

Application Number: WNS/2021/2003/MAF

Location: Land North East of Old Tiffield Road, Towcester

Proposal: The construction of a building to provide 3,620sq.m GIA of B2/B8 floorspace with ancillary office floorspace (class E) alongside associated loading bays, parking and landscaping.

Applicant: Hampton Brook (UK) Ltd

Agent: N/A

Case Officer: Laura Bell

Ward: Towcester and Roade

Reason for Referral: **Major Development**

Committee Date: 07/04/2022

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

Full planning permission is sought for the erection of a warehouse that will provide a single industrial unit of Class B8 and Class B2 use alongside ancillary offices, loading bays, parking and landscaping. The building is proposed to be 101.4m in length, 34.4m deep. The internal height to haunch is 8m, with an external ridge height of 11.3m. The building will be a single portal frame construction.

Consultations

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

- Towcester Town Council

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

- Building Control, Towcester Local History Society, Anglian Water, Environmental Protection, NNC External Funding Partnership, WNC Archaeology, Planning Policy, Highways England, Crime Prevention Design Advisor, Local Highway Authority, Minerals and Waste, Economic Development, Ecology, Lead Local Flood Authority.

The following consultees **have not responded** to the application:

- South Northants Volunteer Bureau, Wood Burcote Residents.

2 letters of objection and 1 letter of comment have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted

Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Design and Sustainability
- Trees and Landscaping
- Residential amenity
- Archaeology
- Flood risk/surface water drainage
- Ecology
- Contaminated land

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 in the north of Towcester, south of the A43. It comprises a single plot of grassland which extends to 0.986 hectares, accessed off Old Tiffield Road.
- 1.2 The site is roughly triangular in shape and is bound to the north by a belt of trees, beyond which runs a disused railway line and the A43. The eastern site boundary is also defined by a mature hedgerow containing native species and a small water course, beyond which lies Campbell Close which serves residential properties. A three-storey office block and associated car park lies beyond the southern site boundary where there is also an existing turning head from where the site is currently accessed. The site is relatively flat, with a gentle slope down from west to east towards Campbell Close.

2. CONSTRAINTS

- 2.1. The site lies within and at the edge of the town confines defined in the South Northants Local Plan and the South Northants Local Plan Part 2. The site is not allocated within the Joint Core Strategy (JCS) but historically it was designated for employment.
- 2.2. The site lies within areas of archaeological interest: Stratford & Midland Junction Railway (Towcester to Olney) - Modern and; Northampton and Banbury Junction Railway (Towcester to Blisworth) - Modern.
- 2.3. The site lies within the 2km buffer of the following Local Wildlife Sites: Cappenham Bridge Drain; Tiffield Lake; Tiffield Quarry; Duncote Marshy Field; Tiffield Verges.
- 2.4. The site lies within an Aerodrome consults zone for any structures over 90m.
- 2.5. The site lies within a Waste Development Allocation 300m buffer zone.
- 2.6. A water course runs along the eastern site boundary and native species planting/hedges lie along the eastern and north-western boundaries.

- 2.7. A former railway line runs along the north-western boundary separating the site from the A43 trunk road. Old Tiffield Road is a cul-de-sac with access from the A5/Watling Street trunk road.
- 2.8. There is a designed Air Quality Management Area (AQMA) along the section of the A5 to the east within Towcester Town Centre.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The development comprises a mix of uses as follows:

	USE CLASS	GROSS INTERNAL AREA
Offices	E	378m ²
Warehouse	B8	2,042 ²
Industrial	B2	1,200m ²
Total		3,620 ²

- 3.2. A service yard will be provided to the east of the building and the site will be accessed via the existing turning head at the end of Old Tiffield Road. Two accesses will be provided into the site from the turning head; one for the service yard and one for the car park. 54 car parking spaces will be provided, including 10% accessibility spaces and 6 EV charging point spaces. A cycle shelter will also be provided for 26 cycles.

4. RELEVANT PLANNING HISTORY

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

S/2004/0510/A – Non-illuminated fascia signs on office and production buildings and non-illuminated direction signs – APPROVED

S/2002/1240/P – Variation of condition 2 on outline permission S/1999/0468/PO (Erection of buildings for use within Class B1 (Business), B2 (General Industrial) and B8 (storage and distribution) to extend the time period for the submission of reserved matters by two years – WITHDRAWN

S/2002/1358/PR - Erection of 3 No. buildings for employment purposes within Class B1 (Business) and 1 No. building for use within class B8 (storage and distribution) – (Details pursuant to S/1999/0468/PO) – APPROVED

S/2000/1449/PR – Erection of buildings for use as office, light industrial and warehouse units (part details pursuant to S990468po) – WITHDRAWN

S/1999/0468/PO - Erection of buildings for use within Class B1 (business), B2 (general industrial) and B8 (storage and distribution) Outline – (Renewal of S960118po) - APPROVED

