



# South Northamptonshire Local Area Planning Committee

A meeting of the South Northamptonshire Local Area Planning Committee will be held at The Forum, Moat Lane, Towcester, NN12 6AD on Thursday 3 June 2021 at 2.15pm

## Agenda

1.	<b>Apologies for Absence and Appointment of Substitute Members</b>
2.	<b>Declarations of Interest</b> Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	<b>Minutes</b> (Pages 5 - 20) To confirm the Minutes of the meeting of the Interim Committee held on 15 April 2021.
4.	<b>Chairman's Announcements</b> To receive communications from the Chairman.
<b>Planning Applications</b>	
5.	<b>Land East of Northampton Road, Brackley</b> (Pages 23 - 48) <b>S/2021/0380/MAF</b>
6.	<b>Urgent Business</b> The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.

Catherine Whitehead  
Proper Officer  
25 May 2021

**South Northamptonshire Local Area Planning Committee Members:**

Councillor Stephen Clarke (Chair)

Councillor Ken Pritchard (Vice-Chair)

Councillor Karen Cooper

Councillor Anthony S. Bagot-Webb

Councillor Dermot Bambridge

Councillor William Barter

Councillor Alison Eastwood

Councillor Louisa Fowler

Councillor Lisa Samiotis

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence and the appointment of substitute Members should be notified to [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk) prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Evacuation Procedure**

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### **Mobile Phones**

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### **Queries Regarding this Agenda**

If you have any queries about this agenda please contact Richard Woods, Democratic Services via the following:

Tel: 01327 322043

Email: [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk)

Or by writing to:

West Northamptonshire Council  
One Angel Square  
Angel Street  
Northampton  
NN1 1ED

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### **South Northamptonshire Interim Area Planning Committee**

The minutes of a meeting of the South Northamptonshire Interim Area Planning Committee held as a Remote meeting on Thursday 15 April 2021 at 2.15 pm.

Present      Councillor Richard Dallyn (Chairman)  
                  Councillor Ken Pritchard (Vice-Chairman)  
                  Councillor Phil Bignell  
                  Councillor Rebecca Breese  
                  Councillor John Budden  
                  Councillor Karen Cooper  
                  Councillor David Harries BEM  
                  Councillor Steven Hollowell  
                  Councillor Martin Johns  
                  Councillor Lisa Samiotis  
                  Councillor Mary-Anne Sergison-Brooke  
                  Councillor John Townsend  
                  Councillor Elaine Wiltshire  
                  Councillor Paul Wiltshire

Also            Jamie Parsons, Legal Advisor to the Council  
 Present:

Officers:      Paul Seckington, Senior Manager of Development Management  
                  Tom Ansell, Senior Planning Officer for S/2019/2526/MAO  
                  Peter Gittins, Principal Planning Officer for S/2020/2224/MAF  
                  Richard Woods, Democratic Services Officer

**In opening the meeting, the Chairman called for a minutes silence in memory of HRH Prince Philip, the Duke of Edinburgh, who passed away on Friday 9 April 2021**

#### **1      Declarations of Interest**

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

#### **2      Chairman's Announcements**

The Chairman referred to the sad news that Keith Golding, South Northamptonshire Council's inaugural Chief Planning Officer, had recently passed away.

Members of the Committee paid tribute to the late Mr Golding, and shared personal anecdotes and memories.

The Chairman also reminded Members of the remote meeting etiquette and asked all Members to ensure they complied with the protocol.

### 3 **Land North of Church Lane, Bugbrooke**

The Committee considered application S/2019/2526/MAO comprising of an outline application including access, with all other matters reserved, for up to 12 older-persons (over 55 years) residential dwellings (maximum) at land north of Church Lane, Bugbrooke, for Land Allocations LTD.

Helen Wilkinson, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Elaine Wiltshire and seconded by Councillor Martin Johns that the application should be approved subject to the inclusion of a highways improvement scheme with footpath improvements, restrictions on the ability of residents to add extensions to the properties once built, and adequate enforcement of the obligation that the occupation of the development must be restricted to persons aged over 55.

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

Councillor Steven Hollowell requested that his vote in objection to this application be recorded in the minutes.

#### **Resolved**

(1) That authority be delegated to the Assistant Director – Growth, Climate and Regeneration to grant permission for application S/2019/2526/MAO subject to:

- 1) The completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
  - a) Restriction on occupation to persons aged over 55
  - b) Provision of 50% affordable housing on site
  - c) Provision and maintenance arrangements of on-site amenity space including commuted maintenance sums where necessary
  - d) Payment of a financial contribution towards off site sports and recreation provision in the locality of £924.70 per dwelling
  - e) Payment of a financial contribution towards the off-site provision and/or enhancement of allotments in Bugbrooke of £794.39.
  - f) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £70 per dwelling (index

- linked) together with any suggested trigger points
- g) Payment of a financial contribution towards primary health care provision, calculated per dwelling (to be confirmed - index linked)
  - h) Payment of a financial contribution towards library infrastructure serving Bugbrooke of circa £2,868 (index linked)
  - i) The relocation of the 30mph zone (specifically, its trigger point)
  - j) Payment of the Council's monitoring costs of £1000
- 2) The following conditions (and any amendments to those conditions as deemed necessary):

## CONDITIONS

### TIME LIMIT & GENERAL IMPLEMENTATION CONDITIONS

#### **Time Limit (outline)**

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason : 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, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

#### **Reserved Matters**

2. Details of the layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason : 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, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

#### **Compliance with Plans**

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:
  - Drawing No 03 [Site Plan 1:1250) received 24<sup>th</sup> December 2019
  - Plan/document 'Site Access\_Topo-Layout1.pdf' [Site Access

Information] project number 60600165 – 190, received 28<sup>th</sup> January 2020

- Plan CAL020619.05.E. [Indicative Site Layout] received 18<sup>th</sup> August 2020
- Plan CAL020619.23.A. [Parameters Plan] received 18<sup>th</sup> August 2020
- Plan CAL020619.08.E. [Landscape Concept Plan] received 18<sup>th</sup> August 2020
- Plan CAL020619.09.E. [Landscape Strategy Plan] received 18<sup>th</sup> August 2020
- Landscape Visual Appraisal Addendum & Appendices / Figures received 12<sup>th</sup> February 2021
- Planning Support Statement received 12<sup>th</sup> February 2021
- Bugbrooke Older Persons Housing Need Research dated January 2021 and received 12<sup>th</sup> February 2021
- Bugbrooke Benefits Statement received 12<sup>th</sup> February 2021
- Design Statement received 12<sup>th</sup> February 2021
- Quants Environmental Arboricultural Survey dated October 2019, received 24<sup>th</sup> December 2019
- Preliminary Ecological Appraisal and Bat Roost Potential Survey by deltasimons dated September 2019 received 24<sup>th</sup> December 2019
- Badger Report dated 5<sup>th</sup> December 2019 received 2<sup>nd</sup> January 2020
- Interim Bat Survey Report dated 5<sup>th</sup> December 2019 by Quants Environmental received 24<sup>th</sup> December 2019
- Biodiversity Net Gain Calculations using DEFRA Metric 2.0 Tool by Quants Environmental and District Licence Report (Doc. Ref: 202003008) by Nature Space Partnership dated and received 23<sup>rd</sup> March 2020
- Noise Impact Assessment by Dragonfly Consulting received 9<sup>th</sup> March 2020
- Noise Impact Assessment Review dated 11<sup>th</sup> August 2020 and received 18<sup>th</sup> August 2020
- Noise Impact Assessment Addendum Email dated 12<sup>th</sup> February 2021
- Flood Risk Assessment (Flood Risk UK) and Appendices dated April 2020 and received 14<sup>th</sup> April 2020

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

#### **Restriction of dwelling heights (storeys)**

4. The new dwellings to be constructed as part of the proposal receiving outline consent as part of this application shall be no more than two storeys in scale.

