellings on the site because 1) the site was considered to be situated beyond the built up
part of Rushden and falls in open countryside, 2) the development would alter the character
of the site to one which is suburban, and 3) effect on highway safety due to the substandard
width of Alexandra Road.

5.2 A resubmission was subsequently made for the four dwellings under ref:
11/01871/OUT. Officer’s recommended refusal to Committee for the same reasons as those
set out in the 11/01061/OUT application; with the exception of highway safety, as the
applicant had demonstrated that the road improvement works required by Northamptonshire
Highways could be made to Alexandra Road, subject to permission being obtained from
the owner of the access (Rushden Allotments Society). The Officer recommendation was
overturned by members, as whilst the site falls outside of the built up part of the town, it
historically formed part of Rushden prior to the construction of the bypass and Committee
resolved to grant planning permission to the application subject to conditions.

5.3 Following the expiry of planning permission number 11/01871/OUT, the applicant
submitted an application for a similar proposal in 2014 under ref: 14/02080/OUT and this
application was approved by Planning Management Committee on 7.01.2015.

6 Consultations and Representations
6.1 Neighbours: No comments received.

6.2 Rushden Town Council: No objection.
6.3 Site notice posted: No representations received.

6.4 Local Highway Authority (Northamptonshire Highways): No objection and confirmation has been received to say that the Local Highway Authority would accept two additional dwellings to be accessed off the existing private road without any improvements.

6.5 Environmental Protection Officer: No objection, subject to a condition to investigate and remediate any contamination that may be present (see recommendations in Section 7.6).

6.6 Tree and Landscape Officer: No objection.

7 Evaluation
7.1 The following issues are relevant to the determination of this application:

7.2 Principle of Development

7.2.1 The site lies on the east side of Rushden outside of the built up part of the settlement separated by the A6. During the determination of the early planning applications (ref: 11/01061/OUT & 11/01871/OUT) in 2011 the site was considered to fall in the open countryside to which residential development was not considered appropriate and would be contrary to national and local planning policies. However, notwithstanding this, the principle of residential development on the site was established by the grant of planning permission for the construction of four new dwellings under reference 11/01871/OUT and more recently under 14/02080/OUT. Furthermore, fundamental changes were taken into consideration during the determination of the 2014 application, as the site was deemed to fall within the emerging Rushden East SUE (Sustainable Urban Extension). Therefore, it was considered inappropriate to continue to treat the site(s) as open countryside and as the current proposals seek to reduce the number of dwellings (from the previously permitted four dwellings down to two), the development is considered to be acceptable in principle.

7.2.2 The implications of the proposed development on the wider Rushden East SUE proposals were considered in the previous application ref: 14/02080/OUT and the Council’s Planning Policy team came to the view that any planning permissions granted would not prejudice the delivery of the Rushden East SUE. The reasons are set out below:

"The Rushden East Project Board is driving the masterplanning of Rushden East; with close working between Rushden Town Council, Higham Ferrers Town Council, the principal landowners, ENC and other appropriate stakeholders. While the area of land around Alexandra Road is in piecemeal ownership, this would not in any way preclude the development of a comprehensive masterplan for Rushden East. It would be up to the Project Board, through the masterplanning work, to identify a preferred approach to land assembly; e.g. through the use of compulsory purchase powers. Land assembly could take place irrespective of whether or not the application site (14/02080/OUT) has a current planning permission."

7.3 Visual Impact
7.3.1 The proposed dwelling(s) could be accommodated on the site without resulting in any more harm on the character and layout of this part of Alexandra Road than the schemes previously permitted.

7.3.2 As the existing dwellings on Alexandra Road are one to one and a half storeys in height, it is considered that the proposed one a half storey tall dwelling(s) would not detract or appear out of character with the existing surrounding development and the precise scale, siting and design of the dwelling(s), and materials, are matters for consideration at the reserved matters.

7.4 Neighbouring Amenity
7.4.1 The submitted indicative layout plan would show that the proposed dwelling(s) could be
positioned within the site without resulting in undue overbearing and overlooking on the occupiers in the adjacent property (The Croft).

7.4.2 Whilst The Croft have two habitable window openings on the west side that would face onto the proposed development, the new dwelling(s) could be designed without openings on the east side to prevent overlooking. Furthermore, as this neighbouring building is currently in the ownership of the applicant, it would be difficult to justify a refusal of planning permission on grounds of harm to neighbour amenity.

7.4.3 All other neighbouring buildings would be sufficiently located away and would not be adversely affected by the proposal.

7.5 Highway Impact
7.5.1 The first 15 – 20 metres of the Alexander Road (as measured from the A6) is adopted highway. Due to the remaining parts of Alexandra Road being a single track road of substandard width and not adequately surfaced, the Local Highway Authority (Northamptonshire Highways) had previously considered that highway improvement works would be necessary in order to accommodate the proposed intensification of traffic associated with the four dwellings previously proposed and to allow emerging drivers to pass without conflict. The required improvement works included widening and resurfacing works for a significant stretch of Alexandra Road "reconstructed to 4.8 metres in width for the first 26 metres from the rear of the adopted highway (after the first 20 metres from the A6) to allow emerging vehicles to pass without conflict and 3.6 metres in width for the remainder of the track down to the bottom of the development" (Paragraph 7.5.2 Committee Report for 14/02080/OUT). However, as the total number of proposed residential units is now reduced to two, where the resultant number of dwellings on Alexandra Road would be increased only from three dwellings to five dwellings (as opposed to the seven), the Local Highway Authority is satisfied that in the event that the existing access road is used by the two proposed additional dwellings without any improvements, such a proposal would not be detrimental to the extent that highway safety would be compromised. The other existing uses on Alexandra Road i.e. allotments and builders yard, were also taken into consideration in reaching this view.

7.5.2 Therefore, in light of the comments received from Northamptonshire Highways, it would be extremely difficult for the Council to justify improvements to the existing access road, as the required highway improvement works could be considered to be excessive for the scale and nature of the development that is now being proposed.

7.5.3 Parking could be accommodated within the curtilage of the proposed dwellings and the full details are to be considered at the reserved matters. Therefore, providing satisfactory off-road parking and turning facilities are provided within the site to serve the proposed development, there would be no significant highway issues from this proposal.

7.6 Contamination
7.6.1 The Environmental Protection Officer makes the following comments: "The land has been used for the storage, sale and possible repair and maintenance of vehicles. No environmental information has been submitted with the application; however, the applicant is aware of the potential risks from contamination. Planning applications must be assessed in line with the National Planning Policy Framework (NPPF) and soil contamination is a material planning consideration and the NPPF seeks to prevent unacceptable risks from pollution and to ensure that development be appropriate to its location. Where a site is affected by contamination, the responsibility for securing safe development rests with the developer and/or land owner."

7.6.2 Conditions to investigate and remediate contamination were recommended on the previous application and the Officer recommends the same conditions for the current application to ensure any contamination present does not pose significant risk to the development.
8 Other issues
8.1 Amenity Space - From the submitted illustrative layout, it would appear that adequate private amenity space could be provided within the curtilage of the dwelling.

8.2 Collection for Refuse and Recycling - ENC currently collect from the site using the smaller waste vehicles. Therefore, no significant issues have been identified.

