

Planning Committee Report

Committee Date: 8th February 2022

Application Number: N/2020/1097

Location: Development Land , Blackthorn Road, Northampton

Development: Construction of 7no new dwellings and 6no flats with associated access/parking

Applicant: Mr Vigo

Agent: Archi-tec Architectural Design

Case Officer: Hannah Weston

Ward: Billing and Rectory Farm Unitary Ward

Referred By: Assistant Directory of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

Permission is sought for the construction of 13 residential units comprising 7 houses and 6 flats. This includes new vehicular access points.

During the course of the application the proposal has been amended to improve the relationship with neighbouring properties and to overcome concerns raised by consultees.

Consultations

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

- Environmental Health
- Arboricultural Officer
- Environment Agency
- Anglian Water
- Ecology
- Police
- Archaeology
- West Northamptonshire Unitary Council Key Services
- Construction Futures

The following consultees have raised **comments** on the scheme:

- Highways

Further comments have not been received from the following consultees on the amended scheme, who objected or raised concerns with the scheme as originally submitted:

- Lead Local Flood Authority

13 letters of objection and 2 letters raising observations have been received.

The key issues arising from the application details are:

- Principle of Development
- Design
- Living conditions for future occupants
- Neighbouring amenity
- Highway Safety
- Flood risk
- Ecology
- Trees
- Refuse

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 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 is located on the southern side of Blackthorn Road, north of the former Blackthorn Middle School, which is being redeveloped into a new housing estate. Access to this housing estate runs to the west of the application site. A service road runs to the south of the application site between the new housing estate and the site. This serves commercial properties positioned to the east of the site. To the north east is the Northampton Church of Christ with further established housing directly opposite the site on the opposing side of Blackthorn Road.

2. CONSTRAINTS

- 2.1. None.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Permission is sought for the construction of 13 residential units comprising 7 houses and 6 flats. This includes new vehicular access points.

- 3.2. During the course of the application the proposal has been amended to improve the relationship with neighbouring properties and to overcome concerns raised by consultees.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2015/1123	Construction of 14no flats and associated works) outline application including details of access, layout and scale).	Approved 24/06/2016
N/2007/0046	Residential development and access – outline application.	Approved 01/04/2008

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, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.3. The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- S1 – The distributions of development
 - S2 – Hierarchy of centres
 - S10 – Sustainable Development
 - H1 – Housing
 - H5 – Managing the Existing Housing Stock

Northampton Local Plan 1997 (Saved Policies) (NLP 1)

- 5.4. The relevant policies of the NLP 1 are:
- Policy E20 – Design for new development

Material Considerations

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

- **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In

delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

- Paragraphs 73 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.
- Paragraph 130 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.
- Nationally Described Space Standards (DCLG 2015)
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Planning out Crime in Northamptonshire SPG 2004
- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- 1 – Presumption for sustainable development – Significant weight.
- 3 – Design – Moderate weight
- 4 – Amenity and layout – Moderate weight

6. RESPONSE TO CONSULTATION

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

Consultee Name	Comment
Highways	Note wall is shown within visibility splay and request condition requiring a CEMP.
Environmental Health	No objection subject to conditions on contamination and EV charging, and an informative on construction times.
Arboricultural Officer	Tree report acceptable. Request condition requiring an arboricultural method statement and tree protection plan.
Lead Local Flood Authority (LLFA)	Advised on 16/11/20 that insufficient details provided. No further comments received from the LLFA on the additional information provided.
Environment Agency	No comment.
Anglian Water	Request informative on used water network and condition on drainage.
Ecology	Site is unlikely to deliver a net biodiversity gain (NPPF 174) but if despite this minded to approve, request condition requiring a biodiversity plan and a condition on hedgehog holes and bat and

	bird boxes
Police	No objection - request conditions on crime safety (boundaries, doors, access to flat car park, secure cycle and bin stores). Concerned with low wall adjacent vehicle gates and request railings above.
West Northamptonshire Unitary Council Key Services	Request contribution towards education and libraries and condition on fire hydrants
Construction Future	Request contribution towards apprentice training
Archaeology	Request condition on archaeological work