S/1996/0118/PO – Erection of buildings for use within Class B1 (business), B2 (general industrial) and B8 (storage and distribution) Outline – (Renewal of S910218po) – APPROVED

S/1991/0218/PO – Erection of buildings for use within Class B1 (business), B2 (general industrial) and B8 (storage and distribution) Outline – APPROVED

S/1989/1438/PO – Erection of buildings (within use classes B1, B2, and B8) Outline – WITHDRAWN

S/1988/0640/PO – Residential development – Outline – WITHDRAWN

- 4.2 As outlined above, outline planning consent was granted for the development of the site for employment purposes (S/1999/0468/PO refers). This consent required the submission of reserved matters within three years and the commencement of development within 5 years, or 2 years of the approval of reserved matters, whichever was later. A reserved matters application was submitted in October 2002, with the details approved in July 2003. The reserved matters approved the details for three plots – plots A, B and C.
- 4.3 A 36,000 sqft (3,345 sqm) office and 40,000 sqft (3,716 sqm) B2 production area was approved on plot A. This development commenced in August 2004 and was completed in May 2005. In 2018, an extension to the building, now occupied by Abaco Systems, was granted consent. This extension has been constructed.
- 4.4 Plot C was consented for a B8 warehouse. The detailed scheme was not constructed, and subsequently, full applications were approved for what is now the Porsche centre and a small unit office scheme, which is only partially implemented. Plot B was consented for a 30,000 sqft (2,787 sqm) B1 office and associated parking. This plot represents the current application site and aside from the groundworks, electricity service and foul/storm drains, the development remains undeveloped. Due to the commencement of the approved scheme within two years of the approval of reserved matters, in line with condition 1 of the outline consent, consent for development of 30,000 sqft (2,787 sqm) office building is considered to be extant. As discussed later in this report, this is particularly relevant to the consideration of the highway impacts of the proposed development.

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 South Northants Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.3. The relevant policies of the LPP1 are:
- Policies SA (presumption in favour of sustainable development); S1 (distribution of development); S2 (hierarchy of centres); S7 (Provision of Jobs); S8 (Distribution of Jobs); S10 (sustainable development principles); S11 (low carbon and renewable energy); C1 (changing behaviour and achieving modal shift); C2 (new developments); BN2 (biodiversity); BN5 (historic environment and landscape); BN7 (flood risk); INF1 and INF2 (infrastructure delivery and requirements); T1 (spatial strategy for Towcester).

South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1 (Settlement Hierarchy); SS2 (General Development Principles); EMP1 (Supporting Skills); EMP3 (New Employment Development); SDP1 (Design Principles); INF1 (Infrastructure Delivery and Funding); INF4 (Electric Vehicle Charging Points); HE2 (Scheduled Ancient Monuments and Archaeology); NE4 (Trees, Woodlands and Hedgerows); NE5 (Biodiversity and Geodiversity); NE6 (SSSIs and Protected Species).

Material Considerations

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

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance
- South Northants Design Guide
- Towcester Masterplan 2011
- East Midlands Air Quality Network Planning Guidance Note
- Northamptonshire Minerals and Waste Local Plan 2017

6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Building Control	No objection	All surface water to soak away Fire vehicle access to be ascertained Fire risk assessment to be obtained Fire Authority consult to be obtained.
Towcester Local History Society	No objection	Advice of WNC Archaeologist should be sought. Difficulties with A5 junction ought to be resolved before permission granted.
Anglian Water	No objection	Sewerage system has capacity for flows. Surface water disposal to be dealt with by LLFA.
Environmental Protection	No objection	CMP is broadly accepted, but further information required by condition. Conditions recommended for noise, contaminated land, lighting and air quality.
NCC External Funding Partnership	No objection	Condition for provision of fire hydrant and informative regarding superfast broadband provision. <i>[Officer comment: the proposed layout shows the location of an existing hydrant 36m from the site boundary, so condition not required].</i>
WNC Archaeology	No objection	Development may affect surviving sub-surface remains, but do not represent over-riding constraint to the development. Condition WSI.