8.3 Sustainable Construction and Energy Efficiency - Policy 14 of the NNCSS requires new development to incorporate techniques of sustainable construction, provision for waste reduction and recycling, and water efficiency and recycling; and this Policy will soon be replaced by Policy 9 of the Joint Core Strategy which seeks to ensure that new development incorporates measures which conserve/limit the use of water. Therefore, a condition is recommended to require that details of these measures be submitted.

8.4 Trees – Approximately five fruit trees would need to be removed in order to deliver the development. The Council's Tree and Landscape Officer has no objection to their removal.

9 Recommendation
9.1 That planning permission be GRANTED subject to the following conditions:

Conditions/Reasons -

1. Notwithstanding the submitted details, approval of the details of the layout, scale and appearance of the dwellings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development is commenced.
   Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.

2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

4. This decision confers consent in principle to the construction of a single dwelling inside the redline area identified on drawing numbers 15-167-05 and 15-167-04, received by the Local Planning Authority on 21 December 2015.
   Reason: In avoidance of doubt and to clarify the terms of this outline planning permission.

5. Prior to the commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the dwelling hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved.
   Reason: To achieve a satisfactory appearance for the development.

6. The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include details of the provision of screening to all boundaries of the site and dwelling. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary
screening shall then be provided in accordance with the details so approved prior to the
first occupation of the dwelling and shall thereafter be retained in perpetuity.
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to
safeguard the amenity of the area.

7. Before any work is commenced on the development hereby permitted, details showing the
slab levels of the proposed dwelling in relation to the existing and proposed levels of the
site and the surrounding land and buildings (including the ridge heights and eaves height
of neighbouring buildings The Croft and Sunny View) shall be submitted to and approved
in writing by the Local Planning Authority. The dwellings shall thereafter be constructed in
accordance with the details so approved.
Reason: For the avoidance of doubt and to ensure a satisfactory form of development
in relation to neighbouring land and buildings.

8. Notwithstanding the submitted details and prior to the commencement of development,
details of water conservation measures to be provided for the dwelling hereby permitted,
shall be submitted to and approved in writing by the Local Planning Authority. The
development shall thereafter be carried out in accordance with the details so approved.
Reason: To ensure that the development is sustainable in accordance with the NPPF,
Policy 14 of the adopted North Northamptonshire Core Spatial Strategy 2008 and Policy 9
of the submission Joint Core Strategy 2015.

9. The development hereby permitted shall not be commenced until details of a
comprehensive contaminated land investigation has been submitted to and approved in
writing by the Local Planning Authority (LPA) and until the scope of works approved
therein have been implemented. The assessment shall include all of the following
measures unless the LPA dispenses with any such requirements in writing:
A site investigation shall be carried out to fully and effectively characterise the nature and
extent of any land contamination and/or pollution of controlled waters. It shall specifically
include a risk assessment that adopts the Source-Pathway-Receptor principle and takes
into account the sites existing status and proposed new use. Two full copies of the site
investigation and findings shall be forwarded to the LPA.
Reason: To ensure potential risks arising from previous site uses have been fully
assessed.

10. Prior to the commencement of the development hereby permitted, an appraisal of
remedial options and proposal of the preferred option to deal with land contamination
and/or pollution of controlled waters affecting the site shall be submitted to and approved
by the Local Planning Authority. No works, other than investigative works, shall be carried
out on the site prior to receipt and written approval of the preferred remedial option by the
Local Planning Authority. This must be conducted in accordance with DEFRA and the
Environment Agency's 'Model procedures for the Management of Land Contamination,
CLR11'. Remediation of the site shall be carried out in accordance with the approved
remedial option. No deviation shall be made from this scheme without the express written
agreement of the Local Planning Authority.
Reason: To ensure the proposed remediation plan is appropriate and to ensure site
remediation is carried out to the agreed protocol.

11. On completion of remediation, two copies of a closure report shall be submitted to the
Local Planning Authority. The report shall provide verification that the required works
regarding contamination have been carried out in accordance with the approved Method
Statement(s). Post remediation sampling and monitoring results shall be included in the
closure report.
Reason: To provide verification that the required remediation has been carried out to
the required standards.
12. If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority.

Reason: To ensure all contamination within the site is dealt with.

13. The development hereby permitted shall be carried out in accordance with the principles set out on the approved plan: drawing numbers 15-167-05 and 15-167-04, received by the Local Planning Authority on 21 December 2015.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

Informatives

1. The following additional information was taken into consideration in the determination of this planning application:
   Design and Access Statement dated December 2015, received by the Local Planning Authority on 21 December 2015.
   Tree Survey Dated 1 August 2011

2. In reaching this decision the Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraphs 186 and 187. The application was determined swiftly and the applicant/agent was provided with the opportunity to enter into discussions with the Local Highway Authority (Northamptonshire Highways).
Milton Road Oundle

Not Set
Committee Report

Applicant: Oundle School - Mr R Tremellen
Agent: Van Heyningen And Haward - Mr R Willard
Location: Sports Hall Milton Road Oundle Northamptonshire PE8 4AB
Proposal: Outline: Demolition of existing swimming pool and existing dwellings and the erection of a new sports centre with associated parking, tennis courts, relocation of running track, re-surfacing of existing sports courts and associated works (all matters reserved)

The application is a major development and therefore is presented before the Planning Management Committee for determination.

1. Summary of Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 The application proposes the demolition of an existing swimming pool and dwellings at the site and the erection of a new sports centre with associated parking, tennis courts, relocation of running track, re-surfacing of existing sports courts and associated works. The application is in outline form with all matters reserved for future consideration.

3. The Site and Surroundings

3.1 The pitches are located to the west of the school and are currently used as playing fields for hockey. The site forms part of Oundle School’s outdoor sports facilities. Oundle School land surrounds the site to the north, east and west and there is residential development located to the south.

3.2 A belt of trees to the west of the application site are protected by a Tree Preservation Order. The site is not within a flood zone and there are no listed buildings in the immediate vicinity that would be affected by the proposal. The site is not within a Conservation Area. Footpath UF11 lies to the north of the site and is unaffected by the proposal.

4. Policy Considerations

4.1 National Planning Policy Framework
   National Planning Practice Guidance

4.2 North Northamptonshire Core Spatial Strategy
   Policy 9 - Distribution and Location of Development
   Policy 13 - General Sustainable Development Principles

4.3 North Northamptonshire Joint Core Strategy Pre-Submission Draft
   Policy 1 - Presumption in Favour of Sustainable Development
   Policy 4 - Biodiversity and Geodiversity
   Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 7 - Community Services and Facilities
Policy 8 - North Northamptonshire Place Shaping Principles

4.4 Rural North Oundle and Thrapston Plan
Policy 15 - Open Space, Sport and Recreational Facilities

4.5 Other documents
None relevant

5 Relevant Planning History
5.1 88/01103/FUL Workshop mess room and general store. PERMITTED.

5.2 94/00855/FUL Artificial grass sports pitch, fencing and lighting. PERMITTED.

5.3 98/00479/FUL Artificial grass sports pitch, fencing and floodlighting. PERMITTED.

5.4 05/02107/FUL Formation of car park. PERMITTED.