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. 13 objection letters from 10 neighbouring properties, and 2 letters raising observations, have been received raising the following comments:

- No flats in this area. Flats in new development are at bottom of hill.
- Overlooking of neighbouring properties.
- Overshadowing and loss of light to neighbouring properties.
- Overbearing to neighbouring properties.
- Noise from increase in number of people.
- Additional traffic on entrance road.
- Potential for visitors parking on access road and blocking access to estate.
- Footpaths too narrow.
- Loss of trees from site.
- Impact on endangered species.
- No SUDs.
- Impact on waste – existing fly tipping in area.
- Impact of construction work.
- Reduction in house prices of neighbouring properties.
- People buying homes in new development adjacent were not made aware that this land may be built on when buying properties.
- Lack of clear advertisement of application. Original letters only received on 26th January and dated 4th November.
- Better locations elsewhere for this development.

8. APPRAISAL

Principle of Development

- 8.1 The application is for the development of 7 dwellings and a block of flats containing 6 apartments, 13 residential units in total.
- 8.2 The application site is in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.

- 8.3 Furthermore, it is the case that planning permission has previously been granted twice on this site for residential development. Whilst these consents have since expired and are outline only, these do provide some weight in the assessment of this application.

Design

- 8.4 The application site as existing comprises a vacant parcel of land which has been left to become overgrown. Whilst planning permission has been granted historically for residential development on this site, no development has taken place on the land.
- 8.5 To the north of the site a new access point would be provided off Blackthorn Road. This would serve five properties and would provide parking for each property alongside visitor parking spaces. Two pairs of semi-detached dwellings are proposed alongside a detached dwelling. Plots 1 and 3 are adjacent to Blackthorn Road and have the front elevation facing this street to create an active frontage to the street scene. An active frontage is also provided to the elevations of these properties fronting the car parking area, to ensure an attractive appearance from within the development.
- 8.6 To the south of the site two detached properties are proposed. These would have driveways off the service road. The front elevation of these properties would be to the south facing this street scene and providing an active frontage to this street.
- 8.7 The residential dwellings are all designed to be two storey properties with a third floor within the loft space. The properties are of a traditional design, with pitched roof dormers, porches and gable end roofs. It is considered that the design of the proposed dwellings are of a good standard and would form an attractive development on this site.
- 8.8 To the western side of the site a block of flats is proposed containing 6 flats in total. The proposed apartment block would be three stories in height, reducing to two stories on the eastern side. The building would have two gable end features to the front and a central flat roofed projection marking the entrance to the block. The proposed building is angled to compliment the positioning on a corner location. To the south of the apartment block a car park is proposed. This car park would be accessed via the service road to the south.
- 8.9 It is considered that the proposed apartment block would be of an acceptable design, complimenting the proposed dwellings. There are existing three storey buildings across the road on Blackthorn Road, and as such the height is not considered out of character with the area.
- 8.10 It is considered that the proposal is of a good design quality which will complement the surrounding area and will not appear out of character with the street scene. Furthermore, the design of the proposed dwellings is not dissimilar to those on the new housing estate to the rear on Blackthorn Middle School, where two storey properties with a further floor within the loft are found. As such it is considered that the proposal would be acceptable in design terms.

Living conditions for future occupiers

- 8.11 The application proposes 7x 3 bedroom dwellings, 5x 2 bedroom flats, and 1x 1 bedroom flat. The floor size of all of these units meet the nationally described space standards (DCLG 2015), providing a good standard of accommodation for future occupiers. The proposed flats and dwellings are provided with a good level of outlook and light provision.

