

**Application Number:** N/2021/0444

**Location:** L & H Polymers Ltd, 25 - 35 Crow Lane, Northampton

**Development:** Erection of industrial/distribution units (Use Class B2/B8) including ancillary offices and associated access, car parking and landscaping

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**Applicant:** HE2 UK Enterprises 14 GP Ltd and Litchgate Ltd

**Agent:** Delta Planning

**Case Officer:** Adam Walker

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**Ward:** Riverside Ward

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**Reason for Referral:** Major Application

**Committee Date:** 14<sup>th</sup> February 2022

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS/AND SUBJECT TO A S106 LEGAL AGREEMENT**

#### **Proposal**

Full application for the erection of two industrial/distribution units (Use Class B2/B8), including ancillary offices and associated access, car parking and landscaping.

#### **Consultations**

The following consultees have raised **no objection** or **raise comments** on the application:

- Arboricultural Officer; Archaeological Advisor; Anglian Water; Ecology Advisor; Environment Agency; Environmental Protection; Highways England; Local Highway Authority; Lead Local Flood Authority; Minerals Planning Authority; Northamptonshire Police; Strategic Planning; Construction Futures; Northants Fire & Rescue Service

Councillor Danielle Stone has raised concerns with the proposal and one neighbour objection has 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:

- The principle of development on the site
- Employment considerations
- Urban design
- Highway impacts

- Residential amenity
- Flood risk and drainage
- Ecology and trees
- Air quality

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 vacant piece of derelict land on the eastern side of Crow Lane situated to the east of Northampton. The site extends to almost 3.3 hectares and is broadly flat, with just a very gradual fall from north to south. There are several spoil heaps in the southern part of the site. Tree belts exist to the northern and eastern boundaries and there are shrubs, trees and other vegetation to the southern and western boundaries, where the site abuts an access road for a nearby quarry and Crow Lane respectively.
- 1.2 The site was formerly occupied by Havan Plastics/L&H Polymers who produced polymer and rubber-based products. The premises closed in the early 2000s and the buildings remained vacant for a number of years until they were demolished in 2012. Some land remediation works were subsequently carried out on the site.
- 1.3 The site lies in a mixed use area which is predominantly commercial in nature. Immediately to the east of the site is the Great Billing Water Treatment Works. Crow Lane Industrial Estate lies to the west. Billing Garden Village is located to the south and towards the south west are a range of retail and leisure uses including Billing Aquadrome, a hotel, restaurant/public house, petrol filling station, convenience store and hot food takeaway. Approximately 65 metres to the north of the site is a row of terraced houses.

### **2. CONSTRAINTS**

- 2.1 The significant majority of the site falls within Flood Zone 2. The site is also adjacent to a Potential Wildlife Site.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1 The application seeks full planning permission for the erection of two industrial/distribution units (Use Class B2/B8), including ancillary offices and associated access, car parking and landscaping.
- 3.2 A flexible end use is sought for the units with respect to either a general industrial (B2) or a storage and distribution (B8) use.

- 3.3 Unit 1 is the larger of the two units and would provide 7,679m<sup>2</sup> of floorspace. It would measure approximately 102m x 71m with a height of approximately 15.1m above ground floor level.
- 3.4 Unit 2 would provide 6,054m<sup>2</sup> of floorspace. It would measure approximately 103m x 56m with a height of approximately 14.9m above ground floor level.
- 3.5 Both units include a ground floor reception plus a mezzanine floor providing ancillary office space and staff facilities.
- 3.6 The proposed facing materials are a combination of silver and dark blue profiled cladding to the walls and grey cladding to the roofs.
- 3.7 Separate points of access are proposed for the units, which are both taken off Crow Lane. Each unit would have its own service yard and a total of 153 parking spaces are to be provided.
- 3.8 The proposal includes parcels of landscaping to the northern and southern ends of the site, with the area to the north shown as providing a balancing pond for site drainage. Soft landscaping is also proposed along the boundary with Crow Lane.
- 3.9 The layout of the site was amended during the course of the application to address comments from the Local Highway Authority.

#### 4. RELEVANT PLANNING HISTORY

- 4.1 The following planning history relates to the application site and is of relevance to the proposal:

Application Reference	Proposal	Decision
N/2002/960	Construction of B1, B2 and B8 Development - Outline Application	Approved
WN/2006/0067	Variation of Condition 2 of Planning Permission N/2002/960 (B1, B2 and B8 Development) to allow the submission of Reserved Matters to be made before 26 March 2007	Approved
N/2007/0611	Submission of reserved matters (siting, design, external appearance, means of access and landscaping) pursuant to outline Planning Permission N/2002/0960 (B1, B2 and B8 development) to allow the submission of reserved matters to be made before 26th March 2007	Approved
WN/2007/0059 WNDC application	Class B1, B2 and B8 Development Including Provision of Car and Lorry Parking and Associated External Works at	Approved

	Crow Lane Great Billing Northampton	
N/2012/0806	Variation of conditions 7 & 8 (contamination scheme) of Outline Planning Permission N/2002/0960 for B1, B2 & B8 development	Approved
N/2012/0674	Prior notification for the demolition of existing buildings	Approved
N/2012/0677	Variation of condition 12 (Site Waste Management Plan) of Reserved Matters Application 07/0059REMWNN pursuant to Outline Permission N/2002/0960 for B1, B2 & B8 development	Approved
N/2012/0678	Variation of condition 10 (Odours) of Outline Planning Permission N/2002/0960 for B1, B2 & B8 development	Approved
N/2020/0507	Variation of Conditions 1 and 15 of Planning Permission 07/0059/REMWNN (Class B1, B2 and B8 development, including provision of car and lorry parking and associated external works) to revise the position/location of the drainage outlet	Approved

4.2 An enquiry for pre-application planning advice was submitted in 2019 (reference PA/2019/0140). The enquiry was for the construction of two units for Use Class B2/B8 use. The pre-application advice accepted that the previous consent for employment uses on the site had been implemented and therefore remains extant. Advice was provided on the principle of the proposed development and the key planning issues to address, including highway matters, design/visual impact and flood risk. It concluded that the principle of commercial development on the site was acceptable.

