

PLANNING COMMITTEE:	12 th April 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2015/1021
LOCATION:	Land at the corner of, Countess Road & Lyttleton Road
DESCRIPTION:	Part demolition of existing factory building & conversion of existing factory building into 45x apartments & erect 2x dwellings
WARD:	Spencer Ward
APPLICANT:	Cox & Collier (2014) Ltd
AGENT:	Architectural Solutions
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	Major application
DEPARTURE:	Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to the conditions as set out below and for the following reason:

The proposal would bring about the development of a disused and derelict building in a prominent location within a residential area, the renovation of which would enhance and make a positive contribution to the character and appearance of the surrounding area. The site is in a sustainable location, with good access to the town centre and public transport, and the conversion to residential use and additional two dwellings proposed would make a positive contribution to the Council's 5-year housing supply. The development would not lead to any adverse impacts on existing highway, flood conditions, or existing or proposed residential amenity. It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied and that, on balance, the lack of contributions would be outweighed by the environmental and social benefits of the proposal. As such the proposal is considered to be in accordance with the requirements of Policies S3, S10, C2, E1, H1, BN7, BN9, INF1, INF2 and N1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. UPDATE SINCE PREVIOUS COMMITTEE

2.1 The application was deferred by Committee on 22nd March 2016 to allow further investigation into the provision of disabled access to flats and the possibility of having lift access.

2.2 Officers have raised these issues with the applicant. The applicant's agent has responded advising that their client has considered the re-use of the lifts and comments as follows:

- The lifts are either goods lifts or pulley lifts and neither could be used as passenger lifts.
- There is no statutory requirement for lifts to serve a 3-storey development.
- To reconfigure a lift within the building would inevitably involve the loss of a unit on each of the three floors. The loss of any units to the scheme would make it even less viable than the current scheme for which a detailed Report on viability has been submitted and is now supported by the Council's own consultants.
- The provision of an external lift shaft has been looked at but the estimated price based on initial consultation with such lift companies indicates a figure of over £100,000 the additional cost of which would make the scheme unviable.
- Four mobility units are proposed on the ground floor.
- The development is over four floors, however the 2nd & 3rd floor are duplex apartments.

2.3 Whilst the NPPF advises on the need to plan to create safe, accessible environments, National Planning Policy Guidance, in reference to new developments, advises that viability is a consideration when considering whether accessible and adaptable wheelchair user dwellings should be required in non-lift serviced flats.

2.4 Furthermore, Building Control has advised that, whilst desirable, there is no legal requirement under Part M of the Building Regulations for disabled access on developments involving conversion of an existing building to residential use.

2.5 Members are advised therefore, that whilst desirable, there are no planning policy or building regulations requirements for the provision of disabled access within the development proposed, and that the viability of the scheme would be further impacted should such provision be requested.

2.6 Notwithstanding the above, the applicant has submitted an amended plan identifying Units 7, 9, 11 and 13 as mobility units. These units will have direct access from the car park area via a ramped approach. There will also be entrance doors internally purely for the occupiers to have the option to have visitors access through the communal entrance points. The circulation within the mobility apartments will be adapted to suit wheelchair bound persons with kitchen worktops located partially at lower level and bathrooms fitted out with fixtures and fittings suitable for disabled persons and to meet Building Regulation approval for a disability unit.

3. THE PROPOSAL

3.1 The application proposes the conversion of a former factory into 45 one, two and three bedroom apartments and the erection of 2 dwellings. The existing lift shafts & buildings to rear of the site would be demolished. The majority of existing window openings would be retained and rooflights inserted within the roof to utilise the roofspace. The existing vehicular access from Countess Road would be retained and 52 parking spaces provided on site together with bin and cycle storage. Access to the two new dwellings proposed would be from Lyttelton Road.

4. SITE DESCRIPTION

4.1 The site comprises of a disused 4-storey factory building located at the corner of Countess Road and Lyttelton Road. The overall site 0.39 hectares in area. The surrounding area is predominantly residential of varying types and ages including houses and apartments. To the rear and immediate north of the site are industrial workshops. The factory building comprises of a mainly 3-storey solid brick building with slate roof with two lift shafts and a range of single storey buildings located to the rear. Vehicular access is from Countess Road. Dallington Brook

runs through the centre of the site north to south and a large part of the site is situated within Flood Zone 2.

5. PLANNING HISTORY

5.1 No recent planning history. Various applications in relation to the site's previous industrial use.

6. PLANNING POLICY

6.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

6.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

The NPPF has a presumption in favour of sustainable development.

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 29 advises that the long term protection of employment sites should be avoided where there is no reasonable prospect of the site being used for that purpose.

Paragraph 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

Paragraph 49 – housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 51 – planning applications for change of use from commercial to residential use should normally be approved where there is an identified need for additional housing in that area, provided there are not strong economic reasons why such development would be inappropriate.