5.5 14/00861/FUL Construction of 2no. new synthetic turf pitches with associated features including extended user access arrangements, perimeter fencing and lighting APPLICATION WITHDRAWN

5.6 15/01046/FUL Construction of ten lane synthetic/non turf cricket practice facilities, upgrade of the existing ten lane natural turf lane facilities plus associated storage, fencing and hardstanding works PERMITTED

5.7 12/01254/FUL Redevelopment of part of the existing natural turf playing fields and an adjacent unused overgrown section of the natural turf sports field into two synthetic grass surfaced sports pitches with perimeter fencing, floodlighting and associated features including new paths and warm up area PERMITTED

6 Consultations and Representations
6.1 Neighbours: Eight comments can be summarised as:
- Impact of floodlighting;
- Impact on mature trees;
- Drainage;
- Impact on ecology and biodiversity;
- Parking at Milton Road Entrance;
- Noise impact; and
- Construction traffic.

6.2 Oundle Town Council: No objection subject to the following comments:

- There are concerns that those using the facilities (whether to play or to spectate) will have to park in the car park provided off Milton Road when the access and egress from that car park to/from Milton Road is difficult:
- If any coaches are used to convey people to or from the facility, provision needs to be made for these to be parked on school premises and not on surrounding roads (e.g. Milton Road) and there should be a requirement on any coaches not to remain stationary with their engines running or, alternatively, if coaches are to park in the car park off Milton Road and if they are to keep their engines running there should be adequate screening to reduce the noise nuisance to adjoining properties:
- The applicant should ensure that the redevelopment is used as an opportunity to ameliorate the difficulties experienced by adjoining landowners as a result of water run off;
- The proposed restrictions on vehicular access from/to Giphorth Road should not result on the loss of public access through the site on foot or by bicycle; and,
-If possible the redevelopment of the applicant’s land for sports/recreational use should enable wider public access by the creation of a footpath/cycleway from Benefield Road to and through the site (if possible to link into the Creed Road development to the north).

6.3 Environmental Protection Officer: The above application is for the redevelopment of part of the existing natural turf playing fields and an adjacent unused overgrown section of the natural turf sports field. It is the applicant’s intention to have two synthetic grass surfaced sports pitches with perimeter fencing, floodlighting and associated features including new paths and warm up areas.

I have looked at the information submitted in support of the application and note that the pitches will be located well away from residential properties and whilst there are no obvious issues with noise from the development, the applicant should note that should complaints of noise be received, then the Environmental Protection team will investigate them under the relevant legislation and take enforcement action where necessary.

The applicant has submitted details of the lighting to be used and so long as this is installed as detailed Environmental Protection do not have any concerns.

6.4 Environment Agency: I can confirm that we have received a revised FRA, ref: SJC/615844/JRC, Rev 2 prepared by MLM Consulting Engineers Ltd in support of the application. We consider that the details in the FRA have been undertaken in line with the requirements set out in paragraph 30 of the flood risk and coastal change chapter of the National Planning Policy Guidance and these are considered appropriate for the scale and nature of the proposed development. Accordingly, we are prepared to withdraw our objection subject to the imposition of conditions on any planning approval.

6.5 Natural England: Natural England has previously commented on this proposal and made comments to the authority in our letter dated 20 June 2014. The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the any statutorily protected sites than the original proposal.

6.6 NCC Highways: No objection. I note that the agent is seeking the removal of the detailed highway design element of the application due to a desire of the school not to commit to this level of detail at this stage. Whilst I appreciate that the access of Milton Road is reasonably straightforward in terms of the required amendments, I do need to see a 2 dimensional general arrangement drawings of the proposed access arrangements to form a full view.

However, at present these drawings are all marked "superseded" on your website so I’m unsure as to their status. I agree with the agent that we do not need to consider detailed highway design at this stage but this doesn’t alter the requirement for the submission and approval of the GA and tracking drawings for coaches and service vehicles at the outline stage. If the drawings which have been submitted but now marked superseded could be made current then I would be happy to accept them as fit for purpose in relation to the access and movement associated with the application. In terms of the access off Milton Road I would ask that once I have given the GA our approval, it should be referenced in your planning decision as the basis for a suitably worded planning condition.

I see this as the best way forward and one which provides the applicant with a clear understanding of what they can work with in terms of providing the next level of detail for the anticipated S278 application which will be required for the access improvements.
6.7 North Northants Badger Group: No comments to make.

6.8 Police Liaison Officer: No objection subject to the following areas being discussed and agreed:

- Boundary treatments;
- Landscaping;
- Access control - Site and buildings;
- Physical security to buildings;
- On site vehicle security;
- External lighting; and
- CCTV

6.9 Sport England: Sport England does not wish to raise an objection to this application as it is considered to meet exception E5 of its Playing Fields Policy. The absence of an objection is subject to conditions.

6.10 Lead Local Flood Authority: Having reviewed the same and considering that the EA are happy with the FRA, we have no further comments to make on the application.

6.11 The Wildlife Trust: Whilst I cannot seem to find any previous archive file record here of my having provided a previous consultee response to ENC in respect of any earlier rounds of consultation contact requests concerning the EN/14/00875/OUT Application, but since I note from ENC’s own website that the latest ecology report document has also now been listed in association with this same Planning Application matter too, then, therefore, please note that I have now had the opportunity to read through the content of the report document entitled "Master Plan: Reptile, Bat and Badger Surveys", dated 29/09/15, as produced by the consultancy RPS, and I am pleased to be able to report back to you that, in addition to welcoming its actual submission in order to support, inform and guide these relevant redevelopment proposals, I am of the view that it is comprehensive in both its scope and content and, furthermore, that its methods, findings and conclusions are all acceptable and satisfactory in the circumstances here.

Therefore, I would now wish to recommend, in turn, to you / ENC that you should translate into a set of suitable and strongly-worded 'ecological' Planning Conditions all of the relevant content of this same RPS Master Plan report document of 29/09/15 where the Applicant's own ecologists have made recommendations for the retention / preservation, protection, enhancement and future sympathetic management input in relation to all of the appropriate biodiversity issues here; as set out in the relevant portions of Paragraph 5.14, on Page 29, which requires the need for a re-survey exercise, immediately prior to the demolition operation, in respect of the possible presence of bats in Building No. 1, and also the whole of the Section 6, headed "Mitigation", on Pages 30 to 35, inclusive, to include, most importantly, the requirement for the necessary follow-up Monitoring Programmes, and Section 7, headed "Conclusions", on Page 36, too.

6.12 Senior Tree and Landscape Officer: Thank you for the clarification in relation to this application. As discussed the change in the application would remove my specific layout concerns, however would suggest we look to condition the following details for future applications:

- A full Arboricultural Method Statement
- Tree retention / removal and justification document
- Tree Protection plan
- Details of surfacing around tree (this could form part of an Arb' Method Statement
Evaluation

7.1 Oundle School has set out its vision within the Design and Access Statement for a "sustainable reorganisation of the western end of the school campus to create an improved sports 'hub' at the culmination of the landscaped route which winds its way through Oundle School. The proposed masterplan will position the school as a leading sports venue and enable the school to continue to deliver 'gold standard' sports teaching and fitness provision to Oundle School pupils, pupils of neighbouring schools, the town and wider community."