4.3 The following application relates to land on the opposite side of Crow Lane.

Application Reference	Proposal	Decision
N/2019/0212	Construction of steel assembly facility including new highways junction	Approved 08/07/2021

## 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:

- Policy SA – Presumption in Favour of Sustainable Development
- Policy S1 – The Distribution of Development
- Policy S7 – Provision of jobs
- Policy S8 – Distribution of jobs
- Policy S10 – Sustainable Development Principles
- Policy S11 – Low Carbon and Renewable Energy
- Policy C2 – New Developments
- Policy E1 – Existing employment areas
- Policy BN2 – Biodiversity
- Policy BN7A – Water Supply, Quality and Wastewater Infrastructure
- Policy BN7 – Flood Risk
- Policy BN9 – Planning for Pollution Control
- Policy INF1 – Approach to Infrastructure Delivery
- Policy INF2 – Contributions to Infrastructure Requirements
- Policy N1 – The Regeneration of Northampton

#### **5.4 Northampton Local Plan (1997) – Saved Policies**

The relevant Saved Policies of the Northampton Local Plan are:

- Policy E20 – New Developments (Design)
- Policy B2 – Development at Existing Business Areas
- Policy B3 – Development at Existing Business Areas (boundaries)
- Policy T12 – Servicing by commercial vehicles

#### **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 7-12 – Presumption in favour of sustainable development
- Section 6 – Building a strong, competitive economy
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places

- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- 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 with 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:

- Policy 1 – Presumption for sustainable development (Significant weight)
  - Policy 2 – Placemaking (Moderate weight)
  - Policy 3 – Design (Moderate weight)
  - Policy 5 – Carbon reduction, community energy networks, sustainable design and construction, and water use (Moderate weight)
  - Policy 6 – Health and wellbeing (Significant weight)
  - Policy 7 – Flood risk and water management (Significant weight)
  - Policy 17 – Allocating existing employment sites (Significant weight)
  - Policy 29 – Supporting and enhancing Biodiversity (Moderate weight)
  - Policy 32 – Designing Sustainable Transport and Travel (Significant weight)
  - Policy 33 – Highway network and safety (Significant weight)
  - Policy 35 – Parking standards (Significant weight)
  - Policy 36 – Electronic communication networks (Significant weight)
  - Policy 37 – Infrastructure Delivery and Contributions (Significant weight)
  - Policy 38 – Development Allocations (Significant weight)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
  - Northamptonshire County Parking Standards (November 2016)
  - Planning Obligations Strategy Supplementary Planning Document (February 2013)
  - Planning out Crime in Northamptonshire SPG 2004

## 6. RESPONSE TO CONSULTATION

6.1 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
Arboricultural Officer	<b>No objection</b> subject to a condition requiring the development to be carried out in accordance with the submitted arboricultural method statement and tree protection plan.

Archaeology Advisor	<b>No objection.</b>
Anglian Water	<b>No objection</b> subject to a condition requiring detailed design of the foul drainage system.
Construction Futures	Contribution sought towards construction training.
Ecology Advisor	<b>No objection</b>
Environment Agency	<b>No objection</b> The proposed development is located in Flood Zone 2 and is classified as 'less vulnerable' development in relation to flood risk. Standing advice applies.  The site poses low risk to controlled waters. Condition recommended regarding unexpected contamination.
Environmental Protection	<b>No objection</b> subject to conditions to mitigate the impact of the development on noise and air quality, gas protection measures for the new buildings to address historic contamination, reporting and remediation of any unexpected contamination encountered during development, and a Construction Environmental Management Plan.
Highways England	<b>No objection</b>
Lead Local Flood Authority	<b>No objection</b> subject to conditions requiring detailed design for the surface water drainage system, arrangements for the future maintenance and management of the surface water drainage infrastructure and a verification report for the installation of the approved drainage system.
Local Highway Authority	<b>No objection</b> subject to conditions to secure the site layout as proposed and details of the proposed works to upgrade the splitter island on Crow Lane to a pedestrian refuge.
Minerals Planning Authority	<b>No objection.</b> The proposed site is located within a sand and gravel Minerals Safeguarding Area (MSA). The applicant should demonstrate that significant sterilisation of proven mineral resources will not occur as a result of the development. If this cannot be demonstrated, prior extraction will be sought where practicable.
Northamptonshire Police	<b>No objection.</b> Details of the CCTV and external lighting should be provided. Communal access doors, ground floor windows and fire exit doors should meet Secured by Design standards.
Northants Fire & Rescue Service	<b>No objection.</b> Advice provided on minimum standards required for access by fire vehicles.
Strategic Planning	<b>No objection.</b> Financial contribution towards fire hydrants is sought and a condition for the provision of fire hydrants and sprinkler systems. Advice provided on broadband fibre.

