



Planning Committee Report

Application Number: 2023/5560/MAF
Location: Arnex House, London Road Daventry
Development: Residential Development of 52no. dwellings

Applicant: Jessup Partnerships
Agent: CC Town Planning
Case Officer: Erica Buchanan

Ward: Daventry East

Reason for Referral: Major Application requiring a Section 106 Agreement
Committee Date: 6th December 2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

And SUBJECT TO THE COMPLETION OF A S106 LEGAL AGREEMENT to secure the following planning obligations:

- Affordable housing provision
- Education financial contribution
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- Travel Plan monitoring fee
- The Council's monitoring fee

Proposal

The application is for the demolition of the existing commercial buildings and erection of 52 dwellings. The proposed dwellings are of mixed size to meet the varying housing needs with 25% affordable. The site would be accessed from a single junction with the existing accesses closed off.

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Consultations

The following consultees have raised objections to the application:

- Daventry Town Council

The following consultees have raised no objections to the application:

- Highways, Environmental Health, Economic Growth and Inward Investment, Housing,

8 letters of objection and 2 letters of 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
- Loss of Strategic Employment
- Character and Appearance
- Residential and Local Amenity
- Highway Safety
- Flood alleviation

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

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 of a rectangular shaped parcel of land, approximately 1.3 hectares in area of brownfield land. The site currently contains dilapidated industrial units and is being used for a car wash facility in one of the old warehouses and a day nursery in the former office buildings. The use as main employment site has ceased for a number of years.
- 1.2 The remaining factory buildings are in a poor state of repair, with much of the roof covering stripped, two metal framed open sided storage buildings are located to the north of the site. Most of the site is hard landscaped with areas of existing vegetation to the boundaries.



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- 1.3 The site itself is positioned along the eastern side of London Road and bound to the north by an existing residential estate, with further residential housing located directly to the west, on the opposite site of London Road.
- 1.4 To the south of the site lies a number of other commercial premises, with further units located to the east, which are accessible via Broad March.
- 1.5 There are three former accesses into the site, one located off London Road and two off Broad March Road. These serve the various current and previous operations on the site. To the North of the site is a public footpath that currently separates the application site from the neighbouring residential properties.
- 1.6 The boundary treatment along the footpath and the site is a 2m metal sheeting fence and leylandii trees.
- 1.7 The hand car wash and valeting centre and day nursery are both accessed off London Road. The hand car wash utilises an existing open sided metal framed storage building for its operations. There is ample space for vehicular manoeuvring on the shared hardstanding with the day nursery.
- 1.8 The former office block being used by the day nursery is a 2 storey brick building with a flat roof. There is a car park / turning area to the frontage and a fenced off outdoor play area for the children.
- 1.9 In addition to the other two main users of the site there is also tyre storage centre located off Broad Marsh Road, via 2 separate access points. This company utilises another open sided warehouse and also mobile buildings on hardstanding to the front of the existing factory building. The storage of tyres is both internal within the warehouse and external on site.

2 CONSTRAINTS

- 2.1 The application site is allocated as protected employment land within the adopted Local Development Plan.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application is for the demolition of the existing buildings and hard landscaping and the redevelopment to provide 52 units which incorporates a mix of 1 bedroom , 2 bedroom, 3 bedroom and 4 bedroom units. The proposal provides a mix of open market and 25% of affordable dwellings.
- 3.2 The proposed development is to be accessed from a new access on London Road with the existing access on London Road closed off. The other two accesses off Broad Marsh Road will also be closed off and continuous footpaths reinstated. The proposed dwellings would be accessed off an adoptable spine road, providing access to individual properties and private drives serving up to 5 dwellings. The majority of



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mature trees and some hedgerows are to be retained, particularly along the London Road boundary.

- 3.3 The leylandii hedging and overgrown boundary to the north would be removed and replaced with new planting. Dwellings would be orientated to face the access road, and to create active frontages for London Road and the public footpath separating the application site from the existing residential properties in Abbot Close.
- 3.4 The proposal includes parking to meet the parking standards with some allocated and non-allocated visitor parking across the site.
- 3.5 The proposed heights of the dwellings would be a mix of two storey and single storey

4 RELEVANT PLANNING HISTORY

Application Ref.	Proposal	Decision
DB/60/34	development of factories, offices and ancillaries (withing Class III)	Approved
DA/1997/0829	Change of use from office space to a daycare nursery, alterations to 3 windows to form doors enclosure of existing fire escape stairs and a new fence	Approved
DA/1997/0881	1 non-illuminated sign	Approved
DA/1999/0024	Proposed fascia sign	Approved
DA/2003/1542	Variation of Condition 5 of Planning Application DA/97/0829 to increase the number of children from 60 to 90	Approved
DA/2013/0409	2 pole mounted signs, 1 fascia sign and 1 banner sign (all non illuminated).	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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; and the adopted Settlements and Countryside Local Plan (Part 2) (2020). The relevant planning policies of the statutory Development Plan are set out below.

West Northamptonshire Joint Core Strategy Local Plan (2014) (Part 1) (JCS)

- Policy SA – Presumption in Favour of Sustainable Development
- Policy S1 – Distribution of Development
- Policy S2 – Hierarchy of Centres
- Policy S3 – Scale and Distribution of housing
- Policy S10 – Sustainable Development Principles
- Policy C1 – Changing Behaviour and Achieving Modal Shift
- Policy C2- New Developments
- Policy E1 – Existing Employment Areas
- Policy H1 – Housing Density and Mix and Type of Dwellings
- Policy H2 – Affordable Housing
- Policy H4 – Sustainable Housing
- Policy BN2 – Biodiversity
- Policy BN7 – Flood Risk
- Policy BN9 – Planning for Pollution Control

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

- Policy SP1 – Daventry District Spatial Strategy
- Policy ENV1 – Landscape
- Policy ENV5 – Biodiversity
- Policy ENV10 – Design
- Policy ENV11 – Local Flood Risk Management
- Policy HO8 – Housing Mix & House Type
- Policy ST1 – Sustainable Transport Infrastructure
- Policy EC4 – Strategic Employment Areas
- Policy CW2 – Open Space Requirements

Material Considerations

National Planning Policy Framework (NPPF) (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 15 - Conserving and Enhancing the Natural Environment

Planning Practice Guidance Notes

Biodiversity supplementary Planning Document (May 2017)

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Housing Supplementary Planning Document (July 2017)

Northamptonshire Local Flood Risk Management Strategy

Infrastructure and Developer Contributions (October 2013)

Northamptonshire Parking Standards Supplementary Planning Documents

Local Highways Standing Advice for Planning Authorities (June 2016)

6 RESPONSE TO CONSULTATION

6.1 Below is a summary of the consultation responses received at the time of writing this report.

Consultee	Position	Comment
Daventry Town Council	Object	<p>Original Comments</p> <p>General Points</p> <p>The Town Council is not opposed in principle to this application which proposes a change of use from employment to one of residential even though the Local Development Plan policy would suggest that employment uses should be safeguarded in this area. However, the location of these proposed houses would be on the periphery of an industrial and commercial area and these uses would border the site on two sides. Careful design and layout therefore is important if these uses can acceptably co-exist alongside each other.</p> <p>The site is a rectangular shaped parcel of land, approximately 1.3 hectares in area which is located along the eastern side of London Road, in an area which is surrounded by employment uses to the south and east and residential to the north and west. The neighbouring employment uses to the south of the site are very close to the boundary and careful consideration needs to be made in relation to these buildings not being overbearing and oppressive on the rear gardens and aspect of the proposed houses facing this boundary</p> <p>It is stated that the site is currently home to the London Road Valeting Centre as well the Caring Kindergartens Day nursery. However, Google Maps shows that the buildings on site appear significantly dilapidated and run down and it is not disputed, as asserted in the supporting Marketing Report, that the buildings are no longer viable for the site to continue to be in use for industrial or warehouse purposes.</p>



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While the principle of re-development to a residential use or other use than employment is not disputed as set out above, there are significant issues with the proposals that in the opinion of the Town Council make it unacceptable in its current form. These specific issues will be set out below.