7.2 The existing swimming pool adjoins an existing sports hall which lies to the south of the site and is accessed off Milton Road. The swimming pool element will be demolished and a new sports centre and swimming pool will be erected to the north of the remaining sports hall. The new sports hall/swimming pool will be some 5,500m² gross internal floor area.

7.3 In addition to the new sports hall/swimming pool, the indicative plans propose other sporting facilities such as a new running track, rugby and hockey pitches along with additional tennis and netball courts and cricket pitch.

7.4 The National Planning Policy Framework (NPPF) states that great weight should be given to the need to expand or alter schools and that access to sport and recreation can make an important contribution to the health and well-being of communities. Sport England support the proposal to replace the existing facilities and state that the development is in line with their playing field policy.

7.5 Policy 15 of the Rural North Oundle and Thrapston Plan (RNOTP) seeks to protect and enhance existing sport and recreation facilities. This is in line with the expectations of the "Vision and Outcomes" of the RNOTP which also seeks to ensure that good quality sport and recreational spaces are planned for.

7.6 Policy 13 of the North Northamptonshire Core Spatial Strategy (CSS) seeks to raise standards to promote healthier lifestyles and for people to be active. Policy 7 of the emerging Joint Core Strategy (JCS) states that there should be no net loss of sports or recreation buildings or land unless the development is for alternative sports and recreation.

7.7 The site is an established educational facility with existing sports grounds and buildings. The proposed redevelopment of this part of the school falls squarely within both local and national planning policy expectations and as such the principle of developing the site for the proposed sporting facilities is acceptable.

7.8 Visual impact

7.9 Indicative plans show the building to be part single and part two storey. The external appearance of the building will be agreed at reserved matters stage. It will be around 5,500 m² in floor area.

7.10 Other matters such as floodlighting will also be agreed at reserved matters stage. Conditions ensuring that such details are submitted for approval will be contained within the outline decision notice.

7.11 Impact on neighbouring amenity

7.12 Concerns have been raised by neighbours about the possible impact of noise as a result of the proposed access at Milton Road being used for coaches. These coaches
currently park to the rear of properties along Wyatt Way and Whitwell Close. The main cause for concern is that the coaches continually run their engines when stationary. Clearly this is a matter for the school to manage and it should set in place procedures to ensure that noise from coaches visiting the site is kept to a minimum.

7.13 Trees

7.14 Neighbours have commented that they have concerns about the removal of trees on site. All plans are indicative and full details of tree retention and removal will need to be agreed with the Senior Tree and Landscape Officer before works can start. The following conditions are therefore suggested:

- A full Arboricultural Method Statement
- Tree retention/removal and justification document
- Tree Protection plan
- Details of surfacing around tree.
- Full landscaping details

7.15 Biodiversity

7.16 Natural England do not raise any objection to the development. The Wildlife Trust is satisfied that the proposal would not result in a detrimental impact to any protected species or sites subject to a condition for the development to be carried out in accordance with the recommendations as set out in the ecological survey.

7.17 Drainage

7.18 Concerns have been raised that the existing run-off from the site causes problems of localised flooding to rear gardens at Wyatt Way which could be exacerbated by the development. The Local Lead Flood Authority does not object to the proposal and the Environment Agency have agreed the Flood Risk Assessment submitted in support of the application. A condition requiring compliance with the FRA is suggested.

7.19 Parking and Access

7.20 This matter is reserved for future consideration. The County Council as Local Highway Authority have suggested a condition to ensure that access and parking are considered as part of the reserved matters application. Indicative plans have been submitted detailing tracking for the access which the Highway Engineer is satisfied with. However, full access and parking details are still required to be agreed as part of the reserved matters.

8. Other matters

8.1 Other matters raised by objectors are as follows:

8.2 Floodlighting. A condition will be placed upon any permission granted to ensure that a scheme of lighting is agreed before the development is brought into use. Details of lighting will be made available for comment/consultation as part of the reserved matters application.

8.3 Construction Traffic. The Environmental Health Officer has requested a condition requiring details of construction management plan to include traffic routes into/out of the site, parking areas for construction traffic and storage areas for materials. This will form part of the reserved matters application.

9. Recommendation

9.1 That permission be GRANTED subject to the following conditions:
Conditions/Reasons -

1. No development shall commence until full details of the access, layout, scale, appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the case of the reserved matters, application for approval shall be made not later than the expiration of three years beginning with the date of this permission.

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development to which this permission relates shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Design and Access Statement (van Heyningen and Haward Architects, May 2014), Flood Risk Assessment (Ref: SJC/615844/JRC Rev 2 dated 27th June 2014, prepared by MLM Consulting), and drawing 512-L-010 Rev N (Site Plan Proposed).

Reason: To ensure that the development is carried out as permitted.

5. Prior to the commencement of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management plan shall include and specify the provision to be made for the following:

- Measures to control the emission of dust and dirt during construction;
- Measures to control noise emanating from site during the construction period;
- Hours of construction work for the development;
- Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works

Reason: In the interests of residential amenity and highway safety.

6. The development hereby permitted shall be only be used during the hours of 8am and 7pm Mondays to Saturday and 8am to 5pm Sundays and Bank Holiday

Reason: In the interests of neighbouring amenity.

7. The development hereby permitted shall be carried out in accordance with the recommendations as set out in paragraph 5.14, on Page 29 of the Master Plan: Reptile, Bat and Badger Surveys (RPS Group Ref: OXF8904 dated 29th September 2015), which requires the need for a re-survey exercise, immediately prior to the development commencing, in respect of the possible presence of bats in Building No. 1, and also the
whole of the Section 6, headed "Mitigation", on Pages 30 to 35, inclusive, to include, most importantly, the requirement for the necessary follow-up Monitoring Programmes, and Section 7, headed "Conclusions", on Page 36 of said document.
Reason: In the interests of biodiversity.

8. Prior to the commencement of the development hereby approved, full details of the enclosures along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved means of enclosure, shall be erected in accordance with the approved details and retained thereafter.
Reason - To ensure the satisfactory appearance of the completed development

9. Full details of access, parking, footways and road layout as well as off-site works and construction shall be submitted and assessed by the Highway Authority at reserved matters application. These details must be approved prior to work commencing on site by the Local Planning Authority and may require that a legal agreement be entered into in line with the Highways Act 1980.
Reason: In the interest of highway safety.