Reason - In order to achieve a satisfactory form development that accords with the approved Parameters Plan and is in keeping with the character of the area and complies with policy SS2 of the South Northamptonshire Local



Plan.

**Accord with Ecological Information/Surveys etc**

5. The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancements set out in section 6 of the Preliminary Ecological Appraisal and Bat Roost Potential Survey by deltasimons dated September 2019, page 5 of the Badger Report dated 5<sup>th</sup> December 2019, section 4 of the Interim Bat Survey Report dated 5<sup>th</sup> December 2019 by Quants Environmental, Biodiversity Net Gain Calculations using DEFRA Metric 2.0 Tool by Quants Environmental and District Licence Report (Doc. Ref: 202003008) by Nature Space Partnership dated 23<sup>rd</sup> March 2020, unless otherwise agreed in writing by the Local Planning Authority.

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

**Accord with Details Submitted re Great Crested Newts**

6. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR47-2019-1) and with the proposals detailed on plan 'Land North of Church Lane, Bugbrooke: Impact Plan', dated 19<sup>th</sup> March 2020.

Reason – In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WMLOR47-2019-1.

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

**Pre & Post Commencement Ecology Check**

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

Reason – To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the

West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

### **Landscape & Ecology Management Plan (LEMP)**

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

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

### **Construction Environmental Management Plan (CEMP)**

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

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

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

### **Great Crested Newt Compensation - Certificate**

10. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR47-2019-1), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development.

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

### **Japanese Knotweed Removal**

11. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason – The submission of a method statement, to be agreed in writing with the local planning authority by condition, is to ensure that an adequate means of eradicating or containing the spread of the plant is considered and thereafter implemented to prevent further spread of the plant which would have a negative impact on biodiversity and existing or proposed landscape features. Please see **Informative 6** for more information.

### **Noise Mitigation [DRAFT WORDING – to be agreed in consultation with the Environmental Health Team]**

12. No development shall commence until a noise mitigation scheme for protecting the proposed dwellings from noise sources affecting the site has been undertaken and submitted to and approved in writing by the Local Planning Authority. The said scheme shall be based on details of the final layout of the development and include a noise assessment which details the noise exposure levels for each of the plots and noise mitigation measures that they will each receive. The scheme will demonstrate how the following noise levels can be achieved within all dwellings forming part of the development, and have regard to the Dragonfly Consulting Review of Proposed Site Layout and Noise Impact Assessment, Land near Church Lane, Bugbrooke (Report Ref DC3321-L1 –dated 11 August 2020, and the Dragonfly Consulting Bugbrooke Noise Addendum Email from Daniele Vallis dated 29 September 2020, and guidance on acoustic ventilation, and thermal comfort is provided in the Acoustic Ventilation & Overheating Residential Design Guide jointly published by the Association of Noise

Consultants and Institute of Acoustics January 2020:

- a. Living Rooms – 35dB LAeq, 16hr (0700h to 2300h)
- b. Bedrooms – 30dB LAeq, 8hr (2300h to 0700h),
- c. Bedrooms - 45dB LAmax,F (2300h to 0700h) not exceeded on more than 10 occasions per night.
- d. Garden Areas for Relaxation (not decorative front gardens) – 55dB LAeq, 16hr (0700h to 2300h)

If the assessment identifies a localised noise impact from commercial premises to the southeast, the criteria for the affected rooms should be supplemented with the following:

- a. Living Rooms – Leq,5min to not exceed Noise Rating Curve 25 (NR25) in any applicable frequency band during periods of operation between the hours of 0700h to 2300h.
- b. Bedrooms – Leq,5min to not exceed Noise Rating Curve 20 (NR20) in any applicable frequency band during periods of operation between the hours of 2300h to 0700h.

Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwellings to which the scheme relates are occupied.

Reason – To ensure the creation of a satisfactory environment free from intrusive levels of noise, avoid conflicts with existing business that may generate some noise, and to comply with advice in the National Planning Policy Framework, Planning Practice Guidance on Noise, and Policy SS2 of the South Northamptonshire Local Plan.

### **Archaeological Condition**

- 13.No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;
- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

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

### **Surface Water Drainage System**

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

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

### **Construction Management Plan/Method Statement**

15. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) the proposed hours of operation

Reason – To protect the amenities of nearby residents and the Five Bells business on Church Lane to the west and south-east and to comply with Policy SS2 of the South Northamptonshire Local Plan.

### **CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN**

**APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

**SURFACE WATER DRAINAGE SCHEME DETAILS**

16. No above ground development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment, dated April 2020, and prepared by Flood Risk UK have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. These shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations. In all calculations, proposed values of impermeable area should include a 10% allowance for Urban Creep, as taken from CIRIA C753 (version 6) paragraph 24.7.2
- b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
- c) Demonstration that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. Flooding in excess of 5m<sup>3</sup> will require mitigation.

Reason – To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site.

**Land Contamination - Unexpected**

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

Reason - To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3 of the South Northamptonshire Local Plan.

**Fire Hydrants**

18. Full details of the fire hydrants to be provided or enhanced on the site shall

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

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

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

**Verification Reports re Surface Water Drainage**

19. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, dated April 2020 prepared by Flood Risk UK has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason – To ensure the installed Surface Water Drainage System is satisfactory, complies with policy SS2 of the Development Plan, and is in accordance with the approved reports for the development site.

**EV Charging Points**

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

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

### **Access Road Construction**

21. Prior to the occupation of any dwelling, details of the proposed construction, materials and surfacing of the access road into the site and its junction with the public highway shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before first occupation of the dwellings and thereafter permanently maintained as such.

Reason - To ensure that an adequate and safe access is provided to the site in accordance with policy SS2 of the South Northamptonshire Local Plan.

### **Footpath Between Site & Church Lane/Bus Stops etc (Grampian Condition)**

22. No dwelling shall be occupied until full details of the works to provide new and extend existing footpaths to create a 2.0m wide footpath between the site's access with the main road and the existing footpath at Church Lane, incorporating dropped kerbs and tactile paving on both sides of the carriageway to access existing bus stops where necessary, have been submitted to and approved in writing by the Local Planning Authority. These works shall thereafter be undertaken in accordance with those details prior to its first use.

Reason - To accord with Government Guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan which requires that development shall have a satisfactory means of access and in the interests of highway safety and the convenience of users of the adjoining highway. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

### **External Lighting & Ecological Mitigation**

23. No external lighting shall be installed within the public open space, ecology mitigation and biodiversity enhancement areas.