Paragraph 56 – good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 100 – Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary , making it safe without increasing flood risk elsewhere.

Paragraph 101 – the aim of a sequential test is to steer development to areas with lower probability of flooding. Development should not be allocated or permitted if there are reasonably alternative sites appropriate for the proposed development.

Paragraph 102 – if it is not possible for the development to be located in zones with a lower probability of flooding, the exception test should be applied which demonstrates that the development provides wider sustainability benefits to the community that outweigh flood risk and the development will be safe for its lifetime without increasing flood risk elsewhere.

Paragraph 103 – in determining planning applications Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding when informed by a Flood Risk Assessment

Paragraph 205 – where obligations are being sought Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

6.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings in the plan period 2011 to 2029.

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations, be located where services and facilities can be easily reached by non-car modes; protect, conserve and enhance the built environment; minimise pollution from noise, air and run-off.

Policy C2: New Developments – new development will be expected to achieve modal shift targets by maximising travel choice from non-car modes.

Policy E1: Existing Employment Areas – change of use to non-employment generating uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment purposes, conflict with adjoining uses or its release would offer significant benefits to the local area.

Policy H1: Housing Density and Mix and Type of Dwellings – new housing development will provide for a mix of house types, sizes and tenures having regard to the character of the area; accessibility to services and facilities and public transport; living conditions of future residents and impact on amenity of occupiers of neighbouring properties.

Policy H2: Affordable Housing – required to be provided at 35% on sites of 15 dwellings or more.

Policy BN7: Flood Risk – new development will need to demonstrate there is no increased risk of flooding to existing properties, and the proposed development is (or can be) safe and shall seek to improve existing flood risk management.

Policy BN9: Planning for Pollution Control – new development likely to result in exposure to sources of pollution will need to demonstrate provision of opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development.

Policy INF1: Approach to Infrastructure Delivery – new development will be supported by and provide good access to infrastructure. Where development generates a need for new infrastructure developers will need to demonstrate that provision will be made to meet the necessary requirements arising from that development.

INF2 – Contributions to Infrastructure Requirements – new development will only be permitted if the necessary on and off-site infrastructure required to support and mitigate its impact is already in place or there is a reliable mechanism to ensure it will be delivered.

Policy N1: The Regeneration of Northampton – will be supported by, amongst other things, housing development within the existing urban area through urban capacity infill.

6.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 – the design of new development should adequately reflect the character of the surrounding area and be designed and located to ensure adequate standards of privacy, daylight and sunlight.

6.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

7. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NBC Public Protection** – No objection, following receipt of additional information regarding the potential noise impacts from adjacent business units on proposed residential amenity subject to conditions for a scheme of noise mitigation to be submitted providing mitigations measures for Units 7-15.
- 7.2 **NBC Estates** – no objection subject to there being no interference with the access and day to day use of Council owned units located off Lyttelton Road.
- 7.3 **Crime Prevention Officer** – no objection. Need to ensure access control system has no trades buttons and post is delivered externally. The area is subject to a high level of crime and incidents of anti-social behaviour.
- 7.4 **NCC Highway Authority** – following receipt of revised plans, the Highway Authority require 1 cycle space per flat. The Highway Authority would accept current level proposed, provided a site Travel Plan is carried out to monitor the car and cycle parking utilization within the site. If proposed level of cycle parking is shown to be sufficient, the LHA would have no objection providing money is set aside for a 5 year period (to be covered by Travel Plan monitoring) to be used towards the creation of additional cycle spaces should it be shown at a later date that cycle parking capacity is exceeded.
- 7.5 **NCC Planning** – the development is likely to generate approximately 7 Primary School pupils and 2 Secondary School pupils. Request S106 contributions towards Primary and Secondary Education, fire and rescue, libraries.
- 7.6 **Highways England** – no objection.

- 7.7 **Environment Agency** – have withdrawn their objection following the receipt of further details to address concerns in relation to flood compensation arising from the increased footprint of the car park and raised levels to ensure the development does not increase the risk of flood elsewhere.
- 7.8 **Anglian Water** – no objection. The existing sewerage system at present has capacity.
- 7.9 **Councillor Gareth Eales** – welcomes the conversion of the derelict factory into dwellings but is concerned about the parking congestion the proposal will cause in an area already congested daily and even more so on Saints match days. 50 plus new dwellings could potentially be a significant number of additional vehicles, some homes having two cars per home. Based on the parking shortage opposes the application in its current form.
- 7.10 Letter received from **Unit B Lyttelton Road** - do not object provided own access roads/rights are not impinged upon. Concur with police over security problems that exist in the area.

