

<u>Application Number:</u>	WNN/2021/0897
Location:	Tnt Ipec Uk Limited, South Portway Close, Northampton, NN3 8RH
Development:	Demolition of existing warehouse and erection of replacement warehouse for B8 Use with ancillary offices
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Applicant:	Powerbody Sports PLC
Agent:	CC Town Planning
Case Officer:	Jonathan Moore
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Ward:	Talavera Unitary Ward
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Reason for Referral:	Major Application in excess of 10,000 sq. m
Committee Date:	15/08/2022
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO THE CONDITIONS AS SET OUT BELOW WITH DELEGATED AUTHORITY TO THE ASSISTANT DIRECTOR FOR PLANNING TO APPROVE ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY;

and SUBJECT TO THE COMPLETION OF A SECTION 106 LEGAL AGREEMENT to secure the following planning obligations:

- **Construction Training**
- **Monitoring Fee**

Proposal

Full planning permission is sought for the demolition of an existing warehouse and the erection of replacement warehouse for B8 Use storage use with ancillary offices.

Consultations

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

- Environmental Health, Highways, Northants Police, Tree Officer, Anglian Water, Ecological Officer, Construction Futures, Environment Agency, Northamptonshire Badger Group

Comments are awaited from the Lead Local Flood Authority at the time of writing of the report and will be reported via the Addendum to this agenda.

One letter of objection has been received on increased noise pollution. There have been no letters of support.

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
- Economic benefits
Design and Impact on Character of the Area
- Neighbour Amenity and Noise Impacts
- Parking and Access
- Flood Risk and Drainage
- Security
- Air Quality
- Landscaping/ Trees
- Ecology
- Contamination

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 covers approximately 3.5 hectares and is located on the Round Spinney Industrial Estate, to the north-east of Northampton.
- 1.2 The site is accessed from South Portway Close and comprises an existing distribution centre which has been in use for many years as offices and a distribution centre for the TNT UK parcel delivery and collection business. The existing warehouse totals approximately 8,000m². The site contains 56 HGV dock levellers, which are permitted for use 24 hours a day, 7 days a week.
- 1.3 The surrounding area is dominated by industrial and commercial uses. Further to the east of the site is a residential area, separated from the industrial park by a green space with an abundance of tree planting. The majority of the site is in a low risk flood zone.

2 CONSTRAINTS

- 2.1 The application site is within an existing business area in the Northampton Local Plan.
- 2.2 Flood Zones 2 (Medium Probability of flooding) and Flood Zone 3 (High Probability of flooding) extend into a small section of the site to the south east. The proposed building is situated outside of this area in Flood Zone 1 (Low Probability).

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposal is for the demolition of the existing warehouse building on the site and the erection of a new replacement warehouse building for B8 storage use with ancillary offices. The supporting documentation submitted with the application advises that the applicant, Body Power Sports, is one of the country's leading suppliers of gym equipment, providing equipment to both commercial and private customers. The company currently own and occupy the site adjacent to the application site, where they have a sales room, showroom and warehouse storage facility. The business is successful and due to growing demand they wish to expand. As such, the company has acquired the application site and are currently using the building for storage and distribution.
- 3.2 However, the building as it currently exists does not meet the company's requirements and therefore an application is submitted to erect a purpose built facility. The new warehouse building will have an approximate gross internal area of 12000m². The new building will be a larger footprint than existing with a maximum height of 15.72m and eaves height of 12.9m and will include additional warehouse space needed by the applicant, along with a newly designed external yard area which will allow for more efficient deliveries and collections. The building will also include an office area and staff and drivers area (including WC and shower facilities). The building will be finished in cladding panels and a curtain wall system.
- 3.3 There will be over 100 car parking spaces provided and access would be taken from South Portway Close. The car parking area would be provided on the west side of the site including EV charging points with cycle parking to the front.

4 RELEVANT PLANNING HISTORY

- 4.1 There is an extensive history since 1986 to the present day but none specifically relevant to the proposal.