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

### **Native Planting Species**

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

Reason – To conserve and enhance biodiversity and prevent the spread of



non-native species in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

25. Additional maximum 2 storey height condition for the site.

26. Condition limiting occupation to over persons over 55 years of age (or covered by S106)

(2) That it be further resolved that, as the Section 106 agreement will not be completed before the statutory determination deadline of 16 April 2021, authority be delegated to the Assistant Director – Growth and Regeneration to refuse the application for the following reason in the event that no extension of time is agreed between the parties:

1) In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not satisfied that the proposal provides for facilities, infrastructure or affordable housing provision that would be required as a result of the development. This is to the detriment of both existing and proposed residents and contrary to Policy INF2 of the adopted West Northamptonshire Joint Core Strategy. Policy INF2 permits new developments only where the on and off-site infrastructure necessary to support it and mitigate its impact can be provided through a reliable mechanism (such as a unilateral undertaking or other form of Section 106 legal agreement).

#### 4 **Seven Acres, Watling Street, Paulerspury, NN12 6LF**

The Committee considered application S/2020/2224/MAF for the change of use of a recreational fishery to a mixed use education and training centre (Class F1(a)) and outdoor leisure/recreation centre (Class F2(c)) and the erection and siting of associated buildings and structures (retrospective) at Seven Acres, Watling Street, Paulerspury, NN12 6LF for Adventure 4 You.

Kurt Perryman, of Adventures 4 You, addressed the Committee in support of the application.

Councillor Sandra Barnes, the Local Ward Member, addressed the Committee in objection to the application.

It was proposed by Councillor Paul Wiltshire and seconded by Councillor John Townsend that the application should be approved, subject to an additional condition to restrict the use of amplified music on the site.

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

**Resolved**

- (1) That authority be delegated to the Assistant Director – Growth, Climate and Regeneration to grant permission for application S/2020/2224/MAF subject to the following conditions (and any amendments to those conditions as deemed necessary):

CONDITIONS

1. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are: Site Location Plan, Drawing No. (S)01 Rev A, Dated 3/08/20; Proposed Site Plan, Drawing No. (SK)07 Rev A, Dated 3/08/20; Topographical Survey, Drawing No. 4376.01, Dated 10/11/20; Proposed Pods/Barrels 1-6 plans and elevations, Drawing No. (SK)01, dated 3/08/20; Proposed equipment/tool stores plans and elevations, Drawing No. (SK)02, dated 3/08/20; Classroom/kitchen & office plans and elevations, Drawing No. (SK)03, dated 3/08/20; WC plan and elevations, Drawing No. (SK)04, dated 3/08/20; Classroom/outdoor kitchen plans and elevations, Drawing No. (SK)05, dated 3/08/20; Proposed shower block plans and elevations, Drawing No. (SK)06, dated 3/08/20.

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

2. The premises shall be used only for the purpose of an outdoor adventure/educational activities centre and for no other purpose whatsoever, including any other purpose in Class F of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order.

Reason : To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policy SS2 General Development Principles of the South Northamptonshire Part 2 Local Plan.

3. No sound amplifying equipment shall be installed or operated on the premises without the prior written consent of the Local Planning Authority.

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

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

There were no items of urgent business.

The meeting closed at 4.39 pm

Chairman:

Date:

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West Northamptonshire Council  
South Northamptonshire Local Area Planning Committee  
Thursday 3 June 2021

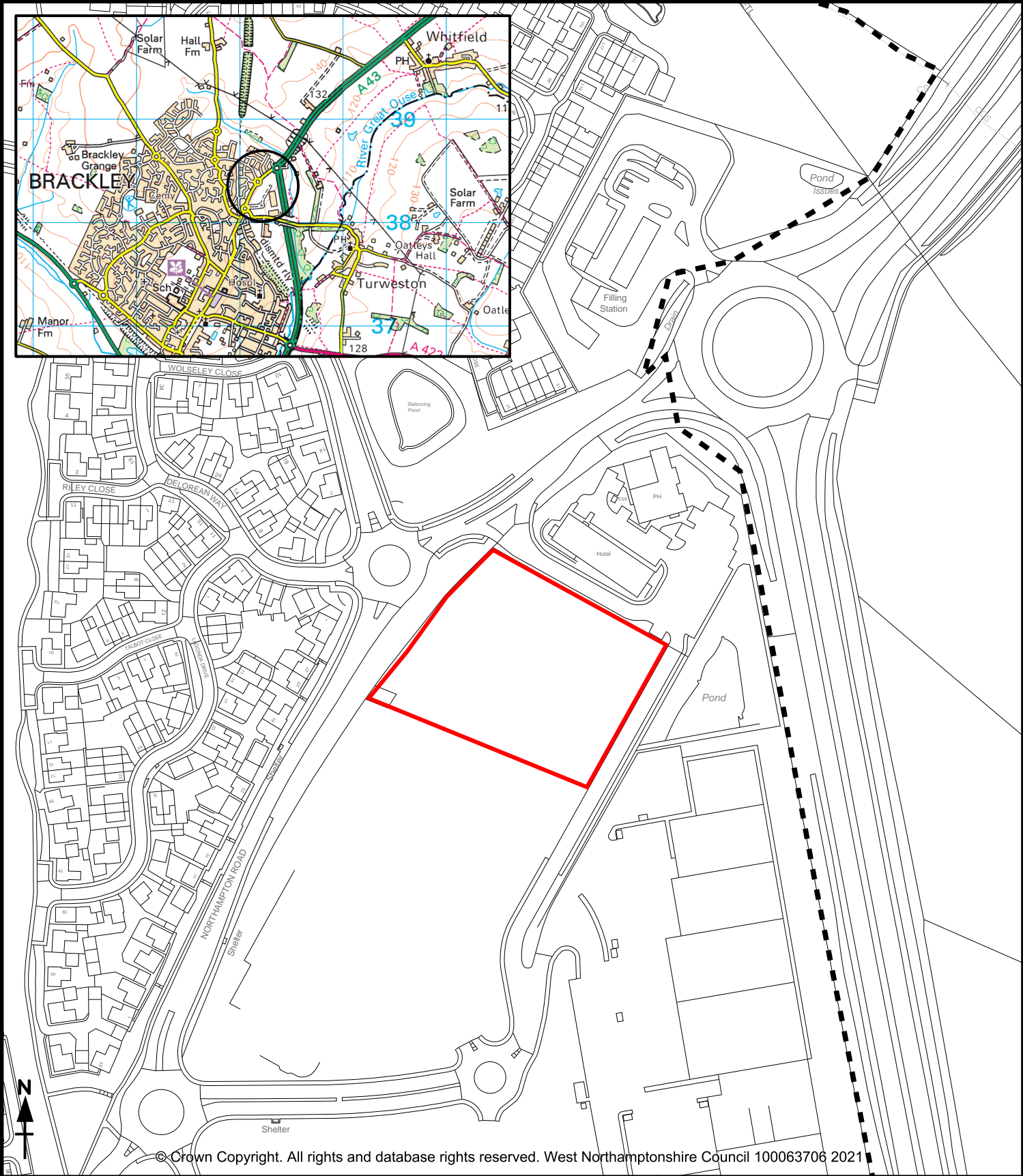
<b>Agenda Item</b>	<b>Ward</b>	<b>Application Number</b>	<b>Location</b>	<b>Recommendation</b>	<b>Officer</b>
<b>5</b>	Brackley	S/2021/0380/MAF	Land East of Northampton Road, Brackley	Grant Permission*	Suzanne Taylor