Design and Layout

In terms of the design and layout of the site it is proposed to accommodate 52 dwellings on to the 1.3ha site creating a density of 40 dwellings per hectare. The surrounding density of residential development to the west of the site across London Road is probably closer to 17-20 dwellings per hectare, so over half as dense. While it might be acceptable to increase the density to a degree on this site it is considered by the Town Council that the constraints of the site including the very close and high existing industrial units to the south, the lack of a permeable drainage strategy (see further points below), the lack of off-street visitor parking and the need to reposition the access road means that this has led to over development and cramming of the site. The Town Council therefore considers that the overall number of units on the site should be reduced significantly.

Access Road

The proposal is for the existing access road for the site off London Road to be used as the entrance for the site and to be extended and form a spine road for the development. The Local Highway Authority has responded to the application and stated that the position for the junction is unacceptable and that this should be at least 20 metres away from the opposing junction of The Slade on the other side of London Road. The Town Council therefore considers that in terms of road safety

this access should be redesigned and repositioned. While the Local Highway Authority states that with the trip generation rates of the proposed development that this would not cause an unacceptable impact on the highway the Town Council considers that this is already an unsafe junction for the employment uses using the access. There was a serious accident recorded on 20/03/2020 logged on crashmap.co.uk¹ and other anecdotal evidence from local people suggest that this busy road and the location of this access is a cause for significant concern.

It is therefore requested that sufficient assurances are secured that any redesigned access will be safe for all road users for the level of trips being generated.



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		<p>Drainage</p> <p>Anglian Water has responded to the application and requested that various informatives be added to any planning consent which might be granted. They have also stated that the surface water drainage strategy proposed in the flood risk assessment submitted with the planning application is unacceptable. This anticipates a discharge level of 108l/s which is much higher than would be expected. The hierarchy for drainage discharge would be Sustainable Drainage Systems (SUDs) first, to achieve an equivalent greenfield runoff rate, with a direct connection to a sewer as the last option. It is clear that if a SUDs approach is taken this will require more land for swales or other SUDs features to achieve higher infiltration rates. Which further demonstrates that the site is over developed. The Town Council considers that a new approach to the design of the site should be taken to incorporate SUDs features, to attain an acceptable drainage strategy through a reduction of the development density on the site.</p> <p>Crime Prevention</p> <p>The Crime Prevention Design Officer from Northamptonshire Police has made some salient points in terms of designing out crime through the use of well positioned windows for natural surveillance and gating the alleys providing access to rear gardens on some plots. The Town Council endorses these points, and should the layout be redesigned and reconfigured as the Town Council is advocating, then these principles should be adopted in any revised scheme.</p> <p>Parking</p> <p>The Local Highway Authority has raised the issue that the development only has off road 5 visitor parking spaces as opposed to the 13 spaces that it would expect from this configuration of development. While it is stated that a degree of visitor parking can be accommodated within the carriage way for this width of road further tracking is required to ensure that refuse and emergency vehicles can sufficiently navigate and access the road. The Town Council considers that excessive on-street parking that could impede and hinder refuse and emergency vehicle access would be unacceptable. A rethink in the design of the development and reduction in the overall density should therefore be considered assist in realising a better balance between parking, access and the general layout of the scheme.</p>
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		<p>Landscaping</p> <p>It is suggested by the developer that a landscaping strategy can be conditioned. Given the very significant impact of the existing warehouse/industrial buildings to the south of the site the Town Council considers that any landscape strategy should include a tree belt along this boundary. This would be similar to the one that separates properties on Manor Road from the Die-Pat Centre buildings which is very effective at screening this imposing bulk positioned at a similar distance to those proposed in this application.</p> <p>Housing Mix and Type</p> <p>The Town Council is supportive of the provision of bungalows within this development proposal and the delivery of 25% affordable housing combined with the provision of 6 1 x bed flats will help to offer younger house buyers and renters with potential accommodation. However, it does not appear that the housing mix proposed for the site meets the requirements of Policy HO8 of the Daventry District Council Settlements and Countryside Local Plan (Part 2). It will be a decision for the Planning Authority and Housing Service to determine whether the housing mix is best meeting the needs of local people.</p> <p>Sustainability and Low Carbon Development</p> <p>The Town Council is disappointed that the development proposals do not seem to promote high levels of energy efficiency and sustainability in design as required and promoted through Policy S10 'Sustainable Design Principles' of the West Northamptonshire Joint Core Strategy. This advocates that development achieves the highest standards of sustainable design and be designed to improve the environmental performance and energy efficiency of buildings and to maximise the generation of energy needs from decentralised and renewable or low carbon sources. Apart from mentioning that all dwellings will incorporate an electrical vehicle charging point (which is now required under building regulations) there is scant mention on how this development can help to deliver higher levels of sustainability and low carbon living which we should all be aspiring to achieve.</p> <p>Contamination</p> <p>The Council's Environmental Health Office has commented on the application and is concerned with the potential level of contamination on the site, (as are the members of Daventry Town Council), which may have been created by former uses.</p> <p>The Council's EHO proposes a suite of conditions should the application be granted and the Town Council considers that this</p>
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	<p>would be the minimum requirement in order to safeguard human health for existing and future residents. The Council would also request that these conditions are strictly adhered to, and that no development is commenced until the level of any contamination is established and the mitigation and decontamination of the site is agreed.</p> <p>Noise</p> <p>The Environmental Health Officer, in his response, also raises the issue of noise and the potential future impact of noise sources on the residents of the scheme.</p> <p>The EHO indicates that he doesn't consider that the person undertaking the noise assessment is competent to do so, that no agreement had been reached prior to the assessment being carried out on the methodology and that the Local Planning Authority should not rely on the findings of the report.</p> <p>Valid concerns are raised as to whether noise from the existing industrial uses can be sufficiently mitigated to enable acceptable levels for habitation of the dwellings.</p> <p>The EHO expects that boundary treatments will be necessary to ensure adequate protection to receptors' properties both internally and externally and strongly advocates that noise sensitive receptors (houses and gardens) are not located right up to the Eastern boundary of the site. A planning condition is suggested to be imposed that an assessment is undertaken prior to any development taking place. However, the Town Council considers that a full and adequate assessment needs to be completed prior to any decision on planning permission being granted.</p> <p>If adequate mitigation cannot be agreed or is not acceptable in planning terms then this may require a change and redesign of the layout of the scheme.</p> <p>Therefore, this information needs to be provided prior to deciding whether planning can be granted to inform the layout and design of the development.</p> <p>Conclusion</p> <p>The Town Council is not opposed in principle to this site being utilised for an alternative to employment which it seems is unviable now with the current state of the buildings and likely demand from tenants. However, the Town Council objects to the proposals put forward on the grounds set out above, principally that the site is being over developed with an access that is unsafe and a range of amenity and technical issues to address which could potentially be resolved through a revised design approach and lower densities being delivered across the site.</p>
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		<p>Comments following amended plans</p> <p>Daventry Town Council has reviewed the amended application and notes the changes to the layout of the site due to the revised position of the access to the proposed development from London Road and reiterates its objection to the proposal as it has not addressed the original concerns raised.</p>
Highways		<p>Trip Generation The trip rates and trip generation for the development were previously agreed with the LHA during pre-application scoping. There would not be an unacceptable impact on the highway, with a likely net reduction in peak hour trips compared to the established use of the site in full operation. Therefore, there is no requirement to assess junction capacity due to the limited impact.</p> <p>Site Access Junction Within the LHA's pre-application scoping response, the applicant was advised that the existing access to the site was in a position that was not acceptable to be turned into a road junction. Opposing road junctions require a minimum offset of 20 metres (kerb projection). As shown below, this is currently around 15 metres The Slade junction.</p> <p>The reason for this is that 20 metre separation ensures that there is less confusion for turning traffic (the closer the minor roads are together, the closer it is to a crossroads situation which is no longer accepted) and also it ensures that a larger vehicle is able to turn out of one junction, straighten on the major road and then turn into the opposite junction.</p> <p>London Road is a "B" Class road. It is not considered necessary for the junction to include a right turn ghost island, consistent with other junctions along this stretch of London Road.</p> <p>Broad March Access As part of the development, the existing site access off Broad March is proposed to be closed off and the crossover removed. This is supported by the LHA. To create a new through route would be unacceptable as the road would not be suitable to provide a direct link between London Road and Broad March. Work to close off the access and return the crossover to verge/ footway will require the appropriate licence/ highway agreement.</p> <p>Tandem Parking Whilst tandem parking arrangements are acceptable, it should be noted that the LHA advises against situations (as shown below) where tandem spaces are in a row of 3 or more under separate ownership. This can often lead to issues with access, particularly for the centre tandem spaces, and possible neighbour disputes.</p>