10. The development shall not commence until details of the proposed works to the Milton Road access as set out indicatively on the Odyssey Markides Drawing Reference 13-043-201 Revision B and such amendments required by the Local Planning Authority as a result of the Stage 1 Road Safety Audit, have been submitted to and approved in writing by the Local Planning Authority and no part of the development shall be occupied or brought into use until these works have been completed in accordance with the approved details.
Reason: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

11. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
(c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

Reason - In the interests of the visual amenity of the area, to ensure the creation of a pleasant environment for the development

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
Reason - In the interests of the visual amenity of the area, to ensure the creation of a pleasant environment for the development
13. Prior to the commencement of the development and notwithstanding the submitted details, an arboricultural survey, undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of identifying and retaining important trees on the site

14. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape

15. Notwithstanding the submitted details, a Tree Protection Plan for the onsite trees shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be in accordance with BS5837:2005. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure the protection of trees on site

16. Prior to the commencement of the development hereby approved, full details of a scheme of supervision for the arboricultural protection measures, to include the requirements set out in a) to e) below, and which is appropriate for the scale and duration of the development works, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the arboricultural protection measures shall be carried out in accordance with the approved details.

a) Written confirmation of the contact details of the project arboriculturist employed to undertake the supervisory role of relevant arboricultural issues.

b) The relevant persons/contractors to be briefed by the project arboriculturist on all on-site tree related matters

c) The timing and methodology of scheduled site monitoring visits to be undertaken by the project arboriculturist.

d) The procedures for notifying and communicating with the Local Planning Authority when dealing with unforeseen variations to the agreed tree works and arboricultural incidents

e) Details of appropriate supervision for the installation of load-bearing 'structural cell' planting pits and/or associated features such as irrigation systems, root barriers and surface requirements (e.g.: reduced dig systems, arboresin, tree grills)

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape

17. Noise emitted from fixed (static) plant and equipment to be installed on the site shall not exceed the levels stated in Table 3: Proposed Target Noise Criteria, dB LAR,TR of the noise assessment (Document Ref: 100326, dated March 2014) by MLM Consulting Engineers Ltd. For the purpose of the assessment the authority will accept 07.00 - 23.00 hours as covering the day time period and 23.00 to 07.00 for the night time period.

Reason: To protect the residential amenity of the locality

18. Details of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and schedule of equipment in the design (luminaire type; mounting height; aiming angles, luminaire profiles and a lighting contour map). The means of illumination of the subject of this
consent shall not be of a flashing or intermittent nature. The approved scheme shall be
installed, maintained and operated in accordance with the approved details unless the
Local Planning Authority gives its written consent to the variation.
Reason: to protect the appearance of the area, the environment and wildlife and local
light-sensitive development from light pollution and to ensure adequate safety and
security on site

19. No demolition or construction work (including deliveries to or from the site) shall take
place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and
1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise
agreed with the local planning authority.
Reason: To ensure the protection of the local amenity throughout construction works

20. Vehicles, including delivery vehicles, must not park outside the development site at any
time of the day or night. Vehicles must enter the site immediately and must leave the
site in a safe and controlled manner. The public highway shall not be used as a holding
area for deliveries. There shall be no contractor parking on the public highway at any
time.
Reason: To ensure the protection of the local amenity throughout construction works.

Informatives

1. The details pursuant to conditions 1, 5, 8, 9, 10, 11, 13, 14, 15, 16 and 18 are required
prior to the commencement of development because they are critical to the material
considerations of the scheme. The development would not be acceptable without these
details being first approved.

2. Please note that an application is required to formally discharge any pre-
commencement conditions which are attached to this permission. This could take up to
8 weeks and would incur a fee. Further information can be found at www.east-
northamptonshire.gov.uk. Please ensure that the conditions are read carefully, as
failure to submit the relevant information could lead to a refusal of the application and
cause further delay.

Reason for Decision

In reaching this decision this Council has implemented the requirement in the NPPF to
deliver sustainable development in a proactive and positive way in accordance with
paragraphs 186 and 187.

A full report is available at www.east-northamptonshire.gov.uk
15/02227/FUL

Carlow Street Ringstead
Committee Report

Case Officer: Graham Wyatt

Date received: 15 December 2015
Date valid: 15 December 2015
Overall Expiry: 9 February 2016
Ward: Thrapston Market
Parish: Ringstead

Applicant: Mr And Mrs S Hazeldine
Agent: Andrew J Porter - Architectural Consultant
Location: Garage Adj 13 Carlow Street Ringstead Northamptonshire
Proposal: Demolition of existing garages and construction of new detached dwelling

This application is reported to the Planning Management Committee as the Parish Council has objected.

1.0 Summary of Recommendation

1.1 The application be GRANTED subject to conditions.

2.0 The Proposal
2.1 The application proposes the demolition of an existing garage and the erection of a detached single storey dwelling. Parking and amenity areas will be provided with the dwelling.

3.0 The Site and Surroundings
3.1 The site lies within a residential area of Ringstead and currently contains a single detached garage. The site is bounded dwellings and to the south lies a footpath linking Carlow Road to Carlow Street/Brook Walk.

3.2 The site is not within a Conservation Area and there are no listed buildings in the vicinity. The site is not within a Flood Zone and there are no protected trees within the site. There are not other relevant site constraints

4.0 Policy Considerations
4.1 National Planning Policy Framework

4.2 North Northamptonshire Core Spatial Strategy 2008
Policy 9 - Distribution and Location of Development
Policy 13 - General Sustainable Development Principles

5.0 Relevant Planning History
5.1 None.

6.0 Consultations and Representations
6.1 Neighbours: Three neighbours have objected to the development for the following material planning considerations:

- Impact on highway safety and parking;
- Density/overdevelopment of the site;
- Impact on footpath; and
- Impact on culvert.
6.2 Ringstead Parish Council:
   i) There is a lack of turning space already - with this development this issue will become worse.
   ii) There are concerns regarding the inappropriate size of the plot for a dwelling house.
   iii) There are Health & Safety Issues in creating a long dark passageway.
   iv) There are concerns of the effect that it may have on the culvert.
   v) It should be noted that the hedge to be trimmed is not the property of the applicant.

6.3 NCC Highways: No objection.

6.4 A site notice was displayed on 4th January 2016. A neighbour emailed stating that the notice had been removed some days later. However, as the application had been advertised in the Nene Valley News and neighbouring properties were written to, there was no requirement to erect a site notice or replace the one that was taken down prematurely (Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 refers).

7.0 Evaluation
7.1 The main considerations in the determination of this proposal are the principle of development; design and visual impact; impact on neighbouring properties and highway matters.

7.2 Principle of Development

7.3 The site lies within the settlement of Ringstead whereby the principle of residential development is acceptable.

7.4 Design and Visual Impact

7.5 The existing site and the lack of any defined use gives a run-down feel which detracts from the appearance of the area. The existing garage is not visually appealing and detracts from the appearance of the area. Redevelopment therefore has the potential to create visual and environmental improvements.

7.6 The proposed bungalow would be sited back some 5.5m - 7.5m from Carlow Street so that off street parking can be provided within the site. The proposed dwelling would be single storey with a pitched roof and measures some 4.3m (w) x 12.7m (l) x 4m (h). The building would be constructed of brick under a tiled roof and would provide two bedrooms, a bathroom, kitchen/diner and lounge. A private amenity would be provided to the rear and side of the property. Bin storage areas are also provided within the site.

7.7 The proposed building would be sited adjacent to 2 storey buildings. However, there are bungalows in the area and examples exist to the rear of the site. It is considered that the development represents a proportionate and well designed building that would not appear unduly prominent nor detract from the character and appearance of the area. The

7.8 Impact on neighbour amenity

7.9 The dwelling would be sited to the south of the site with windows at ground floor level and two rooflights on the south elevation. A 1.8m fence would surround the property. Given that all windows are at ground floor level it is considered that the proposal is unlikely to impact on the amenities of the adjoining occupier to a significant level through overlooking, overshadowing or loss of light. No windows are proposed on the south elevation.