\*Subject to conditions

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**Application Number:** S/2021/0380/MAF

**Parish:** Brackley CP



Town/Village: Brackley

 Site

 Village/Town Confines

Site Area: 0.9355 Ha

Grid Location: SP 59225 38349

Map Scale: 1:2500

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**Application Number:** S/2021/0380/MAF

**Location:** Land East of Northampton Road, Brackley, Northamptonshire

**Proposal:** Employment development of 7 units (2 buildings) to be used for Class E(g)(iii) (light industrial processes), B2 (general industrial) and B8 (storage and distribution) floorspace, and retail development of 1 unit for Class E(a) (display or retail sale of goods, other than hot food) and (b) (sale of food and drink for consumption (mostly) on the premises) floorspace

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**Applicant:** Tungsten Brackley Ltd

**Agent:** Pegasus Group

**Case Officer:** Suzanne Taylor

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**Ward:** Brackley

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**Reason for Referral:** Major development

**Committee Date:** 03/06/2021

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**EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION: GRANT PERMISSION SUBJECT TO RESOLUTION OF HIGHWAYS AND SURFACE WATER DRAINAGE MATTERS AND TO CONDITIONS AND A S106 LEGAL AGREEMENT**

**Proposal**

Erection of 7 No. employment units split across 2 No. buildings with a total floor area 3445sqm for flexible use (Classes E(g)(iii), B2 and B8) and a drive-thru Costa unit (Class E(a) and (b)) of 167sqm. Includes 72 car parking spaces (incorporating 9 disabled car parking spaces and 8 Electric Vehicle Charging (EVC) points), motorbike and cycle parking and vehicular and pedestrian accesses.

**Consultations**

The following consultees have raised **objections** to the application:

- Highways; Surface Water Drainage Team.

The following consultees have raised **no objections** to the application:

- Archaeology; Northants Police CPDA; Highways England; HS2, Planning Policy; Environment Agency; Natural England; Anglian Water; Environmental Protection.

The following consultees are **in support** of the application:

- Economic Development.

No letters of objection or support have been received.

## **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Impact on the Amenities of Neighbouring Occupiers
- Impact Upon the Character and Appearance of the Area
- Ecology Impact
- Surface Water Drainage
- Other Matters

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to resolution of the Highways and Surface Water Drainage issues, conditions and a S106 legal agreement.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site comprises the central-western portion of a roughly triangular area allocated in the Brackley Masterplan for employment development and was referred to therein as Site B. Site A is located to the south of the application site (referred to as Land South of Turweston Road) and is allocated for residential development. Both sites A and B together comprise the Brackley East Sustainable Urban Extension (SUE). It lies to the north-east of the main built up area of Brackley and is bordered by Northampton Road to the west, Brackley Medical Centre and Brackley Care development and the Turweston Road to the south, Marstons' Paisley Pear PH and lodge to the north and a B1/B8 business park and the A43 to the east. The site area is approximately 1 hectare.
- 1.2. The land slopes downwards from the Northampton Road to the A43 creating a substantial difference in height between the site and the adjoining highway.
- 1.3. The access approved under planning permission S/2013/0149/MAF has been implemented as have all the engineering works approved under the associated permission S/2013/0150/MAF. Permission S/2013/0149/MAF gave full planning consent for a Sainsbury's foodstore and petrol filling station and outline permission for a hotel site, a health care site (to include a care home and health care centre) and an employment site. This application concerns an amendment to the northern half of the site which originally had full planning permission for the foodstore and petrol filling station.
- 1.4. There are a small number of existing properties on the Turweston Road to the south of the site and to the west of the site lie the former Sawmills site which is the almost completed Linden Homes residential development. Turweston village lies to the east of the application site to the east of the A43.

- 1.5. An existing native species hedge lies along the north-western boundary with Northampton Road, an existing stone wall with timber fence on top lies along the north-eastern boundary with The Paisley Pear. a close boarded fence runs along the south-western boundary with Sainsburys and an access road borders the south-eastern edge of the site.

## 2. CONSTRAINTS

- 2.1. The application site is within:

- Brackley Town Confines
- Brackley East Sustainable Urban Extension (SUE) (Policy B2 of the
- West Northants Joint Core Strategy (JCS)).
- Areas of archaeological interest: Towcester to Weston on the Green/Brackley Turnpike – MODERN; Great Central Railway – MODERN; Open Fields Project: Areas of Survival of Ridge & Furrow - MEDIEVAL
- 2km buffer of the following wildlife sites: Fox Covert (Whitfield); Brackley Railway Embankment; Brackley Disused Railway (West); Whitfield Border Spinney; Brackley Marsh

- 2.2. The site lies close to the A43 trunk road.

## 3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. This full planning application seeks permission for a flexible consent for the erection of seven employment units between use classes E (G)(III), B2 and B8 and a drive-thru for use within Class E (A) and (B) with associated infrastructure on land at Northampton Road, Brackley.
- 3.2. The proposals include two employment buildings comprising the seven units (use class E (g) (iii), B2 and B8) with Gross Internal Floor Areas (GIAs) as follows: Unit 1A 465sqm; Unit 1B 465sqm; Unit 1C 650sqm; Unit 1D 743sqm; Unit 2A 353sqm; Unit 2B 397sqm and Unit 2C 372sqm. The detached unit for a Costa Coffee drive-thru (use class E (a) and (b)) would measure 167sqm (GIA).
- 3.3. A total of 72 car parking spaces (including 9 disabled car parking spaces and 8 Electric Vehicle Charging (EVC) points) are proposed across the site. Motorbike parking for 7 bikes and cycle parking for 40 bikes is also proposed.
- 3.4. Vehicular access to the site would be via a new priority controlled T-junction onto the existing Sainsbury's access road and pedestrian access via a proposed footpath would be provided at the new junction. The link to north of the site will be blocked, preventing access to Marston's Paisley Pear.