WNC Planning Policy	No objection	Principle of commercial use is considered to be acceptable, subject to compliance with broader development management considerations.
Highways England	No objection	The proposed development will result in a reduction of trips when compared to that of the extant planning permission. We are content with the traffic related information provided and do not anticipate a significant traffic impact from the development. As such, we have no further comments to provide.
Crime Prevention Design Advisor (CPDA)	No objection	The necessary security requirements are detailed in the DAS and provided they are installed as proposed the site will be adequately protected.
Towcester Town Council	Objects	Proposal represents an over intensification of the site and is too close to residential dwellings. A cumulative traffic assessment ought to be undertaken to include that on land approved adjacent to Tesco, to mitigate the impact on the A5/Old Tiffield Road junction.
Local Highway Authority	No objection	The LHA agree with the trip generation figures, which shows that the proposed use will reduce potential trip generation at the site compared to the approved B1 use. Parking and turning facilities are appropriate and subject to a condition requiring the submission and approval of a CMP, it is considered that the proposal would not cause detriment to highway safety. The applicants (at the LHA's request) have discussed the feasibility of diverting and/or otherwise increasing the level of service of the 88 bus route with Stagecoach who have concluded that it would not be feasible to do so.
Minerals and Waste	No objection	Consider that the nature of the existing waste uses across the designated area, the non-waste uses already existing within the designated area and separation area and the nature of the proposed use is such that the proposal should be acceptable.
Ecology	No objection	The ecology report submitted is appropriate and fit for purpose. Conditions recommended.
Economic Development	No objection	Subject to contribution to West Northamptonshire Employment Support Service (WNESS) and Local Labour strategy [<i>Officer comment: the applicants are to provide a Local Labour Strategy by condition</i>].
Lead Local Flood Authority (LLFA)	No objection	Subject to condition regarding a verification report.

7. RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report. Redacted responses are available to view on the Council's website, via the online Planning Register.

7.1. There have been 2 objections received, raising the following comments:

- Loss of light
- Loss of wildlife in hedgerow
- Increase in HGV traffic. Site should be accessed directly via a slip road from the A43

8. APPRAISAL

Principle of Development

Policy Context

- 8.1. The Development Plan comprises the adopted West Northamptonshire Joint Core Strategy (LPP1) and the Part 2 LP. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 8.2. The West Northamptonshire Joint Strategic Planning Committee adopted the West Northamptonshire Joint Core Strategy Local Plan (LPP1) on 15th December 2014. It sets out the long-term vision and objectives for the whole of the West Northamptonshire area for the plan period up to 2029 and includes strategic policies to steer and shape development. Policy S2 relates to the distribution and hierarchy of development across the region, designating Towcester as a rural service town centre. Policy E1 states that existing employment sites and industrial estates will be retained for uses within use classes B1, B2, B8 and appropriate non B employment generating uses. New commercial floorspace at the rural service centre of Towcester will be of a scale that is commensurate with their function. It goes on to state that new office development of an appropriate scale will support [Towcester's] economies and help alleviate out-commuting to larger centres.
- 8.3. The Local Plan Part 2 (LPP2) was adopted by the Council on 22 July 2020. The LPP2 builds upon the policies of the adopted LPP1 in providing specific development management policies for guiding planning decisions in South Northamptonshire over the plan period (2011-2029). Policy EMP3 requires new employment and commercial development to be "directed to the most sustainable locations in accordance with Policy SS1: The Settlement Hierarchy". The development would be situated within the town confines of Towcester, which is a first category 'Rural Service Centre' and one of the most sustainable locations in the district.

Assessment

- 8.4. The site is located within the settlement envelope of Towcester and whilst it is not specifically allocated for an employment use, there is a clear history of this site being identified for employment uses and planning permissions have been previously granted for commercial buildings and uses on this land. The neighbouring sites on Old Tiffield Road are mainly in B1, B2 and B8 employment uses, with some retail units.

- 8.5. It is therefore considered that in light of adopted planning policy and extant permissions (set out in section 4 above) for the site, the principle of the proposal is considered acceptable.

Highway safety

Policy Context

- 8.6. Policy SS2 of the LPP2 states that development needs to have a safe and suitable means of access for all people (including pedestrians, cyclists and those using vehicles).
- 8.7. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Assessment

- 8.8. A full Transport Assessment and draft Travel Plan have been submitted with the application, which have been subject to pre-app with the Local Highway Authority and National Highways. The site is located at the end of an existing turning head on Old Tiffield Road. Old Tiffield Road is effectively a cul-de-sac which extends from a three-arm ghost island priority junction with the A5 Watling Street to the south. Old Tiffield Road is a single carriageway road approximately 7.3m wide and is subject to a 30mph speed limit. Old Tiffield Road serves various retail and commercial properties, including a Tesco store, a B&M discount store, a car dealership, a district council waste recycling facility and several office buildings.
- 8.9. Access to the site is to be maintained from Old Tiffield Road, in a similar layout to the extant consent. Works to improve vehicle crossover points and visibility splays at the existing bellmouth access point will be secured via a S278 agreement, which will be a condition of consent. A policy compliant level of parking is proposed as follows: 54 car spaces, 10 HGV's, 26 cycles in 3 shelters, and 4 for motorcycles. The shelters will be Sheffield type stands and facilities for electric charging to allow for at least 1 powered two-wheeler.
- 8.10. Old Tiffield Road has footways for the existing units both sides and to this site on the southern only. A shared use path into the residential areas at Chapman Close to the east is located south of the recycling depot 200m south of the site. Land ownership issues prevent a non-vehicle access direct between the residential area and the site. A further link through parkland links the southern section of the road to Northampton Road and on towards the north of the town centre.
- 8.11. PROW SB52 runs north from Old Tiffield Road via an at-grade crossing with the A43 to link to Tiffield Lane. It will not be affected by the proposal, being out of the red line site area, however new signage and markings for cyclists will be provided leading up towards it, which will be secured by condition as part of the required S278 works.
- 8.12. Two bus stops are located on Watling Street near Northgate over 600m from the site. The southbound services are taken from a stop 80m south of the Old Tiffield Road junction, the northbound services 130m south of it. The service 87 Northampton - Brackley with 2 per day, the 88 Northampton - Silverstone every other hour, and the five times a day X91 Silverstone – Milton Keynes can be taken. As this site is remote to the bus network and the nearest stops over 600m away have inadequate services and are without shelters that will do little to disincentivise driving to and from the site, the