7.10 Highway Matters
7.11 Northamptonshire County Council Highway Authority have raised no objection to the application on the grounds of highway safety as sufficient parking to serve the dwelling would be provided on site.

8 Other issues
8.1 The Parish and objectors have commented on a culvert that runs under the footpath linking Carlow Street to Carlow Road. The applicant has submitted a letter stating that,

"Both myself and the applicant have been unable to accurately identify the exact position of the culvert, however, from what has been observed on-site we can confirm that it appears to follow the line of the hedge which forms the boundary between the proposed site and the adjacent properties. Whilst the culvert sits astride the boundary, it is located more towards numbers 28-32.

Prior to the submission of the planning application, I did contact a number of agencies whom it was hoped would provide the necessary answers relating to the ownership / records. However, as this proved inconclusive the applicant appointed VSH Law to undertake a more detailed search. After several months of investigation, the only formal response received to-date is a letter from the Bedford Group of Drainage Boards (refer to copy submitted with this letter) which states that: 'The responsibility for the culvert lies with the landowner whose land it passes under. This is referred to as a 'riparian' responsibility'.

The proposed dwelling has been positioned at an appropriate distance away from where the culvert is deemed to be located so as not cause any damage to it. Prior to making the application, I did also contact East Northamptonshire Council Building Control Services who were able to confirm that providing the foundations extend to a depth not less than the invert level of the culvert (measured at approximately 1.6m) there shouldn't be a problem.

In order to remove all doubt and reduce the potential for any damage, the following measures are proposed:

-All foundations will be excavated (by hand) and poured in 1.0m length sections.
-Excavations for drainage pipes will again be undertaken by hand.
-No heavy plant or equipment is to be used during the construction phase adjacent to the northern boundary.

In the unlikely event that the culvert is damaged during the construction phase, the applicant understands that they are liable for any repairs deemed necessary.

8.2 It is clear therefore that attempts have been made to ascertain the owner of the culvert. Whilst this has not been possible, the applicant is aware that the culvert exists and has approached Building Control who do not foresee any issues when constructing the dwelling. Notwithstanding this, the applicant is aware that he is liable for any damage to the culvert during and post construction.

8.3 It has also been raised that the footpath that leads from Carlow Street to Carlow Road will become dark and could cause health and safety/crime issues. The existing garage lies adjacent to the footpath and there is no evidence that this relationship causes any issues for its users. Similarly, there is no evidence that the proposed dwelling will give rise to such issues. In addition, the footpath is illuminated by street lighting.

8.4 A neighbour has also commented that a hedge that is indicated to be trimmed is not in the ownership of the applicant. Planning permission does not grant consent for applicants to carry out works to property not within their ownership. Should the hedge require trimming then the consent of the owner would still be required. However, it is in
the interest of the owner to maintain the hedge as it bounds the access to their property.

9. Recommendation
9.1 It is recommended that the application be GRANTED subject to conditions.

Conditions/Reasons -

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.
   Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Drawing 093/15/01 Rev A (Proposed Plans, Elevations and Section) and 093/15/02 (Existing and Proposed Site Plan)
   Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

3. Prior to the commencement of the development hereby approved, samples of the brick and tile to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.
   Reason - To ensure the satisfactory appearance of the completed development

Reason for Decision

1. In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraphs 186 and 187. The development as submitted was acceptable and therefore no negotiations were necessary.

2. Condition 3 is a pre-commencement condition required to ensure that the development is carried out in a satisfactory manner.
West End, Raunds
Committee Report

Case Officer: Graham Wyatt

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Applicant: Bellway Homes Ltd (Northern Home Counties) - Miss E Connolly

Location: West End Land North Of Brick Kiln Road Raunds Northamptonshire

Proposal: Variation of condition 31 (Occupation of development) pursuant to application 11/01747/OUT: Outline: proposed sustainable urban gateway to Raunds comprising employment (Use Classes B1, B2 and B8); residential (Use Class C3); new vehicular and pedestrian access and associated road infrastructure, public open space and landscaping, including flood alleviation measures. (All matters reserved except for access). dated 07.12.12

1. Summary of recommendation

1.1 That Members resolve to GRANT planning permission subject to the variation of the existing s106 agreement.

2. The proposal

2.1 This application seeks to vary condition 31 of planning permission 11/01747/OUT which states that,

Notwithstanding the western access crossroads arrangement shown on Drawing No.CS-051934-T-001C, prior to the commencement of development details of an alternative crossroads layout shall be submitted to and agreed in writing by the local planning authority, in consultation with Northamptonshire County Council as local highway authority. No part of the development hereby approved shall be occupied until the approved alternative crossroads arrangement, has been completed to the satisfaction of the local planning authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

2.2 The applicant wishes to vary this permission so that the final sentence reads, "No more than 20 No. units of the development hereby approved shall be occupied until the approved alternative crossroads arrangement, has been completed to the satisfaction of the local planning authority.

3. Site and Surroundings

3.1 The site is situated on the northern edge of Raunds, to the north of Brick Kiln Road and south of the A45 trunk road. There is residential development to the south, and
Raunds Town Football Club abuts the site to the east. The site is surrounded in all other directions by open countryside. The A45 service area is situated to the west, separated from the application site by a field.

3.2 The site itself measures 16.31 hectares and is situated on a plateau which is generally flat with a gentle rise from southwest to northeast. The majority of the site is currently in agricultural use (predominantly arable), with an area of smallholding(s) in the south east corner.

3.3 Development at the site has lawfully commenced.

4. Policy Considerations
4.1 National Planning Policy Framework

4.2 East Northamptonshire Local Plan 1996
   Saved Policy GEN3 - Planning Obligations

4.3 North Northamptonshire Core Spatial Strategy
   Policy 9 - Distribution & Location of Development
   Policy 13 - General Sustainable Development Principles
   Policy 14 - Energy Efficiency and Sustainable Construction

4.4 North Northamptonshire Joint Core Strategy Pre-Submission Plan 2011 - 2031
   Policy 1 - Presumption in Favour of Sustainable Development
   Policy 3 - Landscape Character
   Policy 8 - North Northamptonshire Place Shaping Principles
   Policy 9 - Sustainable Buildings and Allowable Solutions
   Policy 26 - Renewable Energy

4.5 Supplementary Planning Guidance
   Planning out crime; Parking; Sustainable Design; Biodiversity

5. Relevant Planning History
5.1 11/01747/OUT - Outline: proposed sustainable urban gateway to Raunds comprising employment (Use Classes B1,B2 and B8); residential (Use Class C3); new vehicular and pedestrian access and associated road infrastructure, public open space and landscaping, including flood alleviation measures. (All matters reserved except for access). Approved 07.12.2012.

5.2 14/02000/REM - Reserved matters for the erection of 230 (two hundred and thirty) residential units pursuant to outline application 11/01747/OUT proposed sustainable urban gateway to Raunds comprising employment (Use Classes B1,B2 and B8); residential (Use Class C3); new vehicular and pedestrian access and associated road infrastructure, public open space and landscaping, including flood alleviation measures. (All matters reserved except for access) dated 07.12.12. Approved 08.01.2015

6 Consultations and Representations
6.1 No letters of representation from neighbours were received as a result of the consultation process.