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		<p>Visitor Parking Visitor parking is required at a rate of 0.25 spaces per dwelling. The development is required to provide a minimum of 13 visitor parking spaces. 5 spaces have been provided off the highway. The LHA accepts visitor parking provision within 5.5m wide carriageways subject to it not being an obstruction for road users. As the applicant is relying on the carriageway for visitor parking, the tracking exercise for the refuse vehicle must be undertaken with the parked vehicles in place (parked vehicles should be a 4.5m long car). Please ask the applicant to undertake and submit this.</p> <p>Refuse Vehicle Tracking The road layout must be tracked for a 4 axle refuse collection vehicle (the largest of this type in operation in West Northants). The applicant has submitted tracking for a different vehicle. Please ask the applicant to undertake this exercise again with the correct vehicle (including parked cars as detailed above) and submit the tracking/ swept path plan for review. Details of the vehicle to be used are attached.</p> <p>Collision Data The Transport Assessment includes personal injury collision data from Crashmap. There is no indication of how up to date this information is and WNC do not accept collision data from the Crashmap website as it is not based on the latest collision records held by West Northamptonshire Council and Northamptonshire Police. Collision data must be obtained directly from the Highway Authority.</p> <p>Public Transport The development is within acceptable walking distance of existing bus stops. Services stop on London Road and bus stops with shelters are already in place. The developer will be required to provide, on request, a 28-day adult bus travel card voucher (Stagecoach Megarider Gold) to promote the use of public transport. The current cost of the travel card is £174.80. This obligation is secured via the Section 106 Agreement and is capped at the total value of 52 No. travel cards. Please note that this is not a payment made to the Council but the scheme is administered by the developer, providing travel card vouchers directly to the residents on request. Uptake of the travel card vouchers will be reported either via travel plan monitoring or by a separate arrangement.</p> <p>Walking and Cycling The site will be well connected to the existing footway network and there are good opportunities for walking and cycling journeys to be taken.</p>
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		<p>Comments following amended plans In respect of the above amended planning application, the local highway authority (LHA) has the following further observations, comments and recommendations: -</p> <p>Site Access Junction Further to the LHA's previous comments, the position of the site access junction has been revised and is now offset by 20 metres from The Slade junction. This now meets minimum standards for opposing junction offset. Works to construct this junction would be carried out under an appropriate Highway Agreement. This would either be as accommodation works to the Section 38 Adoption Agreement or under a separate Section 278 Agreement.</p> <p>Broad March Access As part of the development, the existing site access off Broad March is proposed to be closed off and the crossover removed. This is supported by the LHA. To create a new through route would be unacceptable as the road would not be suitable to provide a direct link between London Road and Broad March. Work to close off the access and return the crossover to verge/ footway will require the appropriate licence/ highway agreement. A planning condition will be required to this effect with the closure complete prior to first occupation of the site.</p> <p>Tandem Parking The applicant has revised the parking layout to remove the triple tandem parking arrangements, previously highlighted by the LHA. This matter is resolved.</p> <p>Visitor Parking As previously advised, visitor parking is required at a rate of 0.25 spaces per dwelling. The development is required to provide a minimum of 13 visitor parking spaces. 5 spaces have been provided off the highway. The LHA accepts visitor parking provision within 5.5m wide carriageways subject to it not being an obstruction for road users. The applicant has now provided a tracking drawing with the carriageway parking in place. This matter is now resolved.</p> <p>Refuse Vehicle Tracking The applicant has provided a tracking drawing of the 4 axle refuse collection vehicle, as previously requested by the LHA. This matter is now resolved.</p> <p>Collision Data As requested, the applicant has obtained and presented collision data in the vicinity of the proposed site access and The Slade junction directly from West Northants Council. This shows that there has been</p>
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	<p>a single personal injury collision at the existing site access (2020) in the last 5 years. This would not indicate a significant road safety problem or one that would be deemed to be unacceptable in terms of the development and access proposal.</p> <p>Planning Permission does not give or imply permission for adoption of new highway or to implement any works within the highway and / or a</p> <p>Public Right of Way The views, observations, comments and recommendations contained in this response represent those of West Northamptonshire Council as Local Highway Authority and in no other function or authority.</p> <p>Public Transport The development is within acceptable walking distance of existing bus stops. Services stop on London Road and bus stops with shelters are already in place. The developer will be required to provide, on request, a 28-day adult bus travel card voucher (Stagecoach Megarider Gold) to promote the use of public transport. The current cost of the travel card is £174.80. This obligation is secured via the Section 106 Agreement and is capped at the total value of 52 No. travel cards. Please note that this is not a payment made to the Council, but the scheme is administered by the developer, providing travel card vouchers directly to the residents on request. Uptake of the travel card vouchers will be reported either via travel plan monitoring or by a separate arrangement.</p> <p>The applicant has indicated their acceptance of this obligation within the revised Transport Assessment.</p> <p>Travel Plan Travel Plan The updated travel plan has been submitted and reviewed. The updated review document is attached, to be passed to the applicant. The travel plan is approved.</p> <p>Conclusion The applicant has resolved the majority of issues previously raised by the LHA. The only outstanding matter is the unapproved travel plan. Once this has been amended and reviewed, the LHA will be in a position to provide a final response including confirmation of any requested planning conditions and Section 106 obligations.</p>
LLFA	<p>Having reviewed the applicant's submitted details located within:</p> <ol style="list-style-type: none"> 1. Flood Risk Assessment and Drainage Strategy for London Road, Daventry JSP02539-1FR 002539-JPL-ZZ-ZZ-RP-D-2001-A3-C02 prepared by Jackson Purdue Lever on the 30th May 2023, we would advise that there is insufficient information available to comment on