applicant will need to effectively implement the approved "Interim Workplace Travel Plan" accompanying the planning application, which will be secured by condition.

- 8.13. The TAA notes that local bus service enhancement is secured with the Towcester South SUE development and as part of the S106 agreement for planning permission S/2016/2850/MOA. However, as there is no certainty of the latter permission being implemented, the LHA have requested that the applicants enter into a discussion with the bus operator, with a view to securing similar enhancements to existing bus services, should the latter consent not be implemented. However, the bus operator has confirmed that on the basis of the information supplied and wider knowledge of patterns of public transport demand here and in the wider area around Towcester and South of Northampton, they see no conceivable basis to speculatively commit to adding journeys on service 88 to meet trip demands arising from these proposals. In any case the site is already within reach of service 88 bus journeys at core working start and finish times.
- 8.14. Furthermore, the contribution secured for the site adjacent to Tesco (S/2016/2850/MOA) was for a different scale and type of development (retail) which would give rise to substantially larger numbers of trips, and, by extension, a proportionally larger number of additional public transport journeys. On this basis, it is not considered that a contribution towards enhancing the existing bus route to serve this development would; be necessary to make the development acceptable in planning terms, be directly related to the development; and fairly and reasonably related in scale and kind to the development and thus fails to meet the proportionality and reasonableness tests within the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122.
- 8.15. Trip generation data has been analysed by the LHA and they have concluded that the proposed use will reduce potential trip generation at the site compared to the extant use. An assessment of the impact on the Watling Street/Old Tiffield Road junction concludes the proposal will be within capacity and less than the extant use. This follows retesting based on hours from 07:45 and 16:30, and is based upon the current junction layout, not the improved layout secured under the signed Section 278 agreement shown on TPA Drawing No. 1601-03 SK12 'Old Tiffield Road with A5 Priority Junction Improvements & Signal Controlled Pedestrian Crossing' dated 24 February 2017), which on completion would see performance further improved, if implemented as part of S/2016/2850/MOA.
- 8.16. The proposed accesses for both the HGV & workforce vehicles meet the required standards and tracking of HGV movements within the site has been demonstrated. The LHA have stated that no construction traffic should be permitted to enter and exit the site during the local peak periods and this will be secured as part of the CMP to be approved, prior to development above slab level.
- 8.17. It is therefore considered that subject to appropriate conditions, the proposed development would not have an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe.

Design and Sustainability of building

- 8.18. The majority of public views into the site are glimpses through the landscaping on the A43 boundary and from the residential area Campbell Close, to the east. The building comprises a single portal frame construction, with a shallow pitched roof which is 11.3m to ridge and 9m to eaves. The building is orientated north/south across the site to provide a buffer to minimise the impact of the service area on the residential properties to the east of the site. The building height is consistent with other commercial buildings in the immediate vicinity and comparatively low for a commercial building.

- 8.19. A variety of muted greys are proposed for the external elevations. Merlin Grey is proposed for the side and rear elevations and roof, with Anthracite detailing to help break the elevation up. The elevation facing Old Tiffield Road will be 'Hamlet' with anthracite cladding, Goosewing grey doors/shutters, with anthracite detailing.
- 8.20. Policy S10 of the LPP1 requires that development meets the highest standard of sustainable design and maximises the generation of its own energy from decentralised and renewable or low carbon sources. Policy S11 of the LPP1 requires that non-residential development over 500 sq. metres need to achieve the BREEAM very good standard. Policy INF4 of LPP2 requires 10% of parking spaces to have DC fast charging equipment or equivalent, Policy SS2 requires development to adhere to a range of development principles including sustainable design measures around transport, flood risk water efficiency and ecology.
- 8.21. The application is supported by a BREEAM pre-assessment report, which states that the development is expected to achieve a BREEAM 'Very Good' standard. The report proposes measures including; energy efficient thermal systems, solar PV panels on the roof, reducing carbon use during construction, sustainable procurement plan, external lighting strategy and noise impact assessment. The site will also provide 6 EV charging points, which is policy compliant.
- 8.22. There are a variety of colour finishes, styles and materials on the existing commercial buildings within close proximity to the site. It is considered that the proposed scale, form, layout and design is commensurate with the site and surrounding area. It is further considered that the measures employed to achieve BREEAM 'very good' satisfy the sustainability policy requirements set out above.