- 8.12 Each of the 7 dwellings are provided with a good sized rear garden forming private amenity space. The proposed flats are not provided with any private amenity space, however the site is located within walking distance of a number of open spaces and play equipment and as such the non-provision of private amenity space is considered acceptable in this circumstance.

Neighbouring amenity

- 8.13 Concern has been raised in a number of neighbour letters as to the impact of the development on existing neighbouring properties, and in particular to those new dwellings recently built on the new housing estate on the former Blackthorn Middle School site.
- 8.14 During the course of the application the proposal has been amended to ensure an adequate separation with those properties to the south on the new housing estate. At the closest point a separation of 21 metres is retained, which is the separation that would be expected between the front of a proposed dwelling and the rear of an existing dwelling. Furthermore, the proposed properties are not set at the same angle as the existing dwellings, which further obscures any overlooking between the existing and proposed properties.
- 8.15 With a separation of over 21 metres, and with the off-setting of the properties at a different angle to the existing dwellings, it is not considered that the proposal would result in an unacceptable impact upon the new dwellings on the former Blackthorn Middle School site with regards to overlooking or with regards to the properties appearing overbearing to the occupiers of these properties. The separation distance, and the positioning to the north of the new estate to the south, further ensures that these proposed dwellings would not result in overshadowing or loss of light to these neighbouring properties to the south.
- 8.16 A sufficient separation distance is retained between plots 1, 3 and the proposed flats and the existing neighbouring properties to the north of the site across Blackthorn Road to ensure that there would not be an unacceptable impact upon the neighbouring amenity of these properties.
- 8.17 There is sufficient distance with any residential neighbouring properties to the east and west to ensure no unacceptable impact upon these properties.
- 8.18 Concern was raised in neighbour letters as to the noise impact of more residential occupiers in the area. The proposal is for residential units and as such the noise resultant from these properties would be domestic in nature which is in character with the surrounding residential area. The Council's Environmental Health team have been consulted on the proposal and have raised no objection to the scheme. As such it is not considered that there would be an unacceptable noise impact on existing neighbouring properties as a result of the residential use of this site.

Highways

- 8.19 Two parking spaces would be required for each residential dwelling. The proposal provides two parking spaces for the dwellings plus two visitor spaces. 11 parking spaces would be required for the proposed residential flats. The application provides 12 parking spaces for the flats. As such, sufficient parking is provided on the site for the proposed use.

- 8.20 EV charging units at a ratio of one per unit for dwellings with dedicated parking or 1 charging point per 10 spaces for unallocated parking would be required through a planning condition.
- 8.21 With regards to cycle storage, a condition requiring details of cycle storage for each residential property is proposed. The proposed flats are provided with a cycle storage within the car park for 9 bicycles. A condition requiring further details of this (elevations) and its provision is considered reasonable. There is ample room within the ground floor flats for bike storage and this is shown within the cupboards provided in the entrance hallway.
- 8.22 The Council's Highways department have been consulted on the application. On the original submission Highways raised concerns with visibility splays, gradient, drainage of water onto the highway, the size of parking spaces, the size of footpaths, and that a private access point must not have a bell mouth.
- 8.23 Following these comments the proposed scheme was amended. Visibility splays have been provided on site, drainage channels are proposed at vehicle access points, the parking spaces meet the size requirements, the new footpath meets the size requirements, and no bell mouth is proposed.
- 8.24 Highways have not raised concern with the amended scheme other than noting that a wall is shown within one visibility splay. A condition is proposed requiring further details of the position and height of all boundary treatments.
- 8.25 Highways also request a condition requiring the submission of a CEMP. This condition is proposed.
- 8.26 A condition requiring the provision of visibility splays and their retention is further proposed.
- 8.27 Concern was raised in neighbour letters as to the increased traffic on the entrance road to the new estate as a result of this proposal, and on the potential for visitors to these proposed dwellings to park on the road and block access. It is the case that the Council's Highways department have not raised any concern with potential increased use of the access which also serves the new estate. The proposal provides sufficient parking for each unit alongside visitor parking.