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		<p>the acceptability of the proposed surface water drainage scheme for the proposed development.</p> <p>Our information requirements in support of applications are outlined in our document Local Standards and Guidance for Surface Water Drainage in Northamptonshire document: https://www.floodtoolkit.com/wp-content/uploads/2017/09/Local-Standards-for-publication-v1.3-September-2017.pdf</p> <p>With reference to the above document, we note that the submitted surface water drainage information fails on the following grounds:</p> <ol style="list-style-type: none">1. As per our local standards, for brownfield or previously developed sites, where it is proposed to discharge runoff at rates greater than greenfield rates, evidence will be required to demonstrate why it is not feasible to achieve greenfield rates.2. The proposed development falls within the Upper Nene Catchment and therefore the 1 in 200 year plus climate change standards apply.3. The proposed layout fails to incorporate a suitable SuDS scheme. <p>Our comments only cover the surface water drainage implications of the proposed development.</p> <p><u>Overcoming our concerns</u></p> <p>Our concerns can be overcome by submitting surface water drainage information which covers the deficiencies highlighted above.</p> <p>Further comments following submission of additional information Having reviewed the applicant's submitted details located within:</p> <ol style="list-style-type: none">1. Flood Risk Assessment and Drainage Strategy for London Road, Daventry JSP02539-1FR 002539-JPL-ZZ-ZZ-RP-D-2001-A3-C04 prepared by Jackson Purdue Lever on the 7th November 2023, we would advise that there is still insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. <p>Our information requirements in support of applications are outlined in our document Local Standards and Guidance for Surface Water Drainage in Northamptonshire document.</p> <p>With reference to the above document, we note that the submitted surface water drainage information fails on the following grounds:</p> <ol style="list-style-type: none">1. The proposed development is located partially within a high medium and low risk surface water flood flow route and has failed to appropriately assess all sources of flood risk. Please update the FRA with an appropriate assessment of flood risk (from all sources).
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		<ol style="list-style-type: none"> 2. The proposed development fails to incorporate an appropriate sustainable drainage system. 3. The development proposes to build over the existing foul water sewer easement. Should the relevant water company not permit development within the sewer easement, the proposed layout will require revising to avoid building within the sewer easement. 4. It appears that the proposed surface water drain downstream of the Hydrobrake is to pass-through third-party land before out falling to the existing adopted surface water. It is unclear if the applicant will have permission to construct the drain through what is thought to be third party land. 5. It is noted that the surface water drain has been designed to surcharge within the 1 year storm event. As per our standard guidance, the system should not surcharge in the 1 year storm event. 6. Based on the information provided, and given the depth of EXMH5703, it is unclear if the surface water drain will clash with the foul water sewer. <p>Our comments only cover the surface water drainage implications of the proposed development.</p> <p><u>Overcoming our concerns</u></p> <p>Our concerns can be overcome by submitting surface water drainage information which covers the deficiencies highlighted above.</p> <p>We ask to be re-consulted on this requested surface water drainage information. We will provide you with bespoke comments within 21 days of receiving a formal re-consultation. We cannot support the application until adequate surface water drainage information has been submitted.</p>
National Highways	No Objection	<p>National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</p> <p>The proposed development is not expected to have an adverse impact on the operation of the SRN. National Highways therefore has no objection to this application</p>
Northants Police	Comment	<p>Northants Police has no objection to the principle of development on this site. The layout follows crime prevention through environmental design principles in that the houses face the street and each other, gardens are back to back offering mutual security for all parties or back onto adjacent boundaries. Where the rear garden perimeter backs</p>



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		<p>onto open land or the public domain then the rear fence line should be supplemented with a trellis topping to reduce opportunities for climbing into the garden.</p> <p>Where parking is to the side of the house there should be a window in the gable end at ground floor level to allow overlooking of the parking space from within a routinely inhabited ground floor room.</p> <p>Where alleys are introduced to allow access to rear gardens these should be gated in line with the front building line or as near as possible - see between plots 36 and 37 and adjacent to plot 27.</p> <p>All new doors and windows should meet the requirements of PAS24:2022 or equivalent and be 3rd party accredited products.</p> <p>Further comments on amendments</p> <p>Comments: Previous comments pertaining to door and window standards and exposed rear fence lines still apply but in addition Northants Police would make the following comments about this new iteration.</p> <p>It is a pity that on this iteration of the plans the applicant has not included windows in the side elevations to provide overlooking of the car parking spaces as previously recommended.</p> <p>I am not sure quite what or who the alley adjacent to plot 33 is designed to serve. The garden for plot 52 can be reached to the side of the dwelling, plot 34 from within the parking space for plot 34, plots 35 and 36 from within the parking space or by the side of the dwelling. If it is designed for plot 33 it does not need to stretch to plot 52 exposing the rears of all the gardens and making them vulnerable to burglary and in any event any alley should not exit between parking spaces. This whole corner needs a rethink as plot 32 has parking for plot 33 adjacent to it and plot 35's parking is next to plot 33. Northants Police are constantly called to deal with neighbour disputes which arise from inconsiderate behaviour associated with parking and people want to be able to see their vehicles from within their own dwellings with windows in the ground floor elevations enabling active surveillance. This part of the layout provides ample opportunity for anti social behaviour and neighbour dispute incidents and should be reviewed.</p>
Anglian Water	No Objections	<p>There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site</p> <p>The foul drainage from this development is in the catchment of Whilton Water Recycling Centre that will have available capacity for these flows</p> <p>The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste</p>



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		<p>Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.</p> <p>The surface water strategy proposed in the flood risk assessment submitted with the planning application relevant to Anglian Water, Flood Risk Assessment and Drainage Strategy JSP02539-1FR 002539-JPL-ZZ-ZZ-RP-D-2001-A3-C02, is unacceptable, as the proposed discharge rate of 108l/s to the public surface water network is higher than Anglian Water would expect based on the surface water drainage guidance laid out in the surface water policy. We would therefore recommend that the applicant consults with Anglian Water. Further assessment is required to establish whether network reinforcement is required, please note that this assessment and any necessary reinforcement work will be at the developers cost. We request a condition be applied to the decision notice if permission is granted The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.</p> <p>Anglian Water would therefore recommend planning condition if the Local Planning Authority is mindful to grant planning approval.</p> <p>No further comments were made on the amended details.</p>
Environment Agency	No Objections	<p>We have reviewed the Phase 1 Geoenvironmental Desk Study (ref: 23.03.010) by Listers Geo, dated April 2023, with regard to the risk posed to controlled waters. The previous use of the proposed development site as a warehouse presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are sensitive in this location because the proposed development site is partially located upon a Secondary A aquifer. The application's Phase 1 report demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority. In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework. Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development</p>



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	will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.
Environmental Health	<p><u>Contaminated Land</u></p> <p>I have reviewed the Phase 1 Geo-environmental desk study report produced by Lister's Geotechnical and Geoenvironmental Consultants, report number 23.03.010 and dated April 2023. The report identifies multiple potential sources of contamination on-site, based on its historic use and a site walkover, along with a large amount of waste which will need to be appropriately disposed of with relevant paperwork included to demonstrate this.</p> <p>In order to ensure that the site can be considered suitable for use for the proposed end use, we will require a full phase two contaminated land investigation and risk assessment to be undertaken in accordance with the Environment Agency's Land Contamination Risk Management (LCRM), this requirement is identified within the report.</p> <p>Should planning permission be granted for this site I ask that you consider imposing the following suite of conditions to ensure land contamination is suitably addressed.</p> <p>1. Site investigation</p> <p>The development hereby permitted shall not be commenced until details of a strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by the LPA. This strategy will include the following components, unless the LPA dispenses with any such requirements in writing:</p> <p>A preliminary risk assessment which has identified:</p> <ul style="list-style-type: none">• all previous uses• potential contaminants associated with those uses• a conceptual model of the site indicating sources, pathways and receptors• potentially unacceptable risks arising from contamination at the site <p>2. Remedial Scheme</p> <p>A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.</p> <p>This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management (LCRM)' (or any procedures revoking or replacing those procedures). https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p>