Ward Councillor Danielle Stone	<b>Object.</b> I am working with the travellers' site on Ecton Lane with regard to air pollution, traffic nuisance and other matters. This proposed development will impact residents on the site, residents in the village, the school and the surrounding area.
Northampton Town Council	<b>No comments received</b>
Refuse (Veolia)	<b>No comments received</b>
Western Power Distribution (East Midlands) plc	<b>No comments received</b>

## 7. RESPONSE TO PUBLICITY

7.1 The application has been the subject of two separate rounds of publicity, the first in relation to the plans as originally submitted and the second following an amendment to the site layout to address highway issues. One public representation has been received (submitted in response to the first publicity period). The concerns raised are summarised below:

- Concerns with the increase in the volume of traffic on an already busy route. Crossing the road is already problematic.
- The size of vehicles using the site will only be able to enter and exit via the A45.
- Concerns with potential noise disturbance, adding to existing road noise and noise from other uses in the area.
- Access is already an issue for nearby houses.
- Lorries or other vehicles should not park close to the nearby houses.
- Additional 30 mph signs should be erected as this is supposed to be the speed limit on Crow Lane.

## 8. APPRAISAL

### Principle of Development

- 8.1. The application is for the erection of two industrial / storage and distribution units along with associated infrastructure.
- 8.2. The application site is located within the urban area of Northampton and has historically been used for industrial development. There is also an extant planning permission on the site for B1, B2 and B8 development. The surrounding area is predominantly commercial in nature and the Crow Lane industrial estate lies a short distance to the north west.
- 8.3. The site is allocated as an Existing Business Area on the Northampton Local Plan Proposals Map (1997). Saved policy B2 of the Local Plan states that planning permission will be granted for business, general industrial and storage and distribution use at Existing Business Areas.



- 8.4. Policy S7 of the West Northamptonshire Joint Core Strategy (JCS) sets out a requirement for the provision of 28,500 jobs within the West Northamptonshire area during the plan period of 2008-2029. Policy S8 of the JCS states that the majority of new job growth will be concentrated within the principal urban area of Northampton and allows for the provision of new job growth through the renewal and regeneration of existing employment sites and through the development of industrial land. Policy E1 of the JCS also states that existing and allocated employment sites will be retained for employment uses, including uses falling within the B2 and B8 Use Classes.
- 8.5. The site is also an allocated Employment Area on the emerging Local Plan 2 Proposals Map and therefore Policy 17 of the emerging Plan is relevant. In line with Paragraph 48 of the National Planning Policy Framework (NPPF), this policy is a material consideration in the determination of the application and Policy 17 is considered to carry significant weight. The allocation of the Employment Areas in the emerging Plan is intended to facilitate the creation of new jobs, attract inward investment and deliver economic prosperity to Northampton residents and investors. These sites are allocated for employment use within the office, general industrial and warehousing and distribution sectors.
- 8.6. In addition to the above policy requirements to support the local economy and maintain a diverse economic base, the National Planning Policy Framework (NPPF) seeks to support a strong, competitive economy through the planning system. Paragraph 81 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Furthermore, planning decisions should also recognise and address the specific locational requirements of different sectors, including for storage and distribution operations at a variety of scales and in suitably accessible locations (paragraph 83).
- 8.7. The NPPF also promotes the effective use of land through the recycling of brownfield sites. In this instance the proposal would bring a piece of derelict land back into productive use and therefore represents an efficient use of land.
- 8.8. The principle of the proposed development is in accordance with the land's existing allocation for employment use as well as its emerging allocation in the Local Plan Part 2. Furthermore, the established use of the site is for industrial development and there is also an extant planning permission for employment uses on the site which allows for B2 and B8 development. The application is in accordance with Policy B2 of the Local Plan, Policies S7, S8 and E1 of the West Northamptonshire Joint Core Strategy and is also consistent with guidance in the NPPF in terms of supporting economic growth and making effective use of land. As such, the principle of the proposed development is considered acceptable.

#### Employment considerations

- 8.9. The proposal is for a general industrial (B2) and storage and distribution (B8) use. The end users of the development are not known at this stage and therefore the application seeks flexibility in the end use of each unit (either B2 or B8). As such, information on the number of jobs that the proposed development could support has not been provided within the application submission.
- 8.10. The Homes and Communities Agency's Employment Density Guide (3rd edition, November 2015) does however provide guidance on the number of full-time equivalent jobs that different uses are expected to support based on floor area.

- 8.11. The proposed units would provide a total of 13,733m<sup>2</sup> of floorspace, although this includes reception areas, circulation space and employee amenities. Ancillary office space is included in the proposal. As a very broad indication of the potential number of jobs the proposal could support, officers estimate that a B2 use could provide around 360 full-time equivalent jobs and a B8 use could provide in the region of 135 to 185 full-time equivalent jobs depending on the nature of the B8 use as either a 'final mile', regional or national distribution centre. This estimate is based on 13,000m<sup>2</sup> of B2 and B8 floorspace having regard to the Homes and Communities Agency's Employment Density Guide (3rd edition, November 2015) and is provided here solely as an indicative figure to inform the overall assessment of the application.
- 8.12. The development proposed would contribute towards the job requirement for the West Northamptonshire area as set out in Policy S7 of the JCS, and this weighs in favour of the application.