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

5.2 Development Plan

- West Northamptonshire Joint Core Strategy (Local Plan Part 1) – Policies
 - SA Presumption in favour of sustainable development
 - S1 Distribution of development
 - S7 Provision of Jobs
 - S8 Distribution of Jobs
 - S10 Sustainable Development Principles
 - S11 Low Carbon and Renewable Energy
 - BN1 Green Infrastructure
 - BN2 Biodiversity
 - BN3 Woodland Enhancement and Creation
 - BN7 Flood Risk
 - BN7A Water Supply

- BN9 Planning for Pollution Control
 - E1 Employment areas
 - INF 2 Infrastructure Delivery
 - N1 Regeneration of Northampton
 - C2 New developments
- Northampton Local Plan (1997)– Saved Policy
 - E20 Design of new development

5.3 Material Considerations

National Planning Policy Framework (NPPF)

- Paragraph 104 Transport issues
- Paragraph 120 Effective use of land
- Paragraph 130 Design and amenity
- Paragraph 130 Security and crime prevention
- Paragraph 131 Trees
- Paragraph 159 Planning and Flood Risk
- Paragraph 174 Conserving the natural environment

Northampton Local Plan Part 2 (2011-2029) (Emerging)

- 5.4 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).
- 5.5 In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:
- 5.6 Policy 1 Presumption in favour of Sustainable Development- significant weight
 Policy 2 Place Making and design- moderate weight
 Policy 4 Amenity and Layout- moderate weight
 Policy 6 Health and well-being – significant weight
 Policy 7 Flood Risk and water management- significant weight
 Policy 17 Safeguarding employment sites- significant weight
 Policy 18- Supporting new employment- significant weight
 Policy 33 Highway network and safety- significant weight
 Policy 35 Parking- significant weight
- 5.7 Northampton Parking Standards Supplementary Planning Document
 Northamptonshire Parking Standards
 Planning out Crime SPG

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
Environmental Health	<p>No Objection: Environmental Protection have reviewed the Listers Geo Report dated August 2021 Report No 21.05.028. The preliminary risk assessment work and conceptual site model developed for site are agreed. Further works to provide comprehensive set of data in line with best practise are proposed for ground gases. The conclusions set out on Page 35 are agreed. Environmental Protection are happy to review this work once submitted. A condition to secure this further work should be added if this work is not available for review ahead of any decision on the application.</p> <p>Condition required to secure further site investigation work and condition for Construction Environmental Management Plan (CEMP)</p> <p>It is noted that any external fixed plant to serve the premises may not yet have been selected so we would suggest a condition is added to secure this information prior to occupation:</p> <p>Given the proximity of existing residential receptors Environmental Protection would request a Noise Management Scheme (NMP) condition is added to any decision document in a bid to get the end occupier to consider a “ Quiet Delivery” protocol for vehicle movements that do occur through the night. This would be a best practise/ management type document on how site will be managed to avoid noise nuisance and amenity issues. Appendix A of the Quiet Deliveries Good Practise Guidance- Key Principles and processes for retailers Dated April 2014 Department of Transport will assist the developer in forming a suitable NMP for site operational aspects. This would be desired given the close proximity of the residential estate.</p> <p>In terms of air quality need more information in terms of EV charge points (<i>further details required by condition</i>)</p>
Highways	<p>No Objection: Request that a suitably worded condition is secured that the proposal is laid out as per approved plans and the travel plans and transport assessment are considered acceptable</p>
Northants Police	<p>No Objection: No objection subject to control over access points staff parking to be monitored by CCTV and external lighting provided, all personnel doors to be secure by design and cycle parking closer to offices.</p>
Lead Local Flood Authority (LLFA)	Comments awaited.