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		<p>3. Agreement of remedial scheme (options appraisal)</p> <p>Based on the risk assessment referred to in 2, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken shall be submitted to and approved in writing by the LPA. No development shall take place until the LPA has given its written approval of the scheme.</p> <p>This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management (LCRM)' (or any procedures revoking or replacing those procedures). https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p> <p>The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p>From section 183(c) of the NPPF and as per LCRM adequate site investigation information shall be prepared by a competent person.</p> <p>4. Carrying out of remedial works</p> <p>Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from the approved scheme without the express written agreement of the LPA. The LPA must be given two weeks written notification of the date of commencement of the remediation scheme works.</p> <p>5. Verification</p> <p>Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the LPA</p> <p>6. Unexpected contamination</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.</p> <p>Reason: (common to all of the above)</p> <p>To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the</p>
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	<p>development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy 11 of the NPPF</p> <p><u>Noise</u></p> <p>I have reviewed the noise assessment report undertaken by James Flitton of Crimson Remote Services Ltd, dated 20th April 2023 with no reference.</p> <p>The report seeks to identify the noise levels onsite and the noise sources within the area that contribute to these levels, and seeks to demonstrate the suitability of the proposed development in the proposed location with respect to noise. I am not satisfied that the author of the report is suitably competent to undertake this noise assessment and as such the findings of the report should not be relied upon. I note that there is no reference to the dates the noise measurements were undertaken and we have received no contact (to agree approach / methodology) prior to the noise assessment being undertaken.</p> <p>The report fails to adequately identify noise sources in the area that would likely adversely impact properties and given that the site lies in close proximity to industrial sites we would expect any future noise assessment report to reference the activities of these businesses in their assessment, and to consider both the impact of these activities on the proposed site, and the impact of bringing noise sensitive receptors closer to the operations of the existing businesses. The relationship between the existing businesses and any noise sensitive receptors will need to be considered carefully and I anticipate boundary treatments will be necessary to ensure adequate protection to receptors' properties both internally and externally; I would strongly advocate that noise sensitive receptors are not located right up to the Eastern boundary of the site.</p> <p>I request that any permission you grant include the following conditions in order to ensure noise is suitably addressed and future residents are not exposed to nuisance.</p> <p>7. Insulation against external noise – Residential</p> <p>No development shall commence until a noise assessment has been undertaken and a scheme for protecting the proposed dwellings from external noise sources affecting the site has been submitted to and approved in writing by the Local Planning Authority. Any assessment method and acoustic criteria used for the assessment shall be prior agreed in writing with the local planning authority and any proposed mitigation scheme shall meet the aims of Policy 185, 187 and 188 of the National Planning Policy Framework and Planning Practice Guidance on noise. 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.</p>
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		<p>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 Policies BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.</p> <p>Informative:</p> <p>It should be noted that noise(s) generated internally between different planning class uses in the same or adjoining buildings proposed in this development will be covered by the Building Regulations and so Building Control should be consulted to determine whether they are satisfied that the relevant level of sound insulation can be provided for the development, as specified in Approved Document E of the Building Regulations.</p> <p>Where internal noise levels can only be achieved whilst relying on the attenuation provided by closed windows, or by assuming attenuation of more than -10dB through an open window, any noise assessment must be supported by an overheating assessment produced in line with the Institute of Acoustics and Association of Noise Consultants - Acoustics, Ventilation and Overheating – Residential Design Guide.</p> <p><u>Construction Management</u></p> <p>In order to ensure the adequate protection of local residents from the impacts of construction, I request that you consider imposing the following conditions on any permission you may grant:</p> <p>8. Aggregate processing</p> <p>No demolition products (concrete, bricks, soil, etc) shall be processed (crushed or sorted) on-site, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy 2014.</p> <p>9. Construction Management Plan</p> <p>Prior to the commencement of development a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.</p> <p>REASON: Details are required prior to the commencement of development in the interests of safeguarding highway safety and</p>
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	<p>residential amenity in accordance with Policies C2 and BN9 of the West Northamptonshire Joint Core Strategy 2014.</p> <p>Informative:</p> <p>The Statement required to discharge the Demolition and Construction Management Plan condition of this consent is expected to cover the following matters:</p> <ul style="list-style-type: none">• A noise and vibration assessment and management scheme undertaken in accordance with procedures detailed in BS 5228:2009+A1:2014 Code of Practice for Noise and Vibration Control on Construction and Open Sites, BS 6472-1992 Guide to the Evaluation of human exposure to vibration in buildings, and BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration• A dust assessment and management scheme undertaken in accordance with Institute of Air Quality Management (IAQM) Guidance on Assessment of Dust from Demolition & Construction 2014, and Institute of Air Quality Management (IAQM) Guidance on Air Quality Monitoring in the vicinity of Construction & Demolition Sites 2018.• the parking and turning of vehicles of site operatives and visitors;• loading and unloading of plant and materials;• storage of plant and materials used in constructing the development;• the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;• details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;• wheel washing facilities;• measures to control the emission of dust and dirt during demolition and construction;• a scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.• design of construction access• hours of demolition and construction work• control of noise and/or vibration• measures to control overspill of light from security lighting <p>REASON: Details are required prior to the commencement of development in the interests of safeguarding highway safety and residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.</p> <p>Informative:</p>
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	<p>Contractors and sub-contractors must have regard to BS 5228: 2009 Code of Practice for Noise Control on Construction and Open Sites and the Control of Pollution Act 1974, BS 6472-1992 Guide to the Evaluation of human exposure to vibration in buildings, and BS 7385-2:1993 Evaluation and measurement for vibration in buildings - Guide to damage levels from ground borne vibration, Institute of Air Quality Management (IAQM) Guidance on Assessment of Dust from Demolition & Construction 2014, and Institute of Air Quality Management (IAQM) Guidance on Air Quality Monitoring in the vicinity of Construction & Demolition Sites 2018.</p> <p>Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.</p> <p>Works audible at the site boundary outside the approved hours may result in the service of a Notice restricting the hours. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.</p> <p>10. Construction Traffic:</p> <p>Vehicles, including delivery vehicles, must not park outside the development site at any time of the day or night unless specifically agreed in writing with the Local Planning Authority. Vehicles must enter the site immediately and must leave the site in a safe and controlled manner. The public highway shall not be used as a holding area for deliveries. There shall be no contractor parking on the public highway at any time.</p> <p>Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy 2014.</p> <p>11. Working hours for construction sites:</p> <p>No demolition or construction work shall take place on the site outside the hours of 0730 and 1800 Mondays to Fridays and 0800 and 1330 on Saturdays, and at no time whatsoever on Sundays, Bank Holidays or Public Holidays unless otherwise agreed with the local planning authority. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.</p> <p>Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.</p> <p>Informative:</p> <p>Contractors and sub-contractors must have regard to BS 5228-2:2009+A1:2014 "Code of Practice for Noise and Vibration Control on</p>
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	<p>Construction and Open Sites” (or any amendments or modifications) and the Control of Pollution Act 1974.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days’ notice.</p> <p>12. Burning Prohibited – Construction</p> <p>There shall be no burning of any material during construction, demolition or site preparation works.</p> <p>Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.</p> <p>Air Quality Response</p> <p>The report "Air Quality Assessment, London Road, Daventry" dated April 2023 submitted by the applicant is satisfactory for the operational phase of the development. Dust will be generated during the construction phase of the development. Should approval be granted the construction management plan condition already recommended by my colleague must be imposed to address dust mitigation.</p> <p>In 2022 the UK government lowered the target value of fine particulate matter from 40 ug/m³ to 10 ug/m³ and it is imperative that dust generation is adequately controlled on site.</p>
Economic Growth	<p>Having reviewed the information presented in this application from an Economic Growth perspective, I cannot support this proposal, as it would result in the loss of non-residential floorspace and is contrary to:</p> <p>Policy EC4 of the Daventry Local Plan, adopted February 2020: -</p> <p>“Protecting existing employment areas as identified in Policy (EC4) - No loss of land within Strategic Employment Areas without reasoned justification.</p> <p>Article 4 directions may be introduced in order to further protect employment areas from change of use. Monitoring of employment sites will be reviewed annually in order to identify if there is a need to further protect employment areas from permitted development and loss of B-class uses. If this were to be pursued it would be outside the Local Plan process.”</p> <p>For planning applications involving a change of use either from one commercial use to another or from a commercial use to residential, the applicant has a responsibility to demonstrate that the property is no longer commercially viable or suitable for lease or sale. Please note, this is not a guarantee that planning will be approved as other planning policies will fundamentally affect how an application is assessed, for</p>