#### Urban design and area character

- 8.13. Saved Policy E20 of the Northampton Local Plan places great importance on the quality of design of new developments and is in conformity with the NPPF, which advises that planning should always seek to secure high quality design. Policy 3 of the emerging Local Plan relates to the design of new development.
- 8.14. The site lies in a mixed-use area which is predominantly commercial in nature. Industrial and warehouse type development exists within the immediate vicinity, including numerous units that comprise the Crow Lane Industrial Estate. One of these existing units backs directly onto Crow Lane opposite to the site. These neighbouring units range in height from approximately 9m to 11m. A commercial steel assembly facility has also been approved on undeveloped land on the western side of Crow Lane which allows for two assembly units, the larger of which is comparable in scale to the proposed development, including a similar ridge height (15.6m). Also within the surrounding area is retail and leisure development including a garden centre and petrol filling station.
- 8.15. The application site currently forms a vacant piece of land, but it formerly contained a range of commercial buildings that sprawled across the site. These were generally of single and two storey scale and were set back slightly from Crow Lane. The buildings were demolished in 2012.
- 8.16. The application proposes two large industrial units which would both have twin pitched roofs. The buildings would be faced in a combination of silver and blue profiled cladding, with the blue cladding forming a band around the upper part of the units. The cladding would be laid vertically and horizontally to provide contrast on the elevations. Grey cladding is proposed to the roofs. The principal elevations incorporate glazed curtain walling, a series of windows and contrasting dark grey frames and feature cladding panels.
- 8.17. The units would be set back from Crow Lane and separated from the highway by soft landscaping and parking areas. At its closest point, unit 1 would be approximately 16m from the boundary with Crow Lane and unit 2 would be 19m from the highway. Parcels of landscaping are also proposed at the northern and southern ends of the site.
- 8.18. The proposed development is of a substantial scale and would form a prominent addition to the streetscene. However, the palette of materials, the design features to the principal elevations, the siting of the buildings and the landscaping of the site all

help to mitigate the visual impact. What is more, the units would be viewed in the context of a mixture of commercial development, including other warehouse style units, and as such the development would not result in an unduly intrusive feature within the area. Consideration has also been given to the prominence of the development from within medium and long-range vistas given the site's location in the bottom of the valley of the River Nene, including from Cogenhoe village to the south east. In this respect Officers are satisfied that the development would assimilate with adjacent industrial/warehouse and other commercial development and would not appear as an incongruous element within the landscape. This is further helped by the presence of trees to the north and east of the site which helps to frame and contain views.

- 8.19. In summary, the proposal is considered to represent high quality of design and is in accordance with Policy E20 of the Local Plan, Policy 3 of the emerging Local Plan and guidance in the NPPF.

#### Highway matters

- 8.20. Access to the site is proposed via two new accesses operating as priority junctions with Crow Lane. The northern access would provide access to the unit 1 car park and service yard and the southern access would provide access to the unit 2 car park and service yard.
- 8.21. The scheme has been amended during the course of the application to ensure that an acceptable level of parking can be provided for the proposed uses. Appropriate cycle storage is also included within the proposed layout. Vehicle swept paths have been provided to demonstrate that there would be suitable turning space within the site for private cars and HGVs.
- 8.22. A short section of footway is to be provided to part of the site frontage and an existing splinter island on Crow Lane is to be converted into a pedestrian refuge. This is to facilitate the movement of pedestrians across Crow Lane and improve the connectivity between the development site and the facilities which exist to the west, such as the convenience store and hot food takeaway.
- 8.23. The application is supported by a Transport Assessment which includes analysis of trip generation rates and junction assessments of the proposed accesses. This concludes that the vehicle movements associated with the proposal can be accommodated on the local highway network without requiring any specific mitigation.
- 8.24. The application has been assessed by the Local Highway Authority and Highways England and no objections have been raised by these statutory consultees. On this basis, the application is considered to be acceptable in highway safety terms and in accordance with Policy T12 of the Local Plan, emerging Policy 33 of the Local Plan 2 and paragraphs 110 and 111 of the NPPF. A condition is recommended regarding the works to form the footway and pedestrian refuge.
- 8.25. The application is also accompanied by a Framework Travel Plan which sets out a series of aims and objectives to promote sustainable travel to and from the site. It is necessary for full Travel Plans to be provided for each of the units and which relate to the end users. To this end a condition is recommended to secure full Travel Plans. This is to accord with Policies S10 and C2 of the JCS, Policy 32 of the emerging Local Plan Part 2 and guidance in the NPPF.

#### Residential amenity

- 8.26. The nearest residential properties lie approximately 65m to the north and are separated from the site by a small area of woodland and an access serving the nearby waste water treatment facility.
- 8.27. The proposed layout includes an area of landscaping within the northernmost part of the site, and this helps to provide some additional physical separation between the development and these nearby dwellings. Some existing trees along the northern boundary are also to be retained.
- 8.28. It is proposed that the units are able to operate 24 hours a day, 7 days a week and the nature of the proposed development and the hours of operation mean that there is the potential for noise disturbance. A noise report has been submitted by the applicant which assesses the potential impacts of site activities on the nearest noise sensitive receptors.
- 8.29. Environmental Protection have assessed the noise report and there are no objections to the application in this regard, subject to conditions. Conditions are recommended requiring details of all fixed plant for the units, the provision of the proposed noise mitigation measures in the form of two noise barriers to the yard areas, and for noise management plans for the respective units to be approved by the Local Planning Authority. The noise management plans are to detail how noise will be managed on a daily/nightly basis.
- 8.30. The existing trees and woodland plus the proposed landscaping would significantly mitigate any visual impact of the proposed buildings from the houses to the north and Environmental Protection do not consider that external lighting would significantly affect these dwellings. In summary, subject to the noise mitigation referred to above, it is not considered that there would be an unacceptable impact on the living conditions of the nearest residential occupiers.