Flood Risk

- 8.28 The site does not lie within flood zone 2 or 3, however as the scheme is over 10 units flood risk is considered.
- 8.29 The Environment Agency have raised no comment on the scheme. Anglian water request a condition on drainage and informative on the used water network. These are considered reasonable to attach.
- 8.30 The Lead Local Flood Authority advised on the 16th November 2020 that there were insufficient details to assess the scheme. Additional information was subsequently provided by the applicant however no further comments have been received from the LLFA. Conditions to approve a detailed surface water drainage strategy and subsequent maintenance are proposed to cover this matter in the absence of comments from the LLFA and ensure an appropriate level of mitigation.

- 8.31 A neighbour letter raised concern that this development does not include a sustainable drainage scheme. Conditions are proposed to ensure adequate drainage from this site.

Ecology

- 8.32 Concern was raised in neighbour letters as to the impact of the development on protected species.
- 8.33 Ecology reports have been submitted with the application and the Council's Ecology Officer has advised that the submitted ecology reports are acceptable. Whilst the development would not result in a biodiversity net gain conditions are requested requiring a biodiversity plan, hedgehog holes, and bat and bird boxes to assist in mitigating any loss. These are considered reasonable to attach.

Trees

- 8.34 Concern was raised in neighbour letters as to the impact of the development on trees.
- 8.35 The Council's Tree Officer has raised no objection to the proposed development and advises that the submitted tree reports are acceptable. A condition requiring the compliance with the submitted arboricultural method statement and tree protection plan is requested. This is considered reasonable to attach.

Refuse Storage

- 8.36 A neighbour letter raised concern with the potential for fly tipping as a result of this development.
- 8.37 The submitted plans show the provision of bin storage for the flats within the car park. A condition requiring further details of this (elevations) and the provision of this is considered reasonable.
- 8.38 A condition requiring details of bin storage for each residential dwelling is considered reasonable to attach.

Other matters

- 8.39 Environmental Health request conditions on contamination to ensure appropriate mitigation. These are considered reasonable to attach.
- 8.40 The Police raise no objection to the scheme. Conditions are requested on crime safety measures for the site and on boundary treatments which are considered reasonable to attach.
- 8.41 The Council's Archaeology Officer has no objection to the scheme subject to a condition on archaeological work. This is considered reasonable to attach.
- 8.42 West Northamptonshire Unitary Council Key Services and Construction Futures request financial contributions towards education and construction training. It is the case that the scheme is for 13 units, which falls below the 15 unit threshold to require such contributions in the Northampton area. Due to the number of units falling below 15, the scheme would not be liable for financial contributions which would normally be secured under a Section 106 legal agreement.

- 8.43 Concern has been raised within neighbour letters as to the impact of construction work on existing neighbouring properties. Due to the size of the site it is considered reasonable to attach a condition requiring a Construction Environment Management Plan, which will include details of dust control and working hours.
- 8.44 Concern has been raised within neighbour letters as to the potential reduction in house prices of existing properties due to this development. This is not a material planning consideration.
- 8.45 Concern has been raised within neighbour letters as to the advertisement of this application. On the scheme as submitted a site notice was displayed on the 4th November, 91 neighbour letters were posted on the 4th November, and a press advertisement was displayed on the 12th November. The Council were notified by neighbouring properties that the 91 letters sent on the 4th November 2020 were not received until the end of January 2021. This was clarified with the Royal Mail who apologised for this delay. Neighbouring properties contacting the Council to complain about this were advised that we were aware of this issue and a re-consult would occur once amended plans had been received on this scheme.
- 8.46 On the 28th July 2021, 92 letters were sent to neighbouring properties. On the 30th July 2021 new site notices were displayed. Six site notices were displayed, with these being on the northern, western and southern sides of the site, at the entrance to the new estate, and at the bus stops on Blackthorn Road immediately adjacent the site. A press advertisement was displayed on the 5th August 2021. With the large level of consultation undertaken on this site, it is considered that there has been more than sufficient consultation of neighbouring properties in accordance with statutory requirements.
- 8.47 Concern was raised in a neighbour letter that people buying new homes on the new housing estate to the south of the site were not aware that this site may be developed. The application site has planning history with approvals for residential development in both 2008 and 2016 the details of which are publicly available on the Council's website. The current application has been live since 3rd November 2020. The details of planning applications on adjacent land being revealed on land charge searches requested by solicitors on behalf of prospective purchases is dependent on the level of information requested by solicitors. Whether this occurred or not is not, however, a planning consideration, and is a private matter for purchasers to raise with their solicitors. The Council has undertaken extensive consultations above the requirements of the Town and Country Planning Act.
- 8.48 A neighbour letter raised that there are better locations for this development. This is not a material planning consideration and the assessment is whether the proposed development is acceptable on this site.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The principle of residential development on the site is considered acceptable in a residential area. On balance, it is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies S10 and H1 of