6.2 Raunds Town Council - Object. The Council wishes to object to this application as the occupation of houses prior to the completion of the appropriate highways works would pose a danger to road users. In addition there is currently a great deal of mud on the road which will only be worsened if homes are occupied prior to the correct highways junction being developed.

6.3 Ringstead Parish Council - No comment.
6.4 NCC Highways - No objection

7 Evaluation

7.1 This application seeks to vary condition 31 of planning permission 11/01747/OUT which states that,

Notwithstanding the western access crossroads arrangement shown on Drawing No.CS-051934-T-001C, prior to the commencement of development details of an alternative crossroads layout shall be submitted to and agreed in writing by the local planning authority, in consultation with Northamptonshire County Council as local highway authority. No part of the development hereby approved shall be occupied until the approved alternative crossroads arrangement, has been completed to the satisfaction of the local planning authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7.2 The applicant wishes to vary this permission so that the final sentence reads, "No more than 20 No. units of the development hereby approved shall be occupied until the approved alternative crossroads arrangement, has been completed to the satisfaction of the local planning authority."

7.3 The applicant has stated that while works on the western access remains a matter of discussion with the Highway Authority, and technical approval is imminent, they are hopeful that the S278 Agreement (of the Highway Act 1980) will be completed soon. However, while this matter is being resolved they do not want to be in breach of condition 31 which requires completion of the agreed works before occupation of any of the dwellings. In addition, the applicant has confirmed that access to the dwellings would be from the eastern access and not the western access so there would be no conflict with construction traffic.

7.4 The condition was considered necessary in order to minimise danger, obstruction and inconvenience to users of the highway. The Highway Authority has considered the proposal and do not raise any objection to the variation of the condition. The variation of condition 31 is therefore considered acceptable.

7.5 The application is submitted under section 73 of the Town and Country Planning Act 1990 (as amended). Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. As the development has commenced there is no need to repeat conditions 1 to 3. As a result, condition 31 becomes condition 28.

7.6 As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this will need to be the subject of a deed of variation. As a result, the recommendation is to approve the application, subject to the applicant entering into an agreement to vary the original agreement attached to application10/01747/OUT.

7.7 The application is considered against the development plan and other material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. The focus is on national and development plan policies, and other
material considerations which may have changed significantly since the original grant of permission. It is considered that there have not been any significant changes in policy since the original grant of planning permission in July 2012.

8.0 Other Matters
8.1 The Town Council has raised the issue of mud on the road as a result of the development. The Enforcement Team have visited the site on a number of occasions and made the applicant aware that the site is being monitored. The applicant has a dedicated road sweeper that attends to mud as and when required.

9. Recommendation
9.1 That Members resolve to GRANT planning permission subject to the variation of the s106 Agreement.

Conditions/Reasons -

The development hereby permitted shall be carried out in accordance with the approved plans:
Site Location Plan [BARY1019]
Illustrative Masterplan [BARY1019-01]
BARY 1019 -02
BARY 1019- 03
BARY 1019 - 04
CS24675/T/111 D
CS-051934-T-001 C

Reason: To ensure that the development is implemented in accordance with this planning permission.

2. No more than 80% of the Open Market Units in any phase shall be occupied until the Affordable Housing Units in that phase have been completed and transferred to the RegisteredProvider.
   Reason: To meet the aim of creating a balanced and sustainable community.

3. Non-domestic buildings shall achieve a minimum of Building Research Establishment Environmental Assessment Level 'very good' (or the equivalent standard which replaces the Building Research Establishment Environmental Assessment Method which is to be the assessment in force when the commercial unit or units concerned are registered for assessment purposes.)
   Reason: To define the permission in the interests of achieving a sustainable development in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

4. The development shall follow the Design Code as approved under application 14/01828/CND.
   Reason: To ensure a satisfactory form of development which is satisfactorily served by infrastructure in accordance with Policies 7 and 16 of the North Northamptonshire Core Spatial Strategy.

5. The development shall be follow the Green Infrastructure Management Plan (GIMP) as approved under application 14/01871/CND.
   Reason: To ensure a satisfactory form of development which is satisfactorily served by green infrastructure in accordance with Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy.
6. The development shall follow the Ecological Management Plan (EMP) approved under application 14/01871/CND

Reason: In order to ensure a net gain in green infrastructure and safeguard the protected species identified under the Wildlife and Countryside Act 1981 (as amended) and to ensure that any loss of existing habitat is successfully mitigated for in accordance with Policy 5 of the North Northamptonshire Core Spatial Strategy.

7. The development shall follow the Travel Plan approved under application 15/00317/CND

Reason: To assist in reducing the reliance on the private car for journeys to and from the development site

8. The development shall follow the phasing plan approved under application 15/00317/CND

Reason: To ensure an appropriate form of development which is satisfactorily served by infrastructure in accordance with Policies 7 and 16 of the North Northamptonshire Core Spatial Strategy.

9. The development shall follow the Sustainability Report approved under application 15/00317/CND

Reason: To ensure a satisfactory form of sustainable development in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

10. The parking, manoeuvring and the loading and unloading of vehicles and secure bicycle parking for each phase of development shall follow the details approved under application 14/02001/CND

Reason: To ensure that adequate turning space, parking space and loading and unloading space is available to minimise danger obstruction and inconvenience to users of the highway in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and Northamptonshire County Council’s Parking Standards Supplementary Planning Guidance 2003.

11. The development shall follow the finished floor levels for each phase of development as approved under application 14/02001/CND

Reason: To ensure that construction is carried out at suitable levels having regard to drainage, access and the appearance of the development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

12. The development shall follow the storage of refuse and materials for recycling for each phase of development as approved under application 14/02001/CND

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

13. The development shall follow the access roads, footways, cycle ways and connections within the site to the existing highway, footpath and cycle way network for each phase of development as approved under application 15/00317/CND
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

14. The development shall follow the community safety objectives as approved under application 14/02001/CND

Reason: In the interests of community safety and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

15. The development shall follow the comprehensive contaminated land site investigation as approved under application 15/00317/CND and 15/01762/CND. If during the course of development any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall include the approved additional measures.

Reason: To ensure potential risks arising from previous site uses have been fully assessed, to ensure the proposed remediation plan is appropriate and to ensure site remediation is carried out to the agreed protocol.

16. On completion of remediation, two copies of a closure report shall be submitted to the local planning authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved report. Post remediation sampling and monitoring shall be included in the closure report.

Reason: To provide verification that the necessary remediation has been carried out to the required standards.

17. The development shall follow the surface water drainage scheme for the site in accordance with the approved Flood Risk Assessment approved under application 15/00317/CND

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

18. No occupancy should commence until the foul water drainage strategy has been implemented as per Section 3.1 of the Utilities and Foul Drainage Strategy Report dated October 2011.

Reason: To prevent environmental and amenity problems arising from flooding.

19. The development shall follow the implementation, maintenance and management of the flood alleviation and sustainable drainage as approved under application 15/00317/CND

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system

20. The development shall follow the Arboricultural Method Statement as approved under application 15/00317/CND

Reason: To safeguard as many natural features of the site as is reasonable for the development proposed, in accordance with Policy 5 and 6 of the North Northamptonshire Core Spatial Strategy.