Trees and Landscaping

Policy Context

- 8.23. Policy SS2 and NE4 of the LPP2 requires suitable landscaping as an integral part of the development. Ten groups of trees have been identified and assessed in the accompanying Tree Survey Report. Each of these tree groups are to the boundary of the proposed development, with the site's developable area free from any trees and vegetation.

Assessment

- 8.24. The Tree Constraints Plan identifies that aside from trees within Group 2, which are identified as being Category U and therefore of limited quality, the development can take place without the removal of any of the surrounding vegetation, which will be protected during the construction phase, secured by the plan compliance condition.
- 8.25. It is proposed that the site will be secured by a 2.4m green high weld mesh fence around the majority of the site boundary, with a small section of close boarded fence (2.4m high) in the south eastern corner. Security fencing is required by the CPDA and as part of the BREEAM rating. Existing landscaping along the boundary with the Abaco systems site to the south and supplementary planting around the entrance to the site with a variety of shrubs and extra heavy standard trees will assist in softening the site boundary from the Old Tiffield Road.
- 8.26. It is considered that subject to conditions to implement, maintain and manage the landscaping scheme, the proposal is considered to comply with the requirements of policies SS2 and NE4 of the LLP2.

Residential amenity

Policy Context

8.27. Policy SS2 of the LPP2 requires development to provide a good standard of amenity.

Assessment

- 8.28. The site is located to the west of The Shires residential development, the closest neighbouring properties being located on Campbell Close. The front elevation of 55 Campbell Close is approximately 30 metres from the rear elevation of the building. The building has been positioned on the site so as to maximise its potential to mitigate any noise from the loading/parking area to the west of the building footprint. In addition, the existing mature hedgerow and trees (a minimum of 4.3m in width) running along the eastern boundary of the site will be retained, which further provides visual and acoustic buffer to the development site.
- 8.29. The ridge of the building is likely to be visible from residential properties to the east, but this will be viewed in the context of the other industrial buildings within close proximity to the site.
- 8.30. The applicants have submitted a noise impact assessment, which concludes that any noise generating uses on the site will be masked by the existing ambient noise attributed to the traffic on the A43. The calculated sound levels for site activities at the nearest dwellings are within BS 8233 requirements with windows open at all times of the day and night. The activities also readily achieve BS 8233 requirements for gardens. Nevertheless, the report recommends several 'good housekeeping' measures to minimise any potential noise generation from day to day activities within the site, which shall be required by planning condition. The measures include, instructing drivers to turn off their engines of stationary vehicles and minimising the number of external storage areas and restricting disposal times to day time only.
- 8.31. The Council's Environmental Protection Officer has reviewed the report and is generally satisfied with its conclusions. Concerns regarding the potential for noise disturbance as a result of plant and machinery (the details of which are yet to be finalised as part of the scheme) are to be addressed through the submission and approval of a noise mitigation scheme to ensure levels do not exceed 5dB (A) below the existing background levels at any sound sensitive premises.
- 8.32. Concerns were also raised by the EP Officer in relation to potential night time noise events, for example, by HGV's doors slamming, radios etc. However, the noise assessment in accordance with BS 4142 indicates that emission levels at the nearest residential facades for plant operation, building breakout, HGV movement and unloading operations would all fall into the category of 'low impact' when compared against the very lowest background sound levels for daytime and night time. In addition, the extant consent for B1 offices does not contain any limitations on the hours of operation nor on any noise generating uses. It is therefore considered that the imposition of a condition to restrict the hours of operation would be unreasonable.
- 8.33. An air quality assessment has also been provided which addresses the impact of the development on local air quality, which includes the AQMA on Watling Street. The assessment notes that proposed scheme is considered a 'small' development meaning Type 1 mitigation is to be implemented, at a minimum during the operational phase. This includes the provision of 6 no. electric vehicle charging points. A detailed assessment of operational traffic impacts is not required for small-sized sites. The level of traffic

movements (confirmed by the Transport Assessment) further demonstrate that the level of traffic generated by the proposal falls below the thresholds where a detailed assessment of operational traffic is necessary, for the purposes of air quality. Nevertheless, the scheme will incorporate measures aimed at reducing emissions during operation, including the provision of covered cycle spaces, EV charging points and a dedicated Travel Plan.