## 4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
S/2019/2367/MAF	Variation of conditions 3 (plans), 4 (soft landscaping), 11 (protection of retained	APPROVED

	<p>trees), 28 (foodstore rooflight details) and 36 (no concessions within foodstore) of planning permission S/2013/0149/MAF [Hybrid application for a food store and petrol filling station (Full application) and a mixed use development including a care home; a primary care centre facility; employment development within use Classes B1, B2 and B8 and a hotel (Outline)] to allow a reduction in the size of the food store, a reduction in the size of the petrol filling station, a reduction in the car parking area and associated changes to the building design, site layout and landscaping.</p> <p>Also to allow the inclusion of an Argos unit within the food store and amendments to the stepped pedestrian access to Northampton Road necessitating additional tree works.</p>	
S/2013/0149/MAF	<p>Hybrid application for proposed mixed use development for new food store and petrol filling station (Full application). (Outline application) proposals to include; 60 bed nursing care home (including the relocation of the Brackley Cottage Hospital's 12 beds); a new primary care centre facility including a new pharmacy; employment development within Class B1, B2 and B8, a hotel (circa 70 beds) including a restaurant and bar</p>	APPROVED
S/2013/0150/MAF	<p>Full engineering operations, alterations and works comprising of highways layout; access road; works to the Northampton and Turweston roads; car parking area; foul and storm water drainage provisions (to include the balancing ponds); the remodelling of the existing site topography; the construction of retaining walls and other relevant hard and soft landscaping. All operations and works are to accommodate the mixed use development of the site (Hybrid application submitted)</p>	APPROVED

## 5. RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

### Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S2 – Hierarchy of Centres
- S5 – Sustainable Urban Extensions
- S7 – Provision of Jobs
- S8 – Distribution of Jobs
- S9 – Distribution of Retail Development
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- C1 – Changing Behaviour and Achieving Modal Shift
- C2 – New Developments
- E1 – Existing Employment Areas
- BN2 – Biodiversity
- BN5 – The Historic Environment and Landscape
- INF1 – Approach to Infrastructure Delivery
- INF2 – Contributions to Infrastructure Requirements
- B1 - Spatial Strategy for Brackley
- B2 – Brackley East Sustainable Urban Extension

South Northamptonshire Local Plan (Part 2) (LPP2)

- 5.4. The relevant policies of the LPP2 are:

- SS1 – The Settlement Hierarchy
- SS2 – General Development and Design Principles
- EMP2 – Existing Commercial Sites
- EMP3 – New Employment Development
- RET1 – Brackley and Towcester Town Centres
- INF1 – Infrastructure Delivery and Funding
- INF4 – Electric Vehicle Charging Points
- HE2 – Scheduled Ancient Monuments and Archaeology
- NE4 – Trees, Woodlands and Hedgerows
- NE5 – Biodiversity and Geodiversity

**Material Considerations**

- 5.5. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance
- SNC Design Guide

## 6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

Consultee Name	Position	Comment
BRACKLEY TOWN COUNCIL		None received to date
LOCAL HIGHWAY AUTHORITY	Object	Further information is required. Key concerns are: <ul style="list-style-type: none"> <li>to ensure adequate manoeuvring space and number of parking spaces is provided;</li> <li>to require provision of a pedestrian/ cycle link to Northampton Road;</li> <li>to ensure proposed uses do not increase traffic to a level that would be harmful to highway safety</li> </ul>
SURFACE WATER DRAINAGE TEAM	Object	Insufficient information has been provided.
ARCHAEOLOGY	No objection	
INFRASTRUCTURE AND FUNDING	Comments	A planning condition and informative are recommended to require the provision of 1 x fire hydrant or a sprinkler system to be installed by the developer; an informative relating to broadband provision is recommended.
NORTHANTS POLICE CPDA	No objection	<i>"no formal objection to the application and is pleased to note that the applicant is targeting the points available from the achievement of SBD towards the BREEAM accreditation for both the Costa Coffee element as well as the other units. In order to ensure the site achieves SBD compliance, should permission be granted, the applicant is advised to contact the CPDA at the earliest opportunity. Attached is a link to the SBD Commercial guidance which details the security standards required for the buildings and gives general guidance on site layout. Consideration should be given to the use of a lockable drop arm barrier and height restriction barriers to reduce the likelihood of the site being used for unlawful encampments and/or as an ASB hotspot. These issues can be avoided if the site can be locked up at the end of business and it also reduces opportunities for commercial burglary."</i>

HIGHWAYS ENGLAND	No objection	
HS2	No objection	
ENVIRONMENT AGENCY	No comments	
NATURAL ENGLAND	No comments	
ANGLIAN WATER	Comments	Recommend the imposition of a condition requiring details of a scheme for surface water drainage to be approved and also request that a number of informatives are attached to any permission regarding waste water/sewers.
PLANNING POLICY	No objection	
ECONOMIC DEVELOPMENT	Support	<i>“Creates local employment opportunities Supports business growth and investment into the district Benefits the local economy Will serve to respond to the growing demand for more commercial space both locally and strategically across South Northamptonshire We would be seeking a S106 contribution of £250 per full time vacancy and £100 part time vacancy toward the SNC Job Club service. Our team offers free recruitment support through the SNC Job Club which is available to all local businesses”.</i>
ENVIRONMENTAL PROTECTION	No objection	Makes recommendations for the imposition of conditions relating to control of noise, contaminated land, Electric Vehicle Charging Points and control of the construction
PUBLIC ART		None received to date
NORTHANTS AND BEDS WILDLIFE TRUST		None received to date
BRACKLEY RESIDENTS ASSOCIATION		None received to date

## 7. RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

- No representations have been made to date.

## 8. APPRAISAL

### Principle of Development

- 8.1. Policy B2 (Brackley East SUE) of the LPP1 applies to this site and this allocates 9.4ha of land for economic development with a restriction of no more than 40% of the allocation

being of B8 (Storage and Distribution) floorspace. The original outline permission S/2013/0149/MAF covered this entire allocation and gave full planning consent for a foodstore and petrol filling station (Sainsburys) and outline permission for a hotel site, a health care site (to include a care home and health care centre) and an employment site. All of these elements have now been built out with the following notable differences:

- Sainsbury's is roughly half of the original consented size leaving a deficit retail sales floor area of approx. 2,500sqm GIA;
- The flexible 'B use class' employment parcel approved by the reserved matters was just over 1,500sqm GIA smaller than that set out in the original outline and 500sqm GIA ancillary retail floor space was also omitted from the built scheme;
- The hotel was replaced by a public house with a motel/lodge;
- The siting of the care home and medical centre were swapped and the medical centre was increased in size;

8.2. In view of the precedent set by the original planning permission and the employment and retail allocation in Policy B2 some additional employment and retail development is acceptable in principle. The development would accord with Policy B2 and would not result in more than 40% of the land being in B8 use.

8.3. Policy EMP2 of the LPP2: EXISTING COMMERCIAL SITES is also applicable to this proposal. It states that: "On existing employment, retail or commercial sites, employment generating development including intensification will normally be permitted within the existing curtilage or through appropriate extensions subject to compliance with other policies in the plan and other material considerations." It is concluded that the proposed development would accord with this policy.

8.4. Policy EMP3 of the LPP2: NEW EMPLOYMENT DEVELOPMENT is also relevant and states: "1. New employment and commercial development will be directed to the most sustainable locations in accordance with Policy SS1: The Settlement Hierarchy. 2. Employment generating development on suitable sites outside of the settlement confines will be considered acceptable where the proposal: a. is allocated for employment uses;". Because the site lies within the town confines and is within an allocated/existing commercial site that this development would not be at odds with this policy.