the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposed development is recommended for approval subject to the conditions set out below with delegated authority to the Assistant Director of Place and Economy to approve any amendments to those conditions as deemed necessary:

Time

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan 1:1250, V10-20d, V10-21a, V10-22a, V10-23A, V10-24, V10-25b, V10-26B, V10-27b, V10-28.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

CEMP

3. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
 - i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
 - ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms and wheel washing and road sweeping.
 - iii) Details of the siting of all vehicles of site operatives and visitors and the construction access to the site (including tracking).
 - iv) The unloading and loading arrangements for heavy plant and machinery.
 - v) The location, extent and duration of any temporary stockpiling areas.
 - vi) Hours in which development and deliveries to the site will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This is a pre-commencement condition to enable timely submission of information.

Ecology

4. Prior to the commencement of development (including demolition, ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition to enable timely submission of information.

Archaeology

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
 - (i) fieldwork in accordance with the agreed written scheme of investigation;
 - (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
 - (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 205 and Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

Trees

6. Prior to the commencement of the development hereby approved (including all preparatory work), the arboricultural method statement (AMS) and a tree protection plan (TPP), together referred to as the scheme of protection, for the protection of the trees to be retained as proposed by MacIntyre Trees in their Arboricultural Impact Assessment and Method Statement and appendices reference 2091_Fv2 dated November 2021 shall be adopted. The development thereafter shall be implemented in strict accordance with the approved scheme of protection, which shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

Reason: In the interests of amenity and protecting retained trees in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

Levels

7. Prior to the commencement of development, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure a satisfactory standard of development.

Contamination

8. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination of the site. The contents of the scheme shall be subject to the approval in writing of the Local Planning Authority prior to the commencement of development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced which must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The report of the findings must include:
 - (i) identification of all previous uses and contaminants associated with those uses;
 - (ii) a survey of the extent, scale and nature of contamination;
 - (iii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings
 - adjoining land,
 - groundwaters and surface waters, (including a conceptual model of the site indicated sources, pathways and receptors);
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iv) an appraisal of remedial options, and proposal of the preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment shall be prepared and submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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 shall be subject to approval in writing by the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 8 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 9 above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to approval in writing by the Local Planning Authority in accordance with Condition 10.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

Surface water and drainage

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

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy.

13. Before any above ground works commence a detailed design of the surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations. In

all calculations, proposed values of impermeable area should include a 10% allowance for Urban Creep, as taken from CIRIA C753 (version 6) paragraph 24.7.2

b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.

c) BRE 365 infiltration test results

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

14. Before any above ground works commence a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system in accordance with the requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

15. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted for approval in writing by the Local Planning Authority. The details shall include:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) Confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in accordance with the requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

Materials

16. Prior to the construction of the new dwellings and flats hereby approved above ground floor slab level, details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

Boundaries

17. Notwithstanding the submitted details, prior to the construction of the new dwellings and flats hereby approved above ground floor slab level, full details of the method of

the treatment of the external boundaries of the site together with any other means of enclosure to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the new residential units hereby permitted.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

Lighting

18. Prior to the construction of the development hereby permitted above ground floor slab level, full details of all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of appearance of the locality, residential amenity, and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

Landscaping

19. Prior to first occupation of the development hereby approved a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority.