#### Flood risk and drainage

- 8.31. The site is within Flood Zone 2, except for a small area at the northern end of the site which is within Flood Zone 1. The site is therefore at medium risk of flooding.
- 8.32. The proposal is classified as 'less vulnerable' development. Less vulnerable development includes general industry (B2) and storage and distribution (B8) uses and this type of development is compatible with Flood Zone 2.
- 8.33. The Environment Agency has been consulted and have advised that standing advice applies to the proposed development. Advice for surface water management, floor levels and access and evacuation should therefore be followed. The application is supported by a Flood Risk Assessment and Drainage Strategy which addresses these matters.
- 8.34. The proposed drainage strategy involves attenuating water on the site within a drainage basin in the northern part of the site as well as within underground tanks, with water discharging at a restricted rate to an existing highway drain that would be replaced as part of the development works. The proposal would result in a betterment in comparison to the existing discharge rate. The Lead Local Flood Authority has been consulted and there are no objections to the proposed surface water drainage strategy, subject to conditions which include approval of the detailed design of the drainage system and arrangements for its future maintenance. Subject to these conditions, surface water would be properly managed and the development would not increase the risk of flooding on or off the site.

- 8.35. The northern part of the site represents the high point and is within Flood Zone 1. The land then falls very gradually down towards the south. The finished floor levels of the buildings are proposed to be set above the existing ground levels in the southern part of the site, utilising the existing spoil heaps to raise the ground level. Overland flow routes within the site are designed to direct water away from the buildings and towards Crow Lane. This would mitigate the risk of flooding to the buildings.
- 8.36. In the event of flooding, access and egress would be to the north of the site where one of the new accesses is proposed. This point of access falls within Flood Zone 1 and is therefore classified as being at low risk of flooding.
- 8.37. Anglian Water have recommended a condition regarding detailed design of the foul water system and this is considered to be appropriate.
- 8.38. In conclusion, the principle of the proposed use is acceptable in Flood Zone 2 and it is considered that the risk posed by flooding can be mitigated to an acceptable extent. The proposals therefore comply with Policies S10, BN7 and BN7a of the JCS, Policy 7 of the emerging Local Plan 2 and guidance in the NPPF.

#### Ecology and trees

- 8.39. The site predominantly comprises of hard standing and bare ground where former buildings have been demolished, along with large piles of gravel/spoil. Patches of ephemeral and tall ruderal vegetation have colonised around the edges and on spoil heaps, and there is a dense line of unmanaged hedgerow, trees and scrub along the western boundary. The majority of the habitats within the site are considered to be of limited ecological interest. The habitats that are of higher ecological value include the hedgerow/scrub along the western boundary, which is considered to meet the definition of a habitat of principal importance.
- 8.40. There are two statutorily designated sites within a 2 km radius of the development site, the Upper Nene Gravel Pits Site of Special Scientific Interest (SSSI) and Ramsar site and Lings Wood Local Nature Reserve (LNR). These sites are located approximately 1.5 km south-west and 1.8 km north-west respectively. The development site is also located within the SSSI Impact Risk Zone (IRZ) for the Upper Nene Gravel Pits site.
- 8.41. The closest non-statutory designated site is the Billing Sewage Works Potential Wildlife Site (PWS). This lies directly adjacent to the eastern boundary of the application site and comprises woodland, scrub and ruderal vegetation and a pond.
- 8.42. A Preliminary Ecology Appraisal and Ecological Impact Assessment have been submitted in support of the application. The assessments include consideration of the aforementioned designated sites and the impact of the development on birds and protected species. The reports conclude that the development would have no direct impacts on the Upper Nene Valley Gravel Pits SSSI, SPA and Ramsar site. There would be some impact on the adjacent Potential Wildlife Site as it would lead to an increase in lighting along its edge, which would reduce the value of this part of the site for nocturnal wildlife, including bats. However, as the majority of the site is currently of low value for foraging and commuting bats and more suitable habitat is present in the wider area, the increase in light it not expected to have a significant impact on the local bat population.
- 8.43. A range of mitigation and enhancement measures to be incorporated into the development are proposed. The hedgerow along the western boundary is to be

retained, except for the loss of sections of hedgerow where the access points are to be formed. Supplementary planting is to be provided along this boundary which would extend the hedgerow around the southern site boundary. New landscaping areas are proposed within the site, including wetland habitat where the drainage basin is proposed and new native species-rich grassland along with other planting. Other enhancement measures include the provision of bird boxes, bee bricks and creation of log piles.

- 8.44. The Council's Ecology Advisor has assessed the application and no objections have been raised. Conditions are recommended regarding the proposed external lighting, a Construction Environmental Management Plan and a Landscape and Ecological Management Plan. Furthermore, given the existing ecological value of the site and considering the scope of the ecological enhancements, the development is considered to result in a net gain to biodiversity.
- 8.45. There would be some loss of existing trees within the site although this is quite limited, and it is considered that the overall landscaping proposals would compensate for their loss. The existing tree groups that are adjacent to the site would be unaffected and a method statement to protect trees during construction has been provided. The arboricultural officer is satisfied with the proposals, subject to a condition requiring the development be carried out in accordance with the submitted arboricultural method statement.
- 8.46. Subject to conditions, the application is considered to comply with Policy BN2 of the JCS, emerging Policy 29a of the Local Plan Part 2 and guidance in the NPPF.