Tree Officer	No Objection: No objections to the principle of development of the site, There is a commitment within the DAS to implement a soft landscape scheme in line with their consultant's recommendations, which is to be applauded, but those recommendations are not yet available.
Anglian Water	No Objection: No further conditions required
Ecology	No Objection: Pleased to see the applicant should be able to achieve the net biodiversity gain required. To secure the net gain would recommend first that a detailed soft landscaping plan be conditioned pre-occupation: this should be consistent with the Biodiversity Net Gain Plan, dwg 4768/01/21-2129 of 'Biodiversity Impact Assessment, Bodypower Sports PLC, Former TNT Site, South Portway Close' by Nicholsons Lockhart Garratt and dated March 2022. The soft landscaping will need to be maintained so would also recommend a LEMP.
Construction Futures	No Objection: Require financial contribution of towards construction training.
Environment Agency	No Objection: Subject to condition development is carried out in accordance with submitted Flood Risk Assessment and mitigation measures. Strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.
Northants Badger Group	No Objection: No objection in terms of effect on badgers in site vicinity

7 RESPONSE TO PUBLICITY

- 7.1 One letter of objection has been received on increased noise pollution. There have been no letters of support.

8 APPRAISAL

Main issues

- 8.1 The main issues to consider are the principle of development, economic benefits, design and impact on the appearance and character of the area, sustainable development, the effect on neighbouring amenity, noise, parking and access, drainage/ flood risk, security, air quality, landscaping, ecology and contamination.

Principle of development

- 8.2 The National Planning Policy Framework (NPPF) 2021 encourages sustainable forms of development and supports economic development.
- 8.3 The site is located within an allocated employment site with other industrial and commercial uses in close proximity. The proposed development is required to improve the facilities for an existing thriving business in the area and the development of the site for employment use therefore complies with Policy E1 of the Joint Core Strategy and Policies 17 and 18 of the submitted Northampton Local Plan Part 2 which seek to protect existing employment areas and support the development of appropriate new employment sites to contribute towards a vibrant, successful and developing local economy across West Northamptonshire. Although office uses should be ideally located in the town centre rather than in out of town locations, in this case the office is ancillary to the proposed predominant use of the building as B8 (storage and distribution) and is considered acceptable.

Economic benefits

- 8.4 Policy E1 of the Joint Core Strategy builds upon Policy S8 which seeks to concentrate new job growth in the urban area through regeneration and development. The NPPF states decisions should help create the conditions in which businesses can invest, expand and adapt. 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. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. The application proposal would provide local employment to Northampton in the region of 25 additional staff. The site's proposed re-configuration also allows for further expansion and flexibility beyond this as and when required. This should be afforded some weight in decision making and in accordance with the NPPF which requires consideration of economic benefits as one of the three threads of "sustainable development".

Design and Impact on the Character of the Area

- 8.6 The NPPF states "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Paragraph 130 states that decisions should ensure the development.
- 8.7 The new building would have an overall footprint of approximately 12,000m² with a re-designed external yard to allow for more efficient deliveries and collections. The building would be a steel framed structure, with an eaves height of 12.9 metres and ridge height of 15.72 metres designed with a curved roof in triplicate. The building would be finished with a combination of a predominantly grey coloured built-up cladding system, composite cladding panels and a curtain wall system with a prominent glazed corner feature located on the entrance corner of the building . The roof will be finished with a built-up roofing system. Materials would be secured by condition to ensure satisfactory external appearance.
- 8.8 The proposed building design is considered to be in keeping with the surrounding commercial character of the area and utilitarian styles of building and the materials and finishes appropriate for the locality where there are other metal clad buildings in the immediate locality

Sustainable Development

- 8.9 A presumption in favour of sustainable development is an over-arching theme contained within national and local planning policy. Policy S11 of the Joint Core Strategy seeks to ensure that new development contributes to a reduction in carbon emissions and adapts to the effects of climate change. For non-residential development over 500m² GIA a minimum rating of BREAAAM very good standard of equivalent is required and would be required by condition. The development would meet this standard as confirmed by the applicant.

Impact on amenity of neighbouring occupiers/ noise

- 8.10 The adjacent properties are characterised primarily by other commercial uses including mainly offices and industry. The closest residential occupiers are approximately over 60 metres way to the east of the site and separated by dense tree screening.
- 8.11 The proposed development would not be unduly overbearing or result in significant loss of outlook, light or privacy to the nearest residential occupier which are some distance away. This accords Policy E20 of the Northampton Local Plan and the aims of the NPPF in respect of protecting residential amenity.
- 8.12 The application is accompanied by a Noise Assessment which concludes that in all scenarios, the new building will be no worse in terms of noise impact than the current building.
- 8.13 Environmental Health raise no objection subject to conditions in respect of a noise assessment for proposed external plant, a Noise Management Plan for the site in operation and a Construction Environmental Management Plan to ensure the impacts of construction on surrounding amenity are appropriately mitigated. Such conditions are considered reasonable and appropriate to impose.