All planting, seeding or turfing agreed within the approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner of plants, shrubs and trees that may die are removed or become seriously damaged or diseased with others of similar size and species.

The approved hard landscaping scheme shall be carried out prior to first occupation and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

Ecology

20. Prior to first occupation of the development hereby permitted, full details of hedgehog holes to be provided within the garden and boundary walls and fences of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided on site in full prior to first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

21. Prior to first occupation of the development hereby permitted, full details of bat and bird bricks/nest boxes to be provided on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided on

site in full prior to first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

Crime security

22. Prior to first occupation of the development hereby approved, a crime security measures strategy for crime prevention for the residential units (flats and dwellings) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for crime security shall be implemented in full accordance with the approved details prior to first occupation of the residential units hereby approved and retained thereafter.

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

Visibility

23. Vehicle to pedestrian visibility splays of 2m x 2m shall be maintained free of obstruction (including vegetation) above 0.6 m in height at either side of the vehicular access points on the site as shown on the approved plans.

Reason: In the interest of highway safety and in accordance with the National Planning Policy Framework.

Parking

24. The parking spaces shown on approved plan V10-20d shall be constructed prior to the first occupation of the residential units hereby approved and retained thereafter solely for the parking of vehicles associated with the development hereby approved.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the requirements of the National Planning Policy Framework.

Refuse

25. Notwithstanding the submitted details, full details of refuse and recycling storage to serve the residential dwellings and the residential flats shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential units hereby permitted. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Cycle storage

26. Notwithstanding the submitted details, full details of the cycle storage to serve the residential dwellings and the residential flats shall be submitted to and approved in

writing by the Local Planning Authority prior to first occupation of the development hereby approved. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the residential development and shall be retained thereafter.

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

EV

27. Prior to first occupation, full details of a scheme for the provision of electric vehicle charging points (1 per residential unit for dwellings with dedicated parking or 1 per 10 spaces for unallocated parking) for the residential units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to first occupation and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document (2019).

Privacy

28. Prior to first occupation of plot 7 the first floor rear (north) windows serving the landing and bathroom as shown in plan V10-25b shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent, and fixed shut below 1.7 metres above floor level, and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining property in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

HiMO

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent order revoking and re-enacting the provisions of the order, the dwellings hereby permitted shall be used only for purposes within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and shall not be used as a House in Multiple Occupation.

Reason: In the interests of amenity and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.