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	<p>example change of use from commercial to residential is only usually permitted when all other options for commercial use have been exhausted. However, a clear and robust marketing exercise will be taken into material consideration.</p> <p>The applicant needs to demonstrate that the site is/has been marketed for commercial use over the last 12 months, outlined in the detail below. When carrying out a marketing exercise the applicant will be expected to:</p> <ul style="list-style-type: none"> • Market the land for a minimum period of 12 months from an agreed start date • Secure valuations by three reputable commercial agents and evidence of marketing at that value to ensure it is at a commercially realistic rate • Produce a marketing strategy to be drawn up that includes advertising in local press and appropriate trade publications such as Estate Gazette as well as the internet and a “For Sale” board outside the premises unless demonstrated that it is inappropriate (e.g. where this might negatively affect the trade) • Maintain a detailed record of viewings of the premises, including feedback from potential purchasers and any offers made to be submitted to WNC at the end of the agreed marketing period. <p>Whilst the site in question has been vacant for an ongoing period and marketed, there has been ongoing commercial interest throughout where the most recent interested commercial investment was described as having “unravelling towards the end of 2021” and another transaction “fell apart during the late summer of 2022”. As this is land is within a recognised strategic employment allocation, it would be beneficial to understand why this land is not commercially viable since it is an employment allocation which does have consistent investor interest.</p> <p>Comments following additional information Submitted Having reviewed the details of this application further and understanding the level of work to attempt to utilise the site for a commercial purpose but being unsuccessful, we would not object to this application on the grounds that the viability of the site has been tested.”</p>
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7 RESPONSE TO PUBLICITY:

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

7.1 There have been 8 letters of objections raising the following concerns: -

- Noise during Construction
- Parking



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- Loss of Trees
- Boundary Fencing
- Overlooking
- High Density
- Increased traffic

7.2 There have been 2 letters of support have been received, citing the following: -

- Removes eyesore
- Unsociable use of site would cease
- Would not increase traffic from current users

8.0 APPRAISAL

8.1 The determining considerations of the application are the principle of the proposal, the loss of employment site, design and appearance of the proposal; the impact of the proposal upon the amenities of the neighbouring properties; and the impact on the Highway and Flood Risk

Principle of Development

8.2 Policy SA of the JCS states that when considering development proposals, a positive approach will be taken on development that reflects the presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.

8.3 This is reflected in Section 2 of the NPPF which states that when considering development proposals, the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development.

8.4 Policy S1 relates to the distribution of development and sets out a hierarchy specifying where development should be sited, especially primarily in and adjoining Northampton, and to a lesser scale the sub-regional town of Daventry, then rural service centres of Towcester and Brackley.

8.5 Policy SP1 of the LPP2 seeks to ensure a sustainable pattern of development to meet the overall spatial strategy of the West Northamptonshire Joint Core Strategy.

8.6 The application site lies within the built up area of Daventry to the South of the Town centre. It is considered that the site lies in a sustainable location within walking distance of bus routes, schools and local shops it is therefore considered that the proposal complies with Policies in the JCS, LPP2 and the NPPF.

Loss of Employment

8.7 Policy S8 of the JCS states that the majority of new job growth will be concentrated within the Principal Urban area of Northampton through amongst other things the renewal and regeneration of existing employment sites set out in Policy E1. The application site is identified in Policy EC4 as being within a Strategic Employment Area (Policy EC4c Daventry Marches).



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8.8 Policy E1 of the WNJCS seeks to protect existing employment areas for B use and employment generating uses and states that change of use to other (non employment generating) uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment purposes in the long term, there is a clear conflict with adjoining uses, or its release would offer significant benefits to the local area.

8.9 Policy EC4 of the LPP2 states that alternative employment generating uses may be acceptable where:

the change of use would have no direct or cumulative negative impact on the vitality, viability or function of the strategic employment areas and other centres;

the site has good accessibility by walking, cycling and public transport;

the alternative use supports the role and performance of the employment area; and

an independent assessment has demonstrated that the site is no longer attractive to the market for its existing permitted use.

The requirement to demonstrate that the site is no longer attractive to the market should include evidence that it has been actively marketed through an agency for a period of at least 12 months which may include promotion on the agency's website and marketing boards at the site. This information will also be supported by an independent market view of the site, details of the marketing and evidence that the site was fit for purpose at the time of marketing.

8.10 However whilst the site forms part of the overall strategic employment site its commercial use has not been operational for a number of years and the main factory area and side offices are now derelict.

8.11 The former office space that is currently occupied by the nursery will soon be empty as they are vacating the premises having found alternative premises.

8.12 Therefore, apart from the car wash and the Broad March Road open storage yard there is no current economic activity on site that will be lost as a result of the proposal.

8.13 As required by Policy EC4 the applicants have submitted evidence showing that the site has been marketed for the last 3 to 4 years for employment use and although there was some interest once assessments on demolition, site clearance and construction cost were made it resulted in any potential sale of the site falling through. It is therefore considered that due to the length of time the site has been vacant and the derelict state of the existing buildings that the site is not commercially viable for its permitted/protected use in the long-term.

8.14 Economic development has reviewed the details of the application and the information submitted relating to the marketing of the site along with the level of work to attempt to utilise the site for a commercial purpose but being unsuccessful, have not objected to the application on the grounds that the viability of the site has not been tested.



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- 8.15 It is therefore considered that the proposal complies with Policy E1 of the JCS and Policy EC4 of the LPP2 and that the alternative use for residential development is acceptable.

Character and Appearance of the Area

- 8.16 Policy ENV10 sets out the criteria to achieve high quality and inclusive design for all new development. The character of the area is a mixture of residential and employment. The application site forms part of the Daventry Marches and is a strategic Employment site. There is currently a footpath that separates the existing residential properties from the employment site although there are residential properties adjacent to the employment buildings on Broad Marsh Road.
- 8.17 The existing properties immediately adjacent to the site in Abbots Close and London Road are primarily detached properties. However, properties in surrounding streets are of a higher density.
- 8.18 The proposed dwellings would be of a mix of single storey and 2 storey in height which reflects the existing housing within the area and comprise semi-detached properties with apartments fronting London Road
- 8.19 The existing residential properties are mix of single and two storey dwellings and comprise predominantly brick with some rendered properties in the area. The proposed development would be two toned brick with some detailing on properties taking reference from the existing properties.
- 8.20 It is considered that the proposed dwellings fronting the public footpath provides natural surveillance of this walkway and reduces the enclosed nature of the existing boundary fence and leylandii trees helping to reduce the fear of crime for those using the footpath which is presently not overlooked for much of its route.