8.5. In conclusion, the principle of some additional business and retail development is supported on this site.

#### Highway Safety

8.6. The Local Highway Authority (LHA) have requested additional supporting information and for the clarification of a number of issues before confirming if they have objections to the proposed development. The applicants have supplied an additional Transport Technical Note in response and at the time of writing this report this was still be considered by the LHA. An update will be provided but the following matters are outstanding:

- A pedestrian/cycle link to the site from Northampton Road is needed;
- Safe defined pedestrian routes are required within the site;
- The site entrance needs to be revised to allow HGV movements in and out of the site without conflicting with other traffic;
- Clarification needed re: blocking of the access to the adjoining Marston's pub/hotel;



- Concern about the enforceability of a condition to restrict the amount of B2 (general industrial) use floorspace on the site to no more than 50% to ensure adequate on-site car parking is provided; [*Officer Note: This type of condition has been used for other developments in the district without issues. The LPA can gather evidence and monitor the uses of the various units to ensure that there is no more than 50% floorspace given over to B2 use.*]
  - Defined, covered cycle parking should be provided for each unit including the Costa;
  - A Construction Environmental Management Plan (CEMP) or Logistics Plan are required to manage HGV deliveries;
  - Concern that the Costa unit could be turned into a fast food takeaway which would generate more trips; [*Officer Note: The Costa unit would come under use class E(a) and (b) and there is no permitted change to a hot food takeaway as this use is now defined as 'sui generis'. Therefore such a change would require planning permission thereby enabling this to be controlled by the LPA.*]
  - A number of queries have been raised about the trip generation data;
- 8.7. As the development is in proximity to the A43 trunk road Highways England were also consulted on the proposals. They have no objection to the application.
- 8.8. Assuming the concerns of the LHA can be satisfactorily addressed the proposed development would be in accordance with Policy C1 of the LPP1 and Policy SS2 (j)(k) of LPP2.

#### Impact on the Amenities of Neighbouring Occupiers

- 8.9. Since the granting of permission for the Brackley East SUE, planning permission has also been issued and implemented for residential developments on the opposite side of Northampton Road from this site. Of particular relevance is the Linden Homes/Former Brackley Sawmills development. Dwellings from this development would lie as close as 50 metres (approx.) from the proposed units and car park.
- 8.10. It is therefore necessary to consider the impacts that an intensification of business and retail uses could have for nearby residents. This is especially relevant to proposed general industrial uses (B2) being carried out on this part of the site and the potential for noise nuisance/disturbance for residents.
- 8.11. Environmental Protection have recommended that conditions should be applied to any permission to restrict the noise level to specified decibel limits at neighbouring dwellings and the hotel during the day and night in accordance with the noise assessment provided by the applicants. Part of the proposed noise mitigation includes using special panelling in the construction of the buildings and this should also be conditioned to ensure that this is installed.
- 8.12. A condition to require the submission and approval of a Construction Management Plan prior to commencement to control the hours during which construction can take place and the emission of dust etcetera during the construction period is also recommended.
- 8.13. The proposed business and retail uses would result in increased traffic generation in and out of the site; including HGV movements. The additional number of HGV trips to and from the site is estimated to be 24 and these would primarily take place during the day when the businesses are most likely to be operating although there are no proposed restrictions on the hours of operation. The original hybrid permission for this site included

conditions requiring the submission and approval of service yard management plans prior to occupation to ensure that deliveries to the retail and business units did not cause nuisance to nearby residents. It is considered that a similarly worded condition to require details of how HGV deliveries would be managed would be appropriate to safeguard the amenities of neighbouring occupiers.

- 8.14. Bearing in mind the comments and recommendations of Environmental Protection it is considered that the proposed development would not be detrimental to the residential amenities of nearby occupiers if the aforementioned conditions are imposed on any planning permission. The development would therefore accord with Policy E1 of the LPP1 and Policies SS2(1.f.) and EMP3(3.b.) of the LPP2 which requires employment developments to respect and preserve the amenities of neighbouring users.

#### Impact on Character and Appearance of the Area

- 8.15. The site lies below the level of Northampton Road to the north-west and views from the adjacent residential properties would be softened by an existing native species hedge. The proposed development would be surrounded on its north-eastern, southern-eastern and south-western sides by other existing commercial and retail developments within the Brackley East SUE (i.e. Sainsburys, The Paisley Pear and Arrow Park). Consequently, there would be limited views of the development from outside of the site and it would be seen in the context of other employment developments.
- 8.16. The design of the proposed employment units is very similar to the existing units at the neighbouring Arrow Park having barrel vaulted roofs and the same pallet of materials and colour finishes. It is therefore considered that the proposed employment buildings would not be incongruous or detrimental to the appearance of the area.
- 8.17. The Costa unit is a corporate design that does not make reference to the surrounding buildings but in light of its comparatively small scale and the fact that it would be seen with other larger commercial/retail buildings as backdrop it is not considered that this would be significantly harmful to the character of the area.
- 8.18. Officers have some concerns that the proposed directional signage required for the Costa coffee Drive-Thru unit could be extensive and could lead to clutter in the street scene but this would require separate Advertisement Consent from the Local Planning Authority (LPA). Therefore, officers advise that control can still be exerted over the signage proposals separately to ensure that they do not have a detrimental impact upon the character and appearance of the locality.
- 8.19. It is concluded that the proposed development would not be seriously harmful to the visual amenities of the area in accordance with Policy SS2 of the LPP2.

#### Ecology Impact

##### *Legislative context*

- 8.20. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.
- 8.21. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions

can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:

- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- b. That there is no satisfactory alternative.
- c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

### *Policy Context*

- 8.22. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.23. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.24. National Planning Practice Guidance (PPG) states that LPAs should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.25. Policy NE3 of the LPP2 seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.26. Policy BN2 of the LPP1 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat

conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

#### *Assessment*

- 8.27. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. , The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site consists of a vacant piece of cleared land with little vegetation or cover except for the native species hedge to the north-western boundary of the site which would not be affected by proposals. There are no buildings to be removed or altered due to the proposed development.
- 8.28. Having considered Natural England's Standing Advice and taking account of the site constraints it is considered that the site has limited potential to contain protected species and any species present are unlikely to be adversely affected by the proposed development. As such no formal survey is required and in the absence of which this does not result in a reason to withhold permission. An informative reminding the applicant of their duty to protect species shall be included on the decision notice and is considered sufficient to address the risk of any residual harm.
- 8.29. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

#### Surface Water Drainage

- 8.30. The Surface Water Drainage (SWD) Team have advised that the current details provided with this application are not sufficient to satisfy them that the development can be implemented without potential flooding be caused by surface water run-off. Anglian Water similarly note that the current information provided by the applicants does not demonstrate that flooding from surface water would result from the development.
- 8.31. At the time of writing this report discussions were ongoing between the Surface Water Drainage Team (acting as the Lead Local Flood Authority) and the applicant to try and resolve this matter. An update will be provided.
- 8.32. Assuming that this matter can be resolved to the satisfaction of SWD the application would accord with Policy BN7 of the LPP1 and Policy SS2(1.I.) of the LPP2. If this matter cannot be agreed between the parties it will be necessary to consider whether this application should be refused on the grounds that it does not comply with the aforementioned policies.

#### Other Matters

- 8.33. Archaeology: The archaeological investigation and reports have already been completed for this site and the Archaeologist has no comments to make on this application. The

development therefore complies with Policy BN5 of the LPP1 and Policy HE2 of the LPP2.