21. No development shall take place until there has been secured the implementation of a mitigation scheme or a programme of archaeological work and publication in
accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The written scheme of investigation shall take account of approved archaeological desk based assessment and subsequent investigations already carried out at the request of the County Council's Archaeological Officer.

Reason: To ensure that archaeological matters are adequately considered in each phase of the development in an acceptable manner.

22. The development shall follow the Construction Environmental Management Plan (CEMP) approved under application 15/00317/CND

Reason: To ensure that any ecological impacts which arise during the construction phase are properly managed, and to minimise disruption during the construction period in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

23. During the demolition and construction phases, no works of demolition or construction (including deliveries to or from the site) shall take place other than within the hours Monday to Friday 0800 to 18.00 hours, Saturday 08.00 to 13.00 hours, and at no time on Sundays or Bank Holidays.

Reason: In order to protect the amenity of residents in accordance with the Environmental Impact Assessment and Policy 13 of the North Northamptonshire Core Spatial Strategy

24. End-user noise condition
   (i) Prior to the operation of any commercial premises within the development, a scheme for the control of noise and vibration of any plant (including ventilation, refrigeration and air conditioning) or ducting system to be used in pursuance of this permission 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. The equipment shall be maintained in a condition so that it does not exceed background noise level whenever it is operating as agreed with the Local Planning Authority. After installation of the approved plant no new plant or ducting system shall be used without the written consent of the Local Planning Authority.

   (ii) The rating level of noise emitted from any proposed plant and equipment to be installed on the site (determined using the guidance of BS 4142:1997 Rating for industrial noise affecting mixed residential and industrial areas) shall be at least 5dB below the existing measured background noise level LA90,T during the night time period. For the purpose of the assessment the authority will accept 23:00-07:00 hours as covering the night time period.

   (iii) The rating level of noise emitted from any proposed plant and equipment to be installed on the site (determined using the guidance of BS 4142:1997 Rating for industrial noise affecting mixed residential and industrial areas) shall be at least 5dB below the existing measured background noise level LA90,T during the night time period. For the purpose of the assessment the authority will accept 07.00 -23.00 hours as covering the day time period.

Reason: To protect the residential amenity of the locality

25. The development shall follow the noise assessment approved under application 14/02001/CND

Reason: In order to enable a detailed assessment to be made of the noise implications of each phase of development in the interests of residential amenity.
26. Prior to the occupation of any dwellings in a particular phase, a management and maintenance schedule for any children's play area to be provided in the phase of development, shall be submitted to and approved in writing by the local planning authority. Management and maintenance shall be carried out in accordance with the approved schedule unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory form of development which incorporates appropriately managed and maintained play areas.

27. Prior to the occupation of any dwellings in a particular phase, a management and maintenance schedule for areas of open space (including any SUDs) to be provided in the phase of development, shall be submitted to and approved in writing by the local planning authority. Management and maintenance shall be carried out in accordance with the approved schedule unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory form of development and in order to ensure that the scheme flood alleviation measures are achieved.

28. Notwithstanding the western access crossroads arrangement shown on Drawing No.CS-051934-T-001C, prior to the commencement of development details of an alternative crossroads layout shall be submitted to and agreed in writing by the local planning authority, in consultation with Northamptonshire County Council as local highway authority. No more than 20 No. units of the development hereby approved shall be occupied until the approved alternative crossroads arrangement, has been completed to the satisfaction of the local planning authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

29. No part of the development hereby approved shall be occupied until the A45 Raunds Roundabout improvements as shown on drawing CS-24675/T/111 Rev D, including any subsequent revisions resulting from the implementation of the recommendations of the Road Safety Audit, and in consultation with the Highways Agency, have been completed to the satisfaction of the local planning authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

30. No part of the development hereby approved shall be occupied until a Non Motorised Users Audit has been undertaken and recommendations from the NMU Audit implemented.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

31. The development hereby permitted shall not be for any more than 230 residential units and 18,581 sq m of flexible B1/B2/B8 floorspace. The final breakdown for the mix of employment floorspace shall be determined through the relevant reserved matters submissions.

Reason: To ensure that the development is consistent with the submitted supporting documentation and to ensure that adequate consideration can be given to any
proposed increase in development on the site.

32. The development shall follow the sustainable use of soil and topsoil approved under application 14/02001/CND

Reason: To ensure the sustainable use of soil.

33. The means of access for heavy goods vehicles is not determined under the outline application and shall be considered under the reserved matters application. The HGV access shall be compliant with the necessary safety audits.

Reason: In order that the impact of HGV traffic can be taken into account when finalising the layout of the overall development, in the interests of securing a satisfactory standard of development and residential amenity.

34. The S106 agreement shall be drafted in conformity with the schedule of developer contributions in Appendix 1 of the committee report unless otherwise agreed by the Development Control Committee.

Reason: To ensure that the necessary infrastructure is secured to support the development.

Informatives

1. In deciding whether to grant outline planning permission for the proposed development the council has taken into consideration the environmental information supplied in the submitted Environmental Statement, together with the additional supplementary information (in accordance with Part 1 section 3(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011).

2. No works within the existing public highway may commence without the express written permission of the Highway Authority. This planning permission does no give or infer such permission. The Highway Authority will only give consent to commence works subject to the completion of an appropriate agreement within the Highways Act 1980. Subject to their construction and in accordance with the specification of NCC and to an appropriate agreement, consideration will be given to the adoption of the ways giving access to the proposed development as highway maintainable at the public expense, to discharge the relevant condition above.

3. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

4. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking / washing / repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat trap on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.
5. The following information should be provided as a minimum to satisfy condition 22 of this planning permission.
   - Detailed surface water design and calculations (including attenuation design) in accordance with the Flood Risk Assessment undertaken by Capita Symonds (ref: CS/051934m dated January 2012)
   - Implementation and phasing plan
   - Details of how the surface water drainage design shall be maintained and managed after completion, including the parties responsible
   - Consideration of overland flood routes and flows. Overland floodwater should be routed away from vulnerable areas. For acceptable depths and rates of flow, please refer to Environment Agency and Defra document FD2320/TR2 "Flood Risk assessment Guidance for New Development Phase 2".

6. Notwithstanding the planning permission, any proposed works affecting ordinary watercourses, statutory main rivers, within the indicative floodplain or within the byelaw distance requires the prior written consent of the EA under the relevant statutory legislation and current land drainage byelaws. It should not be assumed that such consent will be automatically forthcoming, and the applicant should consult with the Environment Agency at the earliest opportunity in order to determine and secure formal flood defence consent for the proposed works as appropriate.

7. The highway proposals associated with this consent involve works within the public highway, which is land over which you have no control. The Highways Agency therefore requires you to enter into a suitable legal agreement to cover the design and construction of the works. Please contact Alan Darby of the Agency's Area 7 Network Delivery and Development Directorate 0121 687 4165 at an early stage to discuss the details of the highway agreement.

Reason for Decision

In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraphs 186 and 187. The development as submitted was acceptable and therefore no negotiations were necessary.