- 8.34. The air quality assessment concludes that, generally, without mitigation, the construction phase would have low to negligible effects. The proposed mitigation includes measures to reduce the emissions of dust and limit dispersion across the immediate area during operation. Mitigation measures set out in section 7.1.2 of the air quality assessment will be secured by condition, through the Construction Management Plan.
- 8.35. A lighting scheme has been submitted, which covers all the external areas incorporating the buildings, including all external areas to the level loading doors, car parking spaces, loading bays, services yards, footpath and access roads. The assessment confirms that the lighting scheme, which has been designed to the relevant national design standards, will protect the immediate environment around the site from glare and light pollution. The EP Officer is satisfied with the measures employed, which will be secured by planning condition.
- 8.36. The submitted Construction Management Plan is broadly acceptable but needs to be updated to include further details such as contact details for complainants. The updated CMP will be required by condition.
- 8.37. It is therefore considered that subject to the above mentioned conditions, the proposal would not cause demonstrable harm to residential amenity, in accordance with Policies S10 and BN9 of the LPP1 and Policy SS2 of the LPP2.

Archaeology

Legislative context

- 8.38. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.39. Likewise, Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Therefore, significant weight must be given to these matters in the assessment of this planning application.

Policy Context

- 8.40. Paragraph 192 of the NPPF states that in determining planning applications, LPA's should take account of the desirability of sustaining and enhancing the significance of the heritage asset and putting them into a viable use consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

- 8.41. Paragraph 193 of the NPPF states that: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Policy BN5 of the LPP1 echoes this guidance.
- 8.42. Paragraph 193 of the NPPF categorises harm to the heritage assets as; Less than substantial harm, Substantial harm or Total loss.
- 8.43. Policy BN5 of the LPP1 seeks to protect designated and non-designated heritage assets and their settings and landscapes in recognition of their individual and cumulative significance and contribution
- 8.44. Policy HE2 of the LPP2 specifically relates to archaeology and sets out a hierarchy of archaeological assets and the circumstances where development will be allowed for each category of archaeological remains.

Assessment

- 8.45. Archaeological works to the south west in 2003 identified activity of Roman date. At that time, the application area was stripped of topsoil, but not to archaeological levels, so there is potential for remains relating to those found nearby to survive, though they are likely to be in a truncated state.
- 8.46. The submitted desk based assessment indicates programme of archaeological works, which the Council's Archaeological advisor considers sufficient in order to ensure any remains are properly recorded and the results published.
- 8.47. The applicants, during the course of this application, have submitted a Written Scheme of Investigation, which the Council's Archaeology advisor is content with. A phased condition, in accordance with the WSI will be imposed.
- 8.48. It is therefore considered that subject to the aforementioned condition, the development would cause less than substantial harm to archaeological assets of local importance, the loss of which must be weighed against the public benefits of the proposal, which are summarised at the end of this report.

Flood risk/surface water drainage

- 8.49. The proposal is supported by an FRA, which confirms that the site is located within flood zone 1 and close to an area at risk of surface water flooding (to the east of the site, associated with the adjoining watercourse). This area lies outside of the application site and the development is ~1.5m higher than the area at risk.
- 8.50. The FRA sets out the proposed surface water drainage strategy for the site and this shows that the development will not connect into the existing network but will have its own connection into Tiffield Brook via a system of pipes, tanked permeable paving to car parking areas, geocellular attenuation and hydrobrake flow control. Anglian Water have confirmed that there is capacity for a foul water drainage connection.
- 8.51. The LLFA have confirmed they are satisfied with the content of the FRA and require a condition regarding the submission of a verification report, to ensure that the drainage system remains clear of debris following the construction of the development.

Ecology Impact

Legislative context

- 8.52. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.
- 8.53. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:
- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - b. That there is no satisfactory alternative.
 - c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

- 8.54. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 8.55. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.
- 8.56. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.57. Policy NE3 of the LPP2 seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species

and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.

- 8.58. Policy BN2 of the LPP1 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

- 8.59. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site consists of semi-improved grassland, scrub and ruderal vegetation. Adjacent to the site boundaries are hedgerows, woodland and a watercourse. The site is considered by the Ecological Appraisal submitted with the application to be of low ecological value. Surrounding habitats will be protected from damage during construction.
- 8.60. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Contaminated Land

- 8.61. A ground investigation report has been provided which concludes that there is no further need for investigation or remedial measures at this site prior to the proposed redevelopment, as the soils at the site pose a very low risk to recognised human health receptors.
- 8.62. The EP Officer has reviewed the report and recommends that conditions are imposed to deal with any unsuspected contamination when implementing the development and that any imported soil onto the site in connection with the development is tested and approved by the LPA.
- 8.63. Subject to these conditions, it is considered that the proposal satisfactorily addresses any risks of land contamination, in accordance with Policy BN9 of the LPP1.

Other matters

8.64. The Economic Development Officer has recommended that the applicants enter into a S106 obligation to provide financial contributions towards the WNESS (West Northamptonshire Employment Support Service). However, the applicants have specified their preferred approach is to submit and implement a Local Labour Strategy, which sets out the details of local labour initiatives and employment support services to maximise access to the local labour market within West Northamptonshire, ideally during construction and operation of the proposed development. As such, this will be imposed as a condition.

9. FINANCIAL CONSIDERATIONS

9.1. The CIL is a set charge that must be paid if planning permission is granted for a new house (or houses) or for a home extension or retail development of over 100 sqm. This development does not fall within a category of development that is required to pay CIL.