- 8.34. Energy efficiency/sustainable development: The applicants have provided Sustainability Statements for the units which include BREEAM pre-assessment. The business units and Costa come out with an expected Very Good rating. This accords with Policies S10 and S11 of LPP1.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. CIL is payable for the proposed Costa unit which falls within a retail use class at a rate of £121.40p per sqm.
- 9.2. Business rates will also be payable for this development at an estimated rate of £84,000 per annum.
- 9.3. *Officer comment:- Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.*
- 9.4. *In this particular instance, the above financial payments are not considered to be material to the decision as they would not make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority and hence the above is provided on an information basis only.*

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. Legislation dictates that planning applications be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. The NPPF, at paragraph 11, states that: Plans and decision should apply a presumption in favour of sustainable development. For decision taking this means:
- approving development proposal that accord with an up-to-date development plan without delay; or
  - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 10.2. In the context of this application, a view has to be taken as to whether or not there are any adverse impacts that would significantly and demonstrably outweigh the benefits of granting consent when assessed against the policies in the Framework as a whole.

- 10.3. In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that on balance, the proposal would result in sustainable development. The application accords with the development plan Policies and this is the development of the final plot within an allocated, existing, mixed use site within Brackley. The proposals are therefore believed to be acceptable in principle. The proposed scheme would deliver a sustainable development of 7 No. E(g)(iii), B2 and B8 light/general industrial/storage and distribution units and 1 No. E(a) and E(b) unit in a sympathetically designed, landscaped scheme which will be harmonious with its surroundings. The proposed arrangements for accessing the development will enable it to be safely and conveniently accessed by pedestrians, cyclists and cars without significant adverse impacts on the existing highway network. The applications will protect and enhance the site's biodiversity and historic heritage. Assuming the concerns of the Surface Water Drainage Team can be satisfactorily addressed the scheme will not cause flooding off-site nor will it have any other significant adverse environmental impact that would warrant the refusal of planning permission. The scheme will, of course, intensify the use of the Brackley East SUE allocation but that change is justified by the positive contributions that the scheme will make and bearing in mind that this would not exceed the scale of uses set out by Policy B2 of LPP1.
- 10.4. Paragraph 8 of the NPPF emphasises that there are three dimensions to sustainable development; economic, social and environmental. The proposals address each of three dimensions in order to deliver a sustainable development.
- 10.5. Economic – As a part of the existing Brackley East SUE mixed use development the site is ideally located within the town confines with links to existing residential and employment areas. The development would provide 3,445sqm employment floorspace creating up to 106 new full time equivalent (FTE) jobs during the operational phases in addition to the estimated 84 employment opportunities that will be provided during the construction phase. This would result in economic benefits to the district and inward investment from businesses.
- 10.6. Social – The provision of additional retail and employment opportunities with pedestrian and cycle links and facilities will provide opportunities for existing residents and employees to live a healthy lifestyle.
- 10.7. Environmental – The proposal includes the retention of existing native species landscape planting at the boundary, the provision of new biodiversity features (supplementary native species planting, bird and bat boxes) and the recording of historic features has already been completed. The units will be built in accordance with BREEAM very good.
- 10.8. In light of the above appraisal it is considered that the planning balance in this case comes down firmly in favour of approval. It is therefore recommended that planning permission be granted for the development, subject to the imposition of the conditions (draft listed in the attached schedule) and the completion of a satisfactory Section 106 Agreement.

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

### **11.1. DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION SUBJECT TO:**

#### **1. NO OBJECTIONS FROM LOCAL HIGHWAY AUTHORITY OR SURFACE WATER DRAINAGE TEAM AND**

- 2. SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 3. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**
  - a) Payment of a financial contribution towards SNC Job Club of £250 per full time vacancy and £100 part time vacancy toward the SNC Job Club service (index linked);**
  - b) Payment of a financial contribution towards Brackley Town Fund – TBC and amount to be agreed (index linked);**
  - c) Payment of a financial contribution towards bus services – TBC and amount to be agreed (index linked);**
  - d) Provision of a footpath/cycle link to Northampton Road;**
  - e) Payment of the Council’s Monitoring Costs of up to £5000**

**FURTHER RECOMMENDATION - IN THE EVENT THAT THE PLANNING COMMITTEE REFUSE TO GRANT PLANNING PERMISSION THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY SEEKS DELEGATED AUTHORITY TO AGREE THE CONTENT OF A S106 AGREEMENT IN THE EVENT THAT AN APPEAL IS RECEIVED.**

**FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 10 JUNE 2021. IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:**

- 1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to the Development Plan and SNC’s Developer Contributions SPD.**

CONDITIONS/REASONS FOR REFUSAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

**Time Limit**

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

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

### **Compliance with Plans**

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

Proposed Site Plan Dwg No: 2523 P402 Rev E dated 29 April 2021;  
Proposed Surface Treatments Site Plan Dwg: 2523 P403 Rev C dated 29 April 2021;  
Proposed Boundary Treatments Site Plan Dwg: 2523 P404 Rev C dated 29 April 2021;  
Proposed Cycle, Bollards and Bins Site Plan Dwg No: 2523 P406 Rev C dated 29 April 2021;  
Fire hydrant location plan Dwg No: 2523 PSK03 Rev A dated 29 April 2021;  
Soft landscaping plan Dwg: KL-477-001 Rev P2 dated 30 April 2021;  
Unit 1 Building Information Dwg No: 2523 P1-100 Rev A dated 28 January 2021;  
Unit 2 Building Information Dwg No: 2523 P2-100 dated December 2021;  
Costa Building Information Dwg No: 2523 P3-100 Rev A dated 09 February 2021;  
Roof Plans Dwg No: 2523 P4-100 dated January 2021;  
Street Lighting Layout Dwg No: LL1241-001 Rev A dated 03 February 2021;  
Street Lighting Report ref: LL1241/001 Rev A dated 03 February 2021;  
Street Lighting Risk Assessment Report ref: LL1241-001 Rev A dated 04 February 2021;  
Outdoor Lighting Report ref: LL1241-001 dated 03 February 2021;  
Air Quality Assessment Report ref: REP-1012730-AQ-5A-CS-20210209-AQA-Northampton Road Brackley-Rev01 dated 09 February 2021;  
Transport Statement by ADC Infrastructure ref: ADC2581-RP-A V2 dated 04 February 2021;  
Technical Note Addressing Local Highway Authority Comments by ADC Infrastructure Ltd ref: ADC2581-RP-B Ver 4 dated 10 May 2021;  
Economic Benefits Statement by Pegasus Group ref: P20-2998/R001v2 dated February 2021;  
Ecological Impact Assessment by Ramm Sanderson Ref: RSE\_4515\_01\_V2 dated February 2021;  
Tree Survey: Arboricultural Impact Assessment, Method Statement and Tree Protection Plan by Ramm Sanderson ref: RSE\_4515\_R2\_V2\_ARB dated February 2021;  
Heritage Statement by Pegasus Group ref: P20-2998 dated 08 February 2021;  
Ecological



Report on the Flood Risk Assessment and Drainage Strategy by PRP ref: 63168 dated 29 January 2021;  
Acoustics Report by Hoare Lea Rev 1 dated 10 February 2021;  
Report on Ground Investigation by Applied Geology ref: AG1631-12-M85 Issue 1 dated May 2012;  
Sustainability Statements and BREEAM Pre-Assessments for Units 1A-1D & 2A-C and Costa Coffee Retail Unit both by Melin ref: 1938B dated 01 February 2021.