#### Air quality

- 8.47. The applicant has provided an Air Quality Assessment and damage cost calculation. The main impact on air quality is identified as being from the construction phase as a result of dust emissions. The detailed assessment of the development when operational is deemed to be negligible on sensitive receptors, with no predicted exceedance on relevant air quality objectives. Air quality mitigation is proposed, principally in the form of electric vehicle charging points and through a full Travel Plan.
- 8.48. Environmental Protection accept the findings of the Air Quality Assessment and a condition requiring a construction management plan, which would address issues of dust, is recommended. With regards to the damage cost calculation and securing appropriate mitigation, a condition is recommended in respect of this. Subject to these conditions, the application is considered to comply with Policies S10 and BN9 of the JCS, Policy 6 of the emerging Local Plan 2 and guidance in the NPPF.

#### Planning obligations

- 8.49. Financial contributions are sought from the development in respect of construction training, Travel Plan monitoring and the Council's monitoring fee.

#### Representations

- 8.50. One representation has been received from a third party and Councillor Danielle Stone has made comments on the application, which both raise concerns. The main planning issues relate to the impact of the development on traffic, noise and air pollution.
- 8.51. In response, the site has an established industrial use with an extant planning permission and the land is allocated for employment use. A certain level of activity,

including vehicle movements on Crow Lane, is therefore to be expected in connection with this site. The Local Highway Authority is satisfied that the traffic generated can be accommodated on the highway network and some highway works are proposed which would improve pedestrian safety when crossing Crow Lane. It is considered that the noise and air quality impacts of the development can be mitigated to an acceptable degree, as discussed in this appraisal.

#### Other matters

- 8.52. The historic use of the land has caused contamination and as such the site has been subject to extensive investigative works and subsequent remediation. The only outstanding matter is in relation to potential residual risk of ground gases, and it is documented that any buildings should be provided with gas protection measures. A condition regarding this is therefore recommended. A further condition requiring the reporting and remediation of any unexpected contamination encountered during construction is also recommended.
- 8.53. Northamptonshire Police have not raised any objection to the application. The Police have requested details of the CCTV and external lighting, and a condition can be imposed regarding this. The Police have also provided advice on the standard of communal access doors, ground floor windows and fire exit doors and an informative could be added to the decision notice with respect to this.
- 8.54. The Minerals Planning Authority has commented that the site is located within a Minerals Safeguarding Area and Policy 28 of Northamptonshire Minerals and Waste Local Plan is therefore relevant. The site is a previously developed employment site that has been remediated in preparation for new development and it has an extant planning permission for employment uses. Furthermore, the site is allocated for employment use in the emerging Local Plan Part 2. In this context, it is considered that bringing development forward on the site in a timely manner and the associated economic benefits outweighs the potential for extraction of mineral resources.
- 8.55. An Energy and Sustainability Statement has been submitted with the application which aims to address the energy and climate change requirements of the NPPF and the JCS. Passive and energy efficient measures contributing to reducing the residual emissions are proposed, including through a fabric first approach to building construction, mechanical ventilation with heat recovery and an air source heat pump system to serve the office areas. The submitted plans also indicate solar panels on the roof of the units. The document confirms that the development is aiming to achieve BREEAM 'Very Good'.
- 8.56. Travel Plans would further enhance the sustainability of the development and it is considered that the information submitted provides a suitable sustainability strategy that would enable the development to comply with the objectives of Policies S10 of the JCS, Policy 5 of the emerging Local Plan and guidance in the NPPF. A condition regarding the energy and sustainability measures to be incorporated into the final design is recommended.
- 8.57. The Strategic Planning team (former County Planning team) has recommended a financial contribution towards fire hydrants as well as a condition requiring details for the provision of fire hydrants and sprinkler systems. However, there is no policy basis to secure this and as such these measures could not be sought through this planning application.

8.58. The Council's Archaeological Advisor has been consulted and there are not considered to be any implications for archaeology with this application.

## **9. FINANCIAL CONSIDERATIONS**

9.1 CIL is not chargeable on this development.

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

10.1 The principle of the proposed development is in accordance with the land's existing and emerging allocation for employment use. Furthermore, the site has previously been used for employment and there is an extant planning permission on the site that allows for B2 and B8 use.

10.2 The proposal would contribute towards the economic growth of Northampton by supporting employment opportunities and the development represents an effective use of land through the recycling of this brownfield site.

10.3 The development is considered to constitute high quality design and the proposal would be in keeping with the character of the surrounding area. The scheme includes areas of landscaping that would deliver ecological enhancement on the site.

10.4 The development is acceptable in highway safety terms and the impacts of the development on residential amenity and air quality can be mitigated appropriately.

10.5 The proposal is considered to represent sustainable development and is in accordance with the policies and guidance as detailed within this report, subject to conditions.