10. PLANNING BALANCE AND CONCLUSION

10.1. The NPPF at paragraph 10 states 'At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking...for decision taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

10.2. In the context of this application, a view has to be taken as to whether or not there are any adverse impacts that would significantly and demonstrably outweigh the benefits of granting consent when assessed against the policies in the Framework taken as a whole.

10.3. Paragraph 8 of the Framework states that there are three overarching objectives which are interdependent and need to be pursued to achieve sustainable development.

10.4. An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. In this case, the proposal will create jobs, both during the construction and employment phases of the development.

10.5. A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being. The proposal seeks to support the local economy through increased economic activity in the area. It is also proposed to encourage access to public transport links to and from the site. In the short

term, construction activities have the potential to impact the local community by way of noise and dust. However, the submission and adherence to a CMP will ensure that any unacceptable adverse impacts are mitigated. New signage and marking for cyclists will improve cycling infrastructure around the site, encouraging non-vehicular movements to, from and around the site.

- 10.6. An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. In this regard the proposal will facilitate four ecological enhancements to the area, including a net gain in tree and shrub planting and new roosting opportunities for bats and nesting habitats for birds.
- 10.7. Therefore, in the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that the proposal would result in sustainable development and for these reasons, the application is recommended for approval, subject to the caveats and conditions set out in the recommendation.

11. RECOMMENDATION / CONDITIONS AND REASONS

- 11.1. Detailed recommendation here and full list of conditions and reasons here

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO:

THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

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

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

Plans & Details

2. Development shall not be carried out otherwise than in accordance with the approved plans and details:

Location and Building Plans
Location Plan 3774/PL/04 Rev A
Proposed Site Layout 3774/PL/SK100 Rev B
Proposed Floor Plans 3774/PL/SK101
Proposed Roof Plan 3774/PL/SK102
Proposed Elevations 3774/PL/SK103
Proposed Street Scene 3774/PL/SK104 Rev A
Proposed External Materials 3774/PL/SK105 Rev B
Proposed Contractors Compound Location 3774/PL/SK106 Rev A
Proposed Chiller Compound 3774/PL/SK74
Proposed Recycling Compound 3774/PL/SK75

Proposed Cycle Shelter 3774/PL/SK76 rev A

Drainage and Construction Plans

Drainage Layout 6228-50 Rev T1
Drainage Details Sheet 1 of 3 6228-17 Rev P1
Drainage Details Sheet 2 of 3 6228-18 Rev P1
Drainage Details Sheet 3 of 3 6228-19 Rev P1
Levels Strategy 6228-16 Rev P3
Topographical Survey 9056a
BREEAM Pre Assessment 2245-YON-XX-XX-RP-Z-3100-01

Tree and Landscape Plans

Pre Development Tree Survey 535-20 Rev 1
Tree Constraints Plan 2088-20-11
Tree Retention, Protection, Removal plan 2088-20-12
Landscape Concept 2088-20-13
Landscape Sections 2088-20-14

Highways Plans

Transport Assessment No.2 6228-R004 dated March 2022
Interim Work Place Travel Plan 6228-R002 rev C
S278 Works 6228-20 Rev P3
S278 Works Details 6228-21 Rev P2
Vehicle Tracking 6228-30 rev P1
Vehicle Tracking 6228-31 Rev P2

Archaeology

Archaeology Desk Based Assessment Part A JAC 266648 Version 3
Archaeology Desk Based Assessment Part B JAC 266648 Version 3

Documents and Reports

Flood Risk Assessment 6228-R003 rev E
Supplementary Ground Investigation Part A 19.03.023 May 2019
Supplementary Ground Investigation Part B 19.03.023 Index Maps
Ecological Appraisal 5504 EcoAp vf1
External LED Lighting Assessment 20-191 Rev 6
External LED Lighting 20-191-EX-001 Rev PL8
Air Quality Assessment AQ051757 V4
Operational Noise Impact Assessment REP-1012556-05-AM-20210505 Rev 2

unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

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

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

Construction Method Statement

3. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.
- design of construction access
- measures to control overspill of light from security lighting
- construction traffic operational times (to be outside local peak periods)
- a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

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

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

Archaeological Reporting

4. Within 6 months of the completion of the archaeological fieldwork in accordance with the written scheme of investigation prepared by MOLA Northampton, by Mo Muldowney dated January 2022, the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in Section 16 the National Planning Policy Framework and with Policy HE2 of the South Northamptonshire Local Plan.

Archaeological Archive

5. Within 2 years of the completion of the archaeological fieldwork in accordance with the approved WSI by MOLA Northampton, dated January 2022, the applicants (or their agents or successors in title) shall prepare the site archive and complete an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in Section 16 the National Planning Policy Framework and with Policy HE2 of the South Northamptonshire Local Plan

6. **Plant and Equipment Noise Assessment**

Prior to the installation of any fixed plant or machinery, a scheme shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed a level 5dB (A) below the existing background sound levels at any sound sensitive premises.