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

### **Restriction of B2 Floorspace**

3. No more than 50% of the floorspace within the buildings hereby approved shall be utilised for purposes falling within Class B2 as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (amended).

Reason : To ensure adequate on-site parking is provided in the interests of highway safety and to accord with Policy SS2 of the South Northamptonshire Local Plan.

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

### **Pedestrian and Cycle Link to Northampton Road**

4. No development shall take place until details of a pedestrian and cycle link into the site from the Northampton Road have been submitted to and approved in writing by the Local Planning Authority. The pedestrian/cycle link shall be implemented in accordance with the agreed details prior to the first use or occupation of the development.

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

### **Protection of Trees**

5. No development shall take place until the existing tree(s) to be retained along the north-western boundary have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;
  - a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.
  - b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations' that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced

with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.

c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment, machinery and surplus material has been removed from the site.

d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

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

#### **Construction Method Statement (CEMP)**

6. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors;
  - b) The routeing of HGVs to and from the site;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development;
  - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
  - g) Measures to control the emission of dust and dirt during construction;
  - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
  - i) Delivery, demolition and construction working hours (see Informative 2 below for more advice);

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

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

### **Finished Floor Levels**

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

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

### **Surface Water Management Strategy**

8. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason : To prevent environmental and amenity problems arising from flooding and to accord with Sections 14 and 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

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

### **Unexpected Contamination**

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

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

### **Waste Bins**

10. Prior to the first use of the Costa Coffee Drive-Thru Unit hereby approved, suitably located waste bins shall be provided outside the premises and retained for public use in accordance with details to be firstly submitted to an approved in writing by the Local Planning Authority.

Reason: In order that proper arrangements are made for the disposal of waste, and to ensure the creation of a satisfactory environment free from intrusive levels of litter in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

### **BREEAM**

11. The development hereby permitted shall be constructed to at least a BREEAM Very Good standard in accordance with the approved Sustainability Statements and BREEAM Pre-Assessments for Units 1A-1D & 2A-C and Costa Coffee Retail Unit both by Melin ref: 1938B dated 01 February 2021.

Reason : To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework.

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

### **Landscape Maintenance**

12. Notwithstanding the approved soft landscaping plan (Dwg: KL-477-001 Rev P2 dated 30 April 2021) a schedule of landscape maintenance for a minimum period of 15 years shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule unless otherwise approved in writing by the Local Planning Authority.

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

### **Parking, Turning and Loading Facilities**

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

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

### **Covered Cycle Parking**

14. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with the approved Proposed Cycle, Bollards and Bins Site Plan Dwg No: 2523 P406 Rev C dated 29 April 2021. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

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

### **Green Travel Plan**

15. A Green Travel Plan prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" (and its subsequent amendments) shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

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

### **Surface Water Management/Maintenance**

16. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme are submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
  - ii) a timetable for its implementation, and
  - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

### **Ecological Enhancements**

17. Prior to the occupation of any building the native planting and bat and bird nesting boxes shall be installed on the site in accordance with the recommendations of Section 7, page 26 of the approved Ecological Impact Assessment by Ramm Sanderson Ref: RSE\_4515\_01\_V2 dated February 2021.

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

### **Electric Vehicle Charging Points**

18. No unit hereby permitted shall be occupied until it has been provided with electric vehicle charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) for at least one vehicle to serve that unit. No less than 8 No. electric vehicle charging points must be provided in total across the development.

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

### **HGV/Delivery Management Plan**

19. Prior to the first use or occupation of the development hereby permitted an HGV/Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted Management Plan shall have regard to the Transport for London Quiet Deliveries Demonstration Scheme dated May 2011 and shall include the 'noisiest' aspects of the servicing area in terms of loudness, duration, and mitigation measures to be employed to minimise the noise during the operation of the businesses. The development shall be operated in accordance with the approved Management Plan at all times thereafter.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with advice in policy 180 of the National Planning Policy Framework, Noise Policy Statement for England, The Governments Planning Practice Guidance, and Policy SS2(f) of the Local Plan.

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

### **Retention of Boundary Hedge**

21. The existing hedge(s) along the north-western boundary of the site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed or become seriously damaged or diseased within 15 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason : To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan.

### **Noise Limitation**

22. The cumulative LAeq,1hour noise level arising from all activities within the development shall be limited to a level that does not exceed 55dB, between the hours of 07:00 and 23:00 hours and a level that does not exceed 50dB, between the hours of 23:00 and 07:00 at any off site noise-sensitive receptor. The LAFMax arising from any site operations shall not exceed 60dB at a location 1 metre from the façade of any off-site noise sensitive receptor between the hours of 23:00 and 07:00.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with advice in policy 180 of the National Planning Policy Framework, Noise Policy Statement for England, The Governments Planning Practice Guidance, and Policy SS2(f) of the Local Plan.

### **Plant Noise**

23. The cumulative LAeq,1hour noise level arising from plant noise within the development shall be limited to a level that does not exceed 37dB, between the hours of 07:00 and 23:00 hours and a level that does not exceed 33dB, between the hours of 23:00 and 07:00 at any off site noise-sensitive receptor in accordance with section 7.3 (page 14-15) of the approved Acoustics Report by Hoare Lea Rev 1 dated 10 February 2021.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with advice in policy 180 of the National Planning Policy Framework, Noise Policy Statement for England, The Governments Planning Practice Guidance, and Policy SS2(f) of the Local Plan.

### **No Outdoor Storage**

24. No goods or materials shall be stored, repaired, operated or displayed outside the buildings unless otherwise approved in writing by the Local Planning Authority.

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

### **Restriction to Specified Use Classes**

25. The employment units hereby permitted shall be used only for employment/industrial uses falling within Use Classes E (g) (iii), B2 and B8 and for no other purpose whatsoever, including any other purpose in Class E (g) (i) OR (ii) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order.

Reason : To ensure adequate on-site parking is provided in the interests of highway safety and to accord with Policy SS2 of the South Northamptonshire Local Plan.

### **Extensions**

26. Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) the approved buildings shall not be extended without the prior planning permission of the Local Planning Authority.

Reason : To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the area and to sustain a satisfactory overall level of parking provision and servicing on the site in accordance with Policy SS2 of the South Northamptonshire Local Plan.

### **Mezzanines**

27. Notwithstanding the provisions of section 55 (2A) of the Town and Country Planning Act 1990 (as amended by Section 49 of the 2004 Act), Part 10 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no internal operations increasing the floor space available within the building hereby permitted shall be carried out without the prior planning permission of the Local Planning Authority.

Reason : To enable the Local Planning Authority to retain planning control over the provision of additional floorspace in order to maintain a satisfactory layout and sustain an adequate overall level of parking provision and servicing on the site in accordance with SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.