



South Northamptonshire Local Area Planning Committee

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

Present Councillor Stephen Clarke (Chair)
 Councillor Ken Pritchard (Vice-Chair)
 Councillor Anthony S. Bagot-Webb
 Councillor Dermot Bambridge
 Councillor William Barter
 Councillor Karen Cooper
 Councillor Alison Eastwood
 Councillor Louisa Fowler
 Councillor Lisa Samiotis

Officers Paul Seckington, Interim Head of Development Management,
 Enforcement and Land Charges
 Suzanne Taylor, Principal Planning Officer for S/2021/0380/MAF
 Jamie Parsons, Planning Solicitor
 Richard Woods, Democratic Services Officer

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

The minutes of the meeting of the Interim Committee held on 15 April 2021 were agreed as a correct record and signed by the Chairman.

4. Chairman's Announcements

The Chairman warmly welcomed all Members and Officers to the inaugural meeting of the South Northamptonshire Local Area Planning Committee.

In response to questions from Members, the Chairman provided clarification on the process that would be followed in the future should a Parish Council object to a planning application, namely, that an objection received from a Parish Council is not an automatic reason in itself for a planning application to be brought before the Committee for consideration.

5. **Land East of Northampton Road, Brackley**

The Committee considered application S/2021/0380/MAF comprising of an 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 at land east of Northampton Road, Brackley for Tungsten Brackley LTD.

Marie Stacey, agent for the applicant, addressed the Committee in support of the application.

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

Resolved

(1) That authority be delegated to the Assistant Director – Growth, Climate and Regeneration to grant permission for application S/2021/0380/MAF subject to:

- 1) The satisfactory resolution of objections from the Local Highways Authority;
- 2) The completion of a Planning Obligation under Section 106 of the Town and County 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
- 3) The following conditions (and any amendments to those conditions as deemed necessary):

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

- (2) That, in the event that the Planning Committee refuses to grant planning permission, authority be delegated to the Assistant Director – Growth, Climate and Regeneration to agree the content of a Section 106 Agreement in the event that an appeal is received.
- (3) That it be further resolved that, as the statutory determination period for this application expires on 10 June 2021, if the Section 106 Agreement/Undertaking is

not completed and/or the access matters have not been resolved to the satisfaction of the Assistant Director – Growth, Climate and Regeneration and the permission is not able to be issued by this date and no extension of time has been agreed by the parties, it is further recommended that authority be delegated to the Assistant Director – Growth, Climate and Regeneration to refuse the application for the following reason (and any amendments as deemed necessary):

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.

6. Urgent Business

There were no items of urgent business.

The meeting closed at 3.03 pm

Chairman: _____

Date: _____