INFORMATIVES

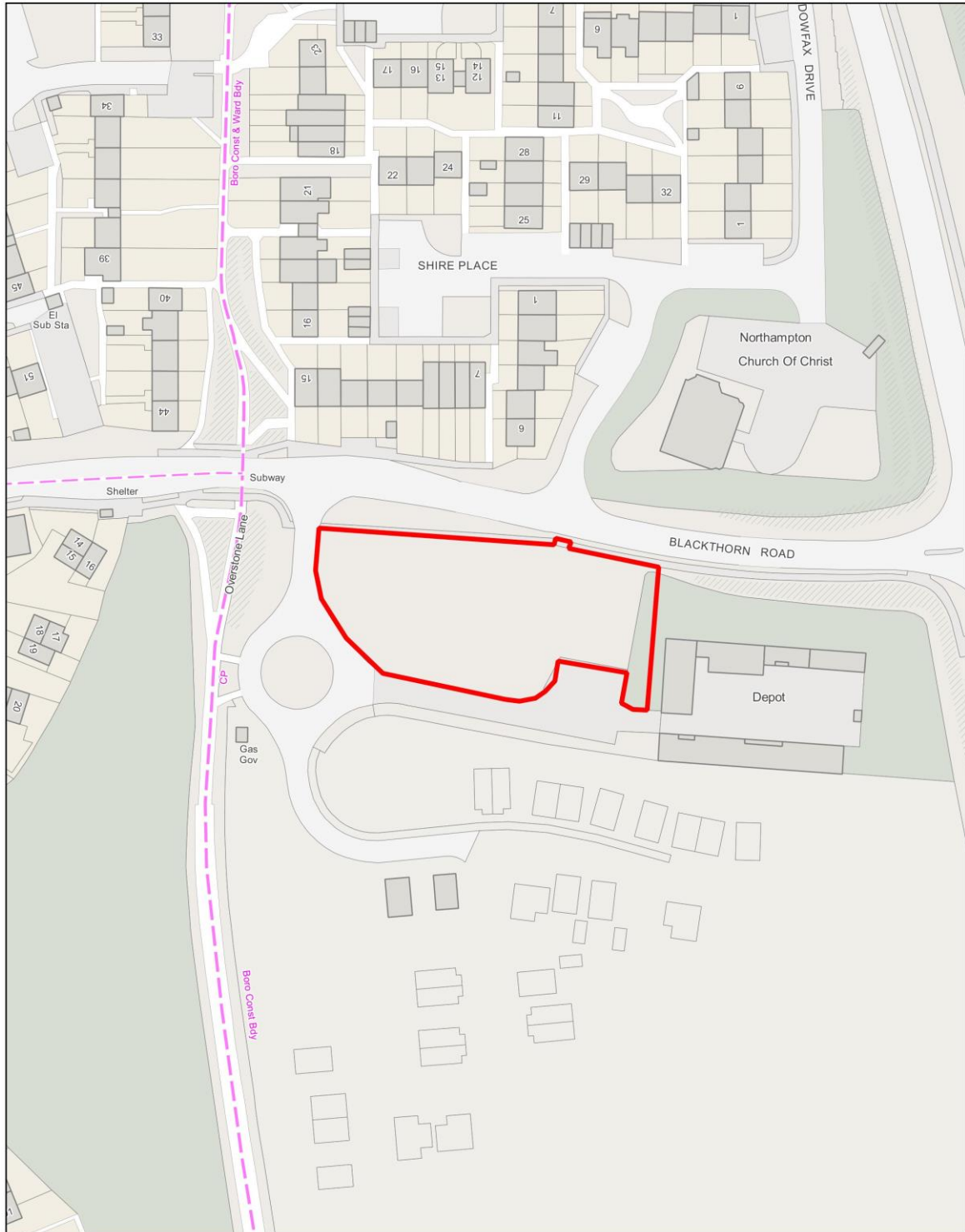
1. West Northamptonshire Council has adopted the Community Infrastructure Levy (CIL), which applies to certain residential and commercial developments. The development hereby permitted is liable for CIL. At the earliest opportunity following the receipt of this decision notice the land owner or developer must complete and submit an 'Assumption of Liability' Form. Upon receipt, the Council will issue a Liability Notice to this party. Prior to the commencement of development, this party must submit to the Council a 'Commencement Notice' Form. Once received, the

Council will arrange collection of the outstanding CIL. Please note that CIL liability is held as a charge on land.

CIL forms can be downloaded from the Planning Portal at:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy

2. You will need to obtain formal street naming and numbering for the new unit(s) through West Northamptonshire Council Building Control. For further information please call 01604 838920 or email buildingcontrol.nbc@westnorthants.gov.uk
 3. Anglian Water advise:
 - (1) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
 - (2) Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
 - (3) Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
 - (4) The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
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**West
Northamptonshire
Council**

Title: Development Land. Blackthorn Road

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Date: 27-01-2022

Scale: 1:1,200 @A4

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