All measurements shall be made in accordance with the methodology of BS4142 (2014) (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The approved scheme shall be implemented prior to the installation of the fixed plant or machinery.

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

Plant and Equipment Noise Assessment

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

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

Local Labour Strategy

8. No development shall commence above slab level until a Local Labour Strategy is submitted to and approved in writing by the Local Planning Authority. The Local Labour Strategy will be implemented in accordance with the approved details.

Reason: In the interests of supporting economic growth and sustainability in accordance with the NPPF.

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

Surface Water Verification Report

9. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment '6228-R003-FRA- Rev E' has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.

The details shall include:

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

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

S278 Highway Works

10. Prior to development above slab level, the works to improve the vehicle crossover points and visibility splays at the existing bellmouth and new signage and markings for cyclists shall be undertaken in accordance with an approved S278 agreement, which has previously been submitted to and approved in writing by the Local Highway Authority.

Reason : To accord with Government Guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan which requires that development shall have a satisfactory means of access and in the interests of highway safety and the convenience of users of the adjoining highway.

Landscape Maintenance

11. 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(s) [or on the completion of the development, whichever is the sooner,] [or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

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

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

Travel Plan

12. The Interim Workplace Travel Plan (report reference 6228-R002-C) by BCAL Consulting dated November 2021 shall be implemented and operated in accordance with the approved details, at first occupation and thereafter of the development hereby approved.

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

Ecology

13. The development hereby permitted shall be carried out in accordance with the mitigation, recommendations and enhancements in section 6 of the Ecological Appraisal, by Aspect Ecology, dated May 2021, unless otherwise agreed in writing by the Local Planning Authority.

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

Construction Hours

14. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 08:00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays, without the prior written consent of the Local Planning Authority. . Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, "Code of practice for noise and vibration control on construction and open sites", Parts 1 and 2.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy SS2 of the South Northamptonshire Local Plan.

Lighting Strategy

15. The development hereby permitted shall be carried out in accordance with the recommendations set out in section 2.0 of the External LED Lighting Assessment Report by mba consulting engineers dated November 2021 unless otherwise agreed in writing by the Local Planning Authority.

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

Noise Strategy

16. The development hereby permitted shall be carried out in accordance with the recommendations set out in section 9 of the Operational Noise Impact Assessment by Hoare Lea dated 5 May 2021 unless otherwise agreed in writing by the Local Planning Authority.

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

17. **Restrictions of Use**

Any premises first used for purposes within Class B1(a), B1(b), B1(c), B2, and B8 shall thereafter only be used for those purposes as specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 as that Order applied in England on 31 August 2020 and for no other purpose(s) whatsoever.

Reason: To ensure proper planning control of the uses on site, to ensure compliance with Transport Assessment, to protect the amenities of nearby residents, to safeguard and to ensure adequate provisions of access and parking and to accord with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Site Clearance

18. Where an offence under Regulation 41 of the "The Conservation of Habitats and Species Regulations 2017 (as amended) is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bat species and great crested newts until a licence to affect such

species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policy NE5 of the South Northamptonshire Local Plan and Government guidance contained within Section 15 of the National Planning Policy Framework.

Native Species

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

Reason : To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

20. **Land Contamination**

If, during development, contamination not previously identified is found to be present at the site, development will cease within that area of the site, until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework

21. **External Storage**

Following the first occupation of each building on the site, no goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings.

Reason : In order to safeguard the visual amenities of the area and to ensure adequate parking and manoeuvring space within the site in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

22. **Sustainability**

The development hereby permitted shall be constructed to at least a BREEAM 'Very Good' standard, or any future national equivalent standard that replaces it.

Reason : To ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to comply with Policy S11 of the West Northamptonshire Joint Core Strategy.

23. **Refrigerated Trailers**

In the event that refrigerated trailers operate from the site, all HGV waiting and loading bays necessary to park the refrigerated trailers shall be provided with electrical hook up points to allow refrigerated trailers to operate without using their diesel engines when stationary. Any hook up points required by this condition shall be provided prior to first use of the site by refrigerated vehicles and thereafter be maintained in a serviceable condition for the lifetime of such vehicular activities taking place on the site.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework

Soil Importation

24. In the event that it is proposed to import soil onto site in connection with the development, the soil to be imported shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical Testing of Soil Scheme for all parameters previously agreed in writing with the local planning authority, the results of which shall be submitted to and shall be approved in writing with the local planning authority.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and pollution reduced in accordance with policy BN9 of the West Northamptonshire Joint Core Strategy.

INFORMATIVES:-

1. The development should come forward in accordance with Defra's publication "Construction Code of Practice for the Sustainable Use of Soils on Construction Sites".
2. 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
3. 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.)
4. The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974, contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working.