Parking and Highways

- 8.14 Paragraph 104 of the NPPF states that transport issues should be considered on development proposals so that the potential impacts of development on transport networks can be addressed;
- opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
 - opportunities to promote walking, cycling and public transport use are identified and pursued;
 - the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
- 8.15 The existing and proposed vehicular access into the site is from South Portway Close. The access would be altered to provide cars and HGVs separate access either side of a central gatehouse. Once within the site, the separation of cars and HGVs is maintained with lorry movements and lorry parking located to the east of the site and car parking provided to the north and west of the main building. 118 car parking spaces, including 12 disabled parking bays are proposed to the west of the warehouse building. 89 car parking spaces are proposed for the retained office use

in the north east of the site. The proposed parking would include the provision of EV charging bays in accordance with policy. In respect of the operational yard of the warehouse, four level access bays are proposed along with eight docks and 21 lorry bays. Cycle parking is proposed towards the entrance to the site, with a condition proposed for specific details to ensure secure cycle parking provision is achieved.

- 8.16 The nearest bus stops are located approximately 400m walking distance north-east of the site entrance along Barley Hill road in Southfields with a further bus stop located approximately 480m walking distance along Stone Circle Road within Round Spinney Industrial Estate providing services to the Town Centre and surrounding area.
- 8.17 A full transport assessment is submitted with the application which concludes that the increase in vehicle trips to and from the site as a result of the proposed development is not considered material, and not 'severe' in the context of the NPPF. A swept path plan also demonstrates that the site includes sufficient space on site for manoeuvring of HGVs when entering and exiting the site. The amount of parking provided is in accordance with the adopted Northamptonshire Parking Standards, with both the car parking and cycle parking provision being above the minimum permitted
- 8.18 Overall, it is considered that the proposed development can provide a safe access point for cars, HGVs and pedestrians with sufficient space on site to accommodate the movement of all vehicles. The Highway Authority raise no objection and it is considered that the proposal is acceptable on highway safety grounds and would not lead to any adverse highway or parking impacts.

Drainage and Flood Risk

- 8.19 The NPPF seeks to ensure that proposals for new development are appropriately located away from areas with a high risk of flooding and to ensure that the development does not lead to an increase in flood risk elsewhere. Policy BN7 of the Joint Core Strategy requires that new development demonstrates there is no risk of flooding to existing properties and that the development is (or can be) safe, seeking to improve existing flood risk management.
- 8.20 The majority of site lies within a low risk Flood Zone (Flood Zone 1) with a small section of the south eastern corner situated with Flood Zone 2 (Medium Probability of flooding) and Flood Zone 3 (High Probability of flooding). The proposed building would be situated in its entirety within Flood Zone 1.
- 8.21 The application is supported by a Flood Risk Assessment (FRA) which has been subject to assessment by the relevant drainage authorities. The Environment Agency and Anglian Water raise no objection to the proposal subject to conditions to ensure the development is carried out in accordance with the submitted FRA and mitigation measures therein. The comments of the Lead Local Flood Authority are awaited and will be reported to Committee via the addendum to this agenda.

Security and Crime Prevention

- 8.22 The NPPF states "development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Policy S10 of the Joint Core Strategy reflects these aims.

- 8.23 The applicant has given consideration to the proposed layout to ensure personal safety and contends that natural surveillance of car parking is an important aspect of the design. The Northamptonshire Crime Prevention Design Advisor considers that the proposal raises no objection and a standard security condition would be secured to allow further assessment of security measures for the site in terms of provision of CCTV, access and lighting, This accords with Policy S10 of the Joint Core Strategy and the Northamptonshire SPG on Planning Out Crime

Air Quality

- 8.24 The proposed development includes provision for electric vehicle charging points along with a travel plan which sets out a long term management strategy to minimise travel to and from the site by single occupancy car trips.
- 8.25 Environmental Health raise no objection subject to further details on the provision of EV charging points. A condition is proposed in this regard.