## **11. RECOMMENDATION**

**DELEGATE TO THE ASSISTANT DIRECTOR FOR GROWTH, CLIMATE AND REGENERATION TO GRANT PERMISSION, SUBJECT TO:**

- 1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 2. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**
  - a) Financial contribution towards construction training**
  - b) Travel Plan monitoring fee**
  - c) Council's monitoring fee**

Conditions:

### **Time limit**

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

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

### **Approved plans**



2. The development hereby permitted shall be carried out in accordance with the following approved plans and material details therein:

Drawing number: 18397-CWA-SI-ZZ-DR-A-0201 Rev P-02,  
Drawing number: 18397-CWA-SI-ZZ-DR-A-0301 Rev P-07,  
Drawing number: 18397-CWA-U1-00-DR-A-2001 Rev P-01  
Drawing number: 18397-CWA-U1-ZZ-DR-A-2002 Rev P-01  
Drawing number: 18397-CWA-U1-RF-DR-A-2003 Rev P-02  
Drawing number: 18397-CWA-U2-00-DR-A-2010 Rev P-01  
Drawing number: 18397-CWA-U2-ZZ-DR-A-2011 Rev P-01  
Drawing number: 18397-CWA-U2-RF-DR-A-2012 Rev P-02  
Drawing number: 18397-CWA-U1-ZZ-DR-A-2101 Rev P-01  
Drawing number: 18397-CWA-U2-ZZ-DR-A-2111 Rev P-03  
Drawing number: 18397-CWA-U2-ZZ-DR-A-2211 Rev P-02  
Drawing number: 18397-CWA-U1-ZZ-DR-A-2201 Rev P-01  
Drawing number: 18397-CWA-SI-ZZ-DR-A-SK0025 Rev P-02  
Drawing number: 21-08-06 Rev A  
Drawing number: 21-08-07 Rev A  
Drawing number: 21-008-P-09 (-)  
Drawing number: 21-008-P-10 (-)  
Drawing number: 21-08-03 Rev A

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

### **Construction management plan**

3. A Construction Management Plan (CMP) to mitigate the impacts of the construction of the development shall be submitted to and approved in writing by the Local Planning Authority before development commences. The CMP shall include details of:

- measures to control the emission of dust during the construction period
- measures to control noise and vibration from construction activities and machinery
- hours of construction work
- measures to prevent mud and other such material migrating onto the highway from construction vehicles
- routing of construction traffic
- design of any temporary construction access
- Loading and unloading arrangements for any large vehicles

The approved CMP shall be adhered to throughout the construction of the development.

Reason: To mitigate the impact of the construction of the development in the interests of residential amenity and highway safety. This is a pre-commencement condition to ensure timely submission of details.

### **Surface water drainage design**

4. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy (Ref JJG/2018-225, dated February 2021 prepared by Nolan Associates) shall 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:

- i) 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 structures
- ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
- iii) Calculations to demonstrate that attenuation elements, within 24hrs of reaching top water level, can accommodate 80% of the 1 in 10 year follow on storm event
- iv) Confirmation that improvement works to the 150mm Highway pipe has been completed
- v) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site, and to accord with Policies BN7A and BN7 of the West Northamptonshire Joint Core Strategy, Policy 7 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

### **Maintenance of surface water drainage**

5. No above ground work shall take place until full details of the management and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The details shall include: the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system; the maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site for the lifetime of the development; a maintenance schedule setting out the assets to be maintained; details of expected design life of all assets with a schedule of when replacement assets may be required. The maintenance schedule shall be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas shall be identified and shown on the plans to ensure access for maintenance of the asset. The maintenance plan shall be carried out in full thereafter.

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. This is to accord with Policies BN7A and BN7 of the West Northamptonshire Joint Core Strategy, Policy 7 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

### **Verification report for surface water drainage**

6. No Occupation shall take place until a Verification Report for the installed surface water drainage system, including the 150mm Highway pipe, for the site based on the approved Flood Risk Assessment and Drainage Strategy (Ref JJG/2018-225, dated February 2021 prepared by

Nolan Associates) has been submitted in writing by a suitably qualified independent drainage

engineer and approved 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) 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, including Land Drainage Consent for Discharges.
- e) CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site. This is to accord with Policies BN7A and BN7 of the West Northamptonshire Joint Core Strategy, Policy 7 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Foul drainage**

7. No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a proposed foul pumped discharge rate and connection point. The approved foul drainage scheme shall be provided before the development is first brought into use and shall thereafter be retained.

Reason: To ensure suitable provision is made for the disposal of foul drainage in the interests of amenity and environmental well-being and to accord with Policies BN7A and BN7 of the West Northamptonshire Joint Core Strategy, Policies 6 and 7 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Gas protection measures**

8. Details of a scheme of ground gas protection measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority before development commences. The gas protection measures shall be in-keeping with CIRIA 665 Characteristic Situation 2. The development shall be provided in accordance with the approved scheme and a verification report for the installation of the approved gas protection measures shall be submitted to and approved in writing by the Local Planning Authority before the buildings are first brought into use.

Reason: To ensure the effective remediation of contaminated land in the interests of health and safety and the quality of the environment, in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy, Policy 6 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

### **Unexpected contamination**

9. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it shall be reported to the Local Planning Authority within 2 working days. Development works at the site shall cease and an investigation and risk assessment shall be undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings of the investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, together with a scheme to remediate the identified contamination (if required), prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

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 Policy BN9 of the West Northamptonshire Joint Core Strategy, Policy 6 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Finished Floor Levels**

10. Prior to the construction of the new buildings hereby permitted, full 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 amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

### **Noise mitigation measures**

11. The proposed noise mitigation measures, as set out in Section 8.3.1 of the Cundal Environmental Noise Report by Trebor Developments Ltd dated 15th October (Ref 1023093), shall be provided before the development is first brought into use and thereafter retained as such. Written confirmation of the installation of the noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority before the buildings are first brought into use. The written confirmation of installation shall include details of the density/noise performance parameters of the barriers installed.