Residential Amenity

- 8.21 Policy ENV10 of LPP2 seeks new development to protect the amenity of new and existing dwellings. The proposed dwellings have been designed with a acceptable private gardens providing suitable separation distances and the proposed maisonettes whilst not having private gardens there is proposed openspace surrounding the units
- 8.22 The design of the development respects the amenity of the nearby properties, including those located within close proximity to the northern boundary of the site, along Abbot Close. The proposed dwellings fronting the footpath are to be single storey which would avoid any overbearing impact on the adjacent properties, This will ensure that the proposed development does not result in any harm to the current amenity enjoyed by existing occupants to respect their privacy
- 8.23 The proposed dwellings would comply with the National Minimum space Standards.



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Highway safety and parking

- 8.24 The proposal includes the relocation of the access along London Road with the existing access closed off with hard surfacing being removed and the verge returned to grass. The existing accesses along Broad March Road would also be closed off
- 8.25 The Highways officer has not objected to the proposal and has taken into consideration the lawful use of the site compared to the proposal.
- 8.26 The swept path analysis confirms that the highways arrangement provides appropriate service/refuse vehicle access/turning.
- 8.27 Parking is proposed on-plot for the majority of the houses or in close proximity and there is provision for 2 spaces per dwelling whilst the flats will each be provided with 1 parking space. The proposal includes visitor spaces. It is also proposed to provide EV charging points for the dwellings.
- 8.28 It is considered that the proposed parking meets the standards required for new developments. And therefore accords with Paragraph 111 of the NPPF Policies C1 and C2 of the JCS, Policy ST1 of the LPP2 and Section 9 of the NPPF, and the adopted Northamptonshire County Council SPD for Parking Standards (2016)

Flooding Risk

- 8.29 All new developments will need to demonstrate that they have regard to existing and future flood patterns and that the need for effective protection and flood risk management measures from all sources, such as sustainable drainage systems and opportunities for strategic flood storage have been considered, this is particularly important in areas that are vulnerable to flooding.
- 8.30 All new developments will need to demonstrate that they have regard to existing and future flood patterns and that the need for effective protection and flood risk management measures from all sources, such as sustainable drainage systems and opportunities for strategic flood storage have been considered, this is particularly important in areas that are vulnerable to flooding.
- 8.31 Policy BN7A requires new development to ensure that adequate wastewater treatment capacity is available to address capacity and environmental constraints and that sustainable drainage systems where practical.
- 8.32 Policy ENV11 of the LPP2 states that states that in order to manage flood risk and protect and where appropriate improve the quality of the water environment, development in Daventry District will be expected to comply with
The Northamptonshire Local Flood Risk Management Strategy; and
The Local Standards and Guidance for Surface Water Drainage in Northamptonshire.
Anglian Water's Surface Water Drainage Policy.



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- 8.33 The 'Local Flood Risk Management Strategy establishes the responsibilities of local authorities and developers with regards to flood risk and sets out the co-ordinated approach to the management of all local flood risks in Northamptonshire.
- 8.34 Due to the restricted size of the site and the viability of the development SuDs would not be possible without losing some dwellings. The applicants have provided details for flood alleviation and are still in consultation with the LLFA to address concerns of surface water disposal.

9 FINANCIAL CONSIDERATIONS

- 9.1 Paragraphs 55 and 57 of the Framework set out the need to consider whether financial contributions and planning obligations could be sought to mitigate against the impacts of a development and make otherwise unacceptable development acceptable.
- 9.2 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) makes it clear that these obligations should only be sought where they are: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. If a requested planning obligation does not comply with all of these tests, then it is not possible for the Council to require this.
- 9.3 As the proposal meets the requirements for S106 contributions it is within this context that the Council has made and received a number of requests for planning obligations as detailed below. It is considered that some of these requests meet the necessary tests and are therefore CIL compliant.
- 9.4 **Education**

It is anticipated that the proposed dwelling mix is likely to require 14 Nursery/Pre-School places, 11 Primary school places and 9 secondary and Sixth form places and a financial contribution is required to address the increase in capacity. It is considered that this request is CIL compliant.

Affordable Housing

The proposal provides 25% affordable housing as required by policy H2 and therefore is CIL compliant.

Highways

A request has been made for a Travel Plan monitoring fee for a 5 year period from first Occupation

These are both considered to be necessary for sustainability



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Library

A request has been made for Library Contributions however it is based on a tariff and does not meet the relevant tests.

Health

There were no financial contributions requested from the Health Authority.

9.5 If the committee resolves to approve the proposal, this will be subject to the completion of an agreement by way of Section 106 of the Town & Country Planning Act 1990 covering the following heads of terms as part of the proposal:-

- Education
- Affordable Housing
- Highways

9.6 This development is liable to pay the Community Infrastructure Levy (CIL).

10 PLANNING BALANCE AND CONCLUSION

10.1 The proposal is for the redevelopment of a brownfield site which is in a sustainable primarily residential area.

10.2 From an economic objective the proposed new dwellings would result in jobs being created during the construction of the site, a contribution to the viability of local retail uses, services and businesses and additional Council Tax revenue. Such matters would have a positive impact on the local economy and prosperity of the area which weighs in favour of the application and attract significant weight in the planning balance. As such, the proposed development would satisfy the economic role of sustainable development.

10.3 From a social objective the delivery of a mix of market and affordable homes that will contribute to and help create a balanced and sustainable community in the area and assist with the delivery of much needed affordable housing.

10.4 From an environmental objective the proposal makes effective reuse of previously developed land. Details in the application supports sustainable travel including cycle parking provision. These benefits hold significant weight in the planning balance.

10.5 On balance, therefore the significant benefits of the proposal would secure a sustainable form of development in accordance with the policies set out in the JCS, LPP2 and the NPPF that would outweigh the loss of the employment site.

11 RECOMMENDATION / CONDITIONS AND REASONS:

11.1 It is recommended that the application is approved subject to the following conditions and the signing of a S106 agreement relating to the Head of Terms outlined with delegated authority to the Head of Planning Delivery for Planning and Environment to approve any amendments as deemed necessary. ;-

Time Limit



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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

Approved Plans

2. The development hereby permitted shall be carried out in accordance with drawings and documents registered valid on 16/06/2023 and the amended plans deposited with the Local Planning Authority on 23/10/2023

- Site Location J122-0100-P02
- Existing Site Layout J122-0101-P01
- Demolition Plan J122-0102-P01
- Proposed Site Layout J122-0103-P05
- 1B2P Maisonette J122-0200-P01
- 2B3P Bungalow Detached J122-0201-P01
- 2B3P Bungalow Semi-detached J122-0202-P01
- 2B4P House Semi-detached J122-0203-P03
- 2B4P House Terrace J122-0204-P01
- 3B5P House Semi-detached J122-0205-P01
- 3B5P House Semi-detached J122-0206-P01
- 3B5P House Semi-detached J122-0207-P03
- 3B5P House Terrace J122-0208-P01
- 3B5P/4B6P House Terrace J122-0209-P01
- 4B6P House Semi Detached J122-0210-P01
- Tree Survey 22-2257
- Ecology Report 22-2154
- Noise Assessment
- Air Quality Assessment ZCCTPLRD_AQA
- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Drainage Strategy
- Phase I Geoenvironmental Report 23.03.010
- Marketing Assessment APD/HG
- Design and Access Statement

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any changes to the approved plans.