Landscaping and Trees

- 8.26 There are no protected trees on site and the site is not in a conservation area. The Council's Tree Officer recommends that a landscaping condition be agreed on any planning approval in line with Policy BN3 of the JCS. This will ensure an acceptable external appearance of development that assimilates into the surrounding area.

Ecology and Biodiversity

- 8.27 The application is supported by an Ecological Appraisal which has been assessed by the Council's Ecology Officer. The report recommends a soft landscaping plan and Landscape Ecology Management Plan which would achieve an overall net biodiversity gain. In accordance with the recommendations of the Council's Ecology Officer conditions are proposed for a detailed soft landscaping plan to accord with the submitted Biodiversity Net Gain Plan prior to occupation and a Landscape and Ecological Management Plan to ensure appropriate maintenance of any landscaping. Such conditions are considered reasonable to impose to ensure appropriate ecological mitigation.
- 8.28 Whilst the submitted ecology report notes the presence of badgers in the wider surrounding area, none are present on site and no activity has been identified on site. The Northants Badger Group raise no objection and separate legislation outside of planning under the Protection of Badgers Act 1992 is in place to ensure appropriate protection of the species should site circumstances change.

Contamination and Ground works

- 8.29 In respect of contamination, Environmental Health have commented on the applicant's submitted Technical report for Ground works and are satisfied with the initial findings and the preliminary risk assessment and conceptual model for the site are agreed. A condition is proposed for further assessment in respect of ground gases to ensure appropriate mitigation as necessary.

Section 106 Obligations

- 8.30 A contribution towards construction training has been requested and is considered reasonable to secure by a Section 106 legal agreement. This is in accordance with

Policy E6 of the Joint Core Strategy which seeks to secure employment and skills development for the local workforce.

9 FINANCIAL CONSIDERATIONS

9.1 Section 106 obligations as above.

10 PLANNING BALANCE AND CONCLUSION

10.1 The re-development of the site for Class B8 use within an established employment area is considered acceptable in principle. The proposal would deliver a sustainable development while providing significant employment benefits to the area. The proposal would not have any undue detrimental impact on the appearance and character of the area, neighbour amenity, highway safety, ecology, flood risk or security to comply with Saved Policies E20 of the Northampton Local Plan, Policies SA, S1, S7, S8, S10, S11, E1, BN1, BN2, BN3, BN7, BN7A, BN9, E1, INF2, N1 and C2 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning Policy Framework.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 **RECOMMENDATION: GRANT PERMISSION SUBJECT TO THE CONDITIONS AS SET OUT BELOW WITH DELEGATED AUTHORITY TO THE ASSISTANT DIRECTOR FOR PLANNING TO APPROVE ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY;**

and SUBJECT TO THE COMPLETION OF A SECTION 106 LEGAL AGREEMENT to secure the following planning obligations:

- **Construction Training**
- **Monitoring Fee**

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:
21/0360, 468401, 02, SK05C, SK06H, SK07A, SK08, SK11A, SK12B, SK13, SK14A, 05666/TR/01/P1, SK10B.

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

Construction and Environmental Management Plan (CEMP)

3) Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the

construction period and the approved measures shall be retained for the duration of all construction works unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall detail the following:

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during demolition and construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.
- design of construction access
- hours of construction work
- control of noise and/or vibration
- measures to control overspill of light from security lighting

The approved method statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of construction works.

Reason: In the interests of residential amenity to comply with Policy BN9 of the Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

Materials and External Finishes

- 4) The development shall be carried out in accordance with the external materials and finishes as detailed on the approved drawings.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

Hard and Soft Landscaping

- 5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. 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. The scheme shall be consistent with the Biodiversity Net Gain Plan, dwg 4768/01/21-2129 of 'Biodiversity Impact Assessment, Bodypower Sports PLC, Former TNT Site, South Portway Close' by Nicholsons Lockhart Garratt and dated March 2022

Reason: In the interests of amenity and biodiversity to secure a satisfactory standard of development in accordance with the NPPF. This is a pre-commencement condition to ensure timely submission of details.