Reason: In the interests of residential amenity and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy 6 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Fixed plant and equipment**

12. A Noise Assessment of all internal and externally sited plant and equipment for the units shall be submitted to and approved in writing by the Local Planning Authority before any plant and equipment is first installed. All plant and equipment shall comply with the night-time noise limit at the nearest noise sensitive property, as set out in Section 10 of the Cundal Environmental Noise Report by Trebor Developments Ltd dated 15th October, reference 1023093, with or without noise mitigation. The plant and equipment shall be provided in accordance with the approved details before the unit to which it relates is first brought into use and shall thereafter be retained as such. Any noise mitigation required shall be provided before the plant and equipment becomes operational and shall thereafter be retained.

Reason: In the interests of residential amenity and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy 6 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Noise management plan**

13. Before each unit is first brought into use, a noise management plan for that unit shall be submitted to and approved in writing by the Local Planning Authority. The noise management plans shall specify the internal and external sources of noise from the operation of the unit and detail a scheme for its management and control. The units

shall be operated in accordance with the associated noise management plans so approved.

Reason: In the interests of residential amenity and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy 6 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **On-site highway works**

14. The access, parking, vehicle turning areas, cycle storage and pedestrian footways within the site, as shown on drawing number 18397-CWA-SI-ZZ-DR-A-SK0025 P-02, shall be provided before the development is first brought into use and thereafter retained as such.

Reason: In the interests of highway safety and to promote active travel and to accord with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy, Policies 6, 27 and 33 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Off-site highway works**

15. Before any development above floor slab level, full engineering, drainage and constructional details of the proposed works to form the footway to Crow Lane and to upgrade the existing splitter island to a pedestrian refuge shall be submitted to and approved in writing by the Local Planning Authority. The highway works so approved shall be provided in full before the development is first brought into use and shall thereafter be retained as such.

Reason: In the interests of highway safety and to promote active travel and to accord with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy, Policies 6, 27 and 33 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Full Travel Plans**

16. Prior to the occupation of the development hereby permitted, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented at all times that the development is occupied.

Reason: To reduce the reliance on the private car for journeys to work in accordance with Policies S10 and C2 of the West Northamptonshire Joint Core Strategy, Policy 6 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

### **Air quality**

17. Notwithstanding the submitted information, a scheme to offset the air quality impacts from the development and which is based on a Damage Cost Calculation that has first been agreed in writing by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before any development above floor slab level. The approved air quality mitigation measures shall be provided before the development is first brought into use and thereafter retained.

Reason: To mitigate the impacts of the development on air quality and to accord with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy, Policy 6 of the emerging Local Plan 2 and guidance in the National Planning Policy Framework.

## **EV Charging Points**

18. Notwithstanding the requirements of Condition 16, prior to the first occupation of the development hereby permitted, full details of a scheme for the provision of electric car charging points (including a timetable for implementation) 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 creating a sustainable form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the Northampton Parking SPD.

## **Construction Environment Management Plan (Biodiversity)**

19. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall incorporate the measures set out in Table 5.1 of the March 2021 Ecological Impact Assessment report by Swift Ecology and 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.

Reason: To mitigate the impact of the construction of the development on biodiversity and to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policy 29 (as modified) of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

## **Tree protection works**

20. The development hereby approved (including all preparatory work) shall be carried out in accordance with the Arboricultural Method Statement prepared by bea landscape design ltd dated 5<sup>th</sup> November 2021 (ref 2108 / EH / AMS001 A) and the associated tree protection plan. All tree protection measures shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed from the site.

Reason: To protect existing trees within and adjacent to the site and to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policy 29 (as modified) of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework.

## **Landscape and Ecological Management Plan**

21. A landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity and to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policy 29 (as modified) of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework.

## **Biodiversity enhancement**

22. The ecological enhancement measures as detailed within section 6 of the Ecological Impact Assessment prepared by Swift Ecology, dated 17th March 2021 (Ref C2229-2) shall be provided before the development is first brought into use and thereafter retained.

Reason: In the interests of biodiversity and to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policy 29 (as modified) of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework.

## **Landscaping**

23. Prior to any works above slab level a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

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

## **Landscaping Implementation**

24. All planting, seeding or turfing comprised in the approved details of landscaping 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 or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

All hard landscaping shall be carried out in accordance with the approved details prior to occupation of the development and retained thereafter.

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

### **External lighting**

25. Notwithstanding the submitted details, a scheme for the external lighting of the site which reflects the approved site layout plan shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The lighting scheme so approved shall be provided before the units are first occupied and retained as such thereafter.

Reason: In the interests of biodiversity, crime prevention and residential amenity. This is to accord with Policies Policy BN2 and S10 of the West Northamptonshire Joint Core Strategy, Policy 29 (as modified) of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework.

### **Security measures**

26. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, full details of security measures to serve the development, including CCTV coverage, shall be submitted to and approved in writing by the Local Planning Authority. These security measures shall be fully implemented prior to occupation of the development hereby permitted and be retained and maintained thereafter.

Reason: To ensure the provision of secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and guidance in the National Planning Policy Framework.

### **Energy and sustainability**

27. Prior to the construction of the development hereby above ground floor slab level, a detailed schedule of the energy and sustainability measures to be incorporated into the final development which is based on the principles set out in the Energy and Sustainability Statement prepared by Cundall dated 19 March 2021 (ref 1023093-RPT-SY-001 Rev P02), shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be provided before the development is first brought into use and retained thereafter.

Reason: To mitigate the impact of the development on climate change and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy 5 of the emerging Local Plan and guidance in the National Planning Policy Framework.

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