3. Prior to construction works above slab level samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be provided on site for inspection by the LPA. Only the materials as approved in



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writing by the Local Planning Authority shall be used on the approved development.

Reason: From the approved application details, it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.)”

4. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

5. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.



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Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

7. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy 11 of the NPPF.

9. No development shall commence until a noise assessment has been undertaken and a scheme for protecting the proposed dwellings from external noise sources affecting the site has been submitted to and approved in writing by the Local Planning Authority. Any assessment method and acoustic criteria used for the assessment shall be prior agreed in writing with the local planning authority and any proposed mitigation scheme shall meet the aims of Policy 185, 187 and 188 of the National Planning Policy Framework and Planning Practice Guidance on noise. 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



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comply with advice in the National Planning Policy Framework, Planning Practice Guidance on Noise, and Policies BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.

10. No demolition products (concrete, bricks, soil, etc) shall be processed (crushed or sorted) on-site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy 2014.

11. Prior to the commencement of development a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.

Reason: Details are required prior to the commencement of development in the interests of safeguarding highway safety and residential amenity in accordance with Policies C2 and BN9 of the West Northamptonshire Joint Core Strategy 2014.

12. Prior to first occupation of the site, the existing vehicular access off Broad March shall be closed to traffic and footway, kerbing and grass verge reinstated and the new access off London Road shall be complete and open to traffic.

Reason In the interests of highway safety.

13. The 25 metre forward visibility splays, as shown on drawing No. 4801/C08, shall at all times be retained and kept clear of all obstructions to visibility exceeding 0.9m in height from carriageway level.

Reason: In the interests of highway safety.

14. Prior to the commencement of any part of the development hereby permitted, a Construction and Traffic Management Plan must be submitted to and approved by the Local Planning Authority. The Construction and Traffic Management Plan must include and specify the provision to be made for the following:

- Directional signage (on and off site).
- A map, suitably scaled, to be printed and given to drivers detailing the routes to be used to access the site from the wider highway network.
- Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles.
- The location and type of wheel washing facilities along with arrangements for the use of a road sweeper, if required.
- Arrangements for the delivery and offloading of materials and contractor parking.



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

Reason: In the interests of highway safety

15. Prior to any works commencing on the site a full set of engineering drawings of the internal site layout and site access junction, in accordance with the agreed site layout plan reference Drawing No. J122-BRP-00-00-DR-A-0103-P06, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include all carriageway, footway, gradient and surfacing proposals. The development shall thereafter be completed in full accordance the approved drawings.

Reason: In the interests of highway safety.

16. Should the street not be adopted details of a site management company and associated management and maintenance methodology of the streets within the development, to operate for the life of the development, will be submitted to the planning authority and agreed in writing prior to the commencement of development; The streets shall be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
 - That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway

Reason: In the Interest of Highway safety

17. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no development shall be carried out which falls within Classes A to E inclusive of Part 1 of Schedule 2 to the Order without the prior express consent of the Local Planning Authority.

Reason: In the interest of visual amenities of the area.

18. No development 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 strategy.

Reason: To ensure of a sustainable approach to surface water disposal.

19. The dwellings hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended).

Reason: In the interests of sustainability and water efficiency.



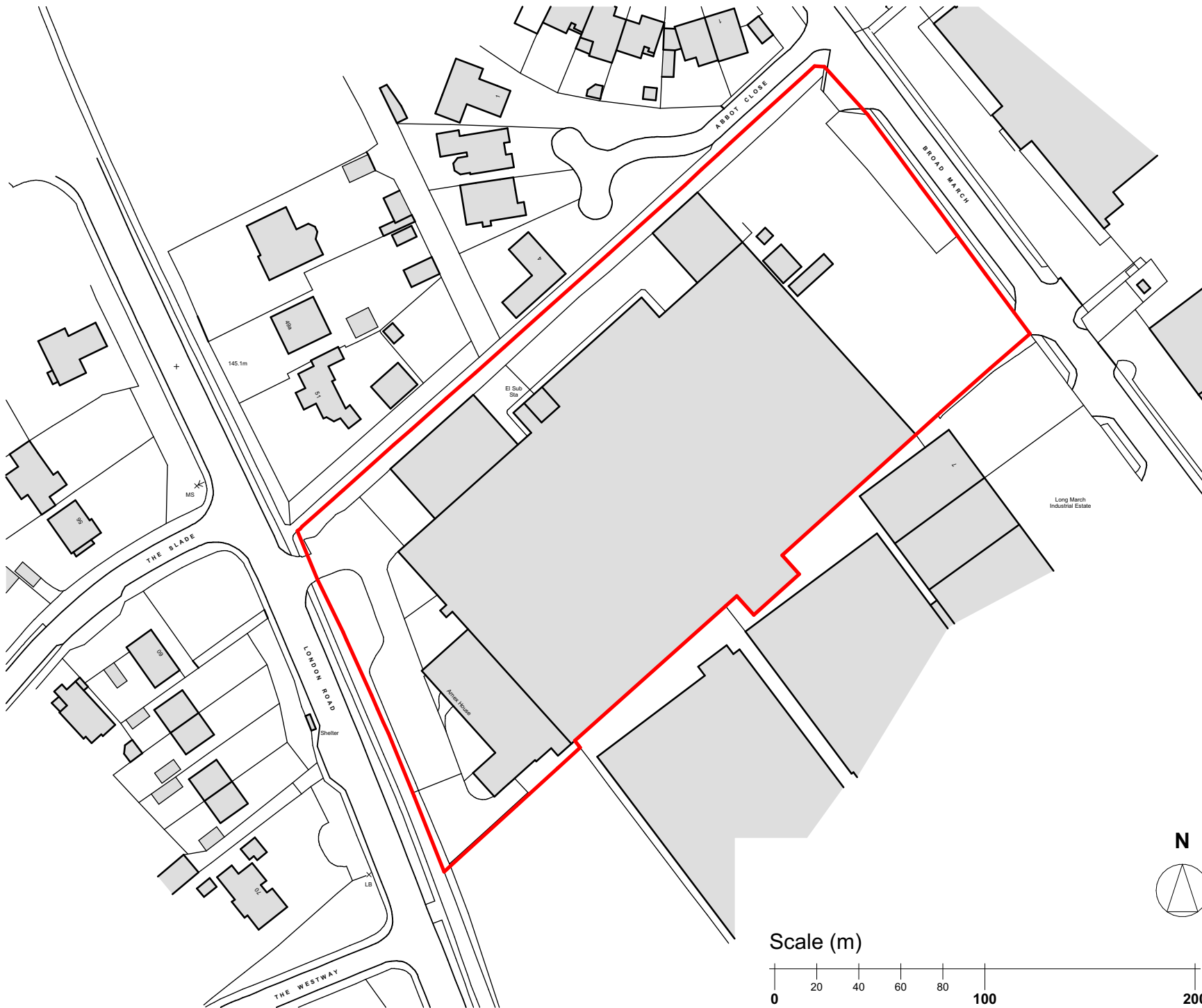
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20. Prior to Occupation a comprehensive hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place.

Reason: In the interest of visual amenity.

21. Prior to occupation provision shall be made for electric vehicle charging points to serve each dwelling with a private driveway and 1 charging point for every 10 unallocated spaces in accordance with details to be agreed.

Reason: To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and to maximise opportunities for sustainable transport modes in accordance with paragraph 112(e) of the National Planning Policy Framework.



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 J122-8 26 Model.pln

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P02	20/04/2023	CMW	Drawing status updated to 'Planning'.

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Project Title
**Proposed Residential Development
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Drawing Title
Site Location Plan

Drawing Status
Planning

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