Implementation of Landscaping

- 6) 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 implemented in accordance with the approved details prior to occupation and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the NPPF.

Landscape and Ecological Management Plan

- 7) A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the development.

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 to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy.

External Storage

- 8) No goods or articles shall be stored on any part of the site except inside the building.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality in accordance with Policy E20 of the Northampton Local Plan.

Bicycle Storage

- 9) Prior to occupation of the development hereby permitted, full details of facilities for the secure and covered parking of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy E20 of the Northampton Local Plan.

Access, Parking Layout etc

- 10) The vehicular and pedestrian/cycle access, parking, servicing and turning areas shall be laid out in accordance with the approved plans prior to the first use of the development hereby permitted and retained thereafter. The car parking spaces shall at all times be reserved for the parking of vehicles by staff and visitors and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy E20 of the Northampton Local Plan.

Refuse Storage

- 11) Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building(s) hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

Drainage

- 12) The development shall be carried out in accordance with the submitted flood risk assessment prepared by David Smith Associates Ref: 20/41494, dated 03 September 2021 for Bodypower Sports PLC and the following mitigation measures:

1. The proposed site will not impact on any flood flow routes and there will be no loss of flood storage as a result of the development. (as stated in section 6.1.1.4 of the FRA).
2. The section of flood zone 3 within the east of the site will be used for goods vehicle car parking only. (as stated in section 6.1.1.2 of the FRA).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure appropriate flood mitigation and drainage for the site in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

External Lighting

- 13) Prior to occupation full details of all external lighting shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

Security Measures

- 14) Prior to the occupation of development approved, full details of security measures to include CCTV cameras, access controls and glazing shall be submitted to and agreed in writing and implemented in accordance with the approved details.

Reason: in the interests of security to comply with Policy S10 of the West Northamptonshire Joint Core Strategy.

Noise Assessment

- 15) Prior to occupation of the development hereby permitted, the applicant shall undertake a noise assessment in accordance with BS4142:2014+ A1 2019 of any newly proposed external fixed plant, and/or any relocated external fixed plant, to support the application. The report assessment and conclusions, together with any mitigation required to deliver a Low Impact, as set out in BS4142:2014+A1 2019, shall be submitted in writing and agreed to the satisfaction of the Local Planning Authority. Any agreed mitigation required shall be implemented at the application site prior to its use, and retained thereafter

Reason: In the interests of surrounding amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Noise Management

- 16) Before the development hereby permitted commences operation, a Noise Management scheme (NMP) for the site shall be agreed in writing with the Planning Authority that specifies the internal /external sources of noise on the site and the provisions to be made for their control on a day to day basis. The scheme(s) agreed shall be implemented prior to the development coming into use and shall be retained thereafter.

Reason: in the interests of residential amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy.

EV Charging

- 17) Notwithstanding the submitted details, prior to the first occupation of the approved development , full details of electric vehicle charging points shall be submitted for approval and constructed/ provided in accordance with the agreed details prior to occupation.

Reason: In interests of sustainable development to accord with Policy S10 of the West Northamptonshire Joint Core Strategy.

BREEAM

- 18) The development hereby approved shall be constructed to BREEAM Very Good Standard.

Reason: In the interests of sustainable development to accord with Policy S11 of the West Northamptonshire Joint Core Strategy.

Boundaries

- 19) Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

Use

- 20) The approved offices shall at all times remain ancillary to the approved B8 use.

Reason: To ensure that there is proper control of the development in accordance with the National Planning Policy Framework.

Contamination

- 21) A further assessment of the site with respect to ground gases shall be undertaken as set out on Page 35 of the Listers Geo Report dated August 2021, which complemented the application. This assessment shall have regard to the best practise set out in CIRIA 665 and BS 8584:2019 +A12019. This further work shall be submitted to and agreed in writing with the Local Planning Authority prior to first occupation of the approved building and implemented in accordance with those agreed details.

Reason: In the interests of safety and amenity to accord with Policy BN9 of the West Northamptonshire Joint Core Strategy.