8. APPRAISAL

Principle of development

- 8.1 The NPPF has a presumption in favour of sustainable residential development and encourages the use of brownfield sites and the re-use of commercial buildings for residential use where there is an identified need for additional housing in the area and no strong economic reasons as to why development would be inappropriate.
- 8.2 Policy E1 of the JCS seeks to resist change of use of existing employment to non-employment uses unless it can be demonstrated that the site is no longer economically viable for employment purposes, there is conflict with adjoining uses or its release would offer significant benefits to the local area.
- 8.3 The site is allocated for employment under the Local Plan however the Employment Land Study 2010 advises that due to the poor condition of the buildings, high vacancy rate and that the majority of the site being surrounded by residential that the Countess Road industrial buildings should be released for other uses. The site has been vacant for some time and the submitted details advise that the property was marketed for a considerable period by the previous owner for employment uses, but no interest was received. With the exception of the industrial buildings to the rear and immediate north of the site, the surrounding area is now predominantly residential. The use of the building for industrial uses would therefore lead to adverse impacts on and be in conflict with adjoining uses. The site is in a sustainable location, with good access to the town centre and public transport, the development of which for residential use would contribute towards the Council's 5-year housing supply and bring an existing derelict building back into use. Subject to the considerations discussed within the remainder of this report, the principle of conversion and development of two additional dwellings is considered acceptable.

Design and Appearance

- 8.4 The development would remove the unattractive later additions to the rear of the building. The majority of existing window openings would be retained with minimal alterations to the front and sides of the building proposed and the majority of traditional features retained. A number of roof lights are proposed in the front and rear roof slopes to allow living accommodation within the roofspace, but due to the height of the building these would not be prominently visible from the street. Window details and materials would be agreed by condition to ensure the conversion remains sympathetic to the appearance of the existing building.
- 8.5 The proposed two dwellings located on Lyttelton Road would be built using the retained gables ends of an existing outbuilding associated with the former factory. The design of the dwellings

has been amended to reflect the more traditional character of the existing building rather than more recent residential development within the area, and is considered acceptable.

- 8.6 The scheme has been amended to address the concerns of the Crime Prevention Officer and proposes secure controlled vehicular access and pedestrian access to the rear of the site. The rear perimeter of the site would be enclosed by 2m fencing.
- 8.7 The conversion would enhance the appearance of the existing derelict building and site and would contribute positively to the character and appearance of the area in accordance with the requirements of Policies H1 and S10 of the JCS. It is considered acceptable in this regard.

Amenity

- 8.8 The property is of a suitable size for conversion to the number of flats proposed with each flat having sufficient provision of daylight and outlook. Whilst the level of outdoor amenity space is limited to a small communal area to the rear of the flats, the site is within close proximity of open space at Victoria Park. Two enclosed refuse storage blocks would be provided at either end of the building providing sufficient refuse storage. A condition requiring sufficient mitigation in relation to potential noise impacts on a small number of the proposed flats from commercial activities to the rear and east of the site would be mitigated by condition.
- 8.9 The proposed 3-bedroom dwellings have been designed to provide sufficient daylight and outlook to habitable rooms. Enclosed gardens in excess of 6m deep would be provided to the rear of each dwelling. The rear elevation of the proposed flats would be situated 14m from the side boundary of the nearest garden which would afford a degree of overlooking but not dissimilar to that found in the majority of residential developments.
- 8.10 Due to adequate separation distances to surrounding existing residential properties opposite and to the side of the site there would not be any unacceptable impacts from the development in terms of overlooking or overshadowing.

Highway Impacts

- 8.11 Access to the site would be via the existing access from Countess Road. Parking for a total of 58 vehicles would be provided on site comprising of 54 spaces for the apartments located to the rear of the site accessed via automated secure access gates including 5 disabled spaces and 2 spaces per dwelling. The submitted details indicate the provision of 30 Sheffield Hoops within the rear car park which could potentially accommodate 60 bikes with a bike either side. The Highway Authority guidance requires a minimum of 1 space per dwelling and as such is considered that the level of cycle parking provision is appropriate.

Flood Issues

- 8.12 A large part of the site lies within Flood Zone 2 due to the presence of Dallington Brook which runs across the site north to south. Additional information has been provided addressing Environment Agency concerns regarding appropriate flood compensation. The car park level will essentially remain as existing levels with a tarmac surface over with slight changes in levels at the access and a ramp up to the southern part of the car park to accommodate existing changes in ground levels. Communal areas will be reduced in level to provide the necessary flood compensation and protective bollards are proposed to protect the watercourse from large objects/debris in the event of the car park flooding.
- 8.13 The NPPF advises on the application of a sequential test for development in areas at risk of flooding however the application is for the conversion of an existing building and therefore where development is considered necessary it should be made safe without increasing flood risk to

elsewhere. The Environment Agency is satisfied that the measures proposed will ensure the development will not lead to any increased flood impacts and subject to the conditions proposed would not adversely affect proposed occupiers and therefore have no objection. In relation to the exceptions test it is considered that the development would provide wider sustainability benefits to the community in bringing a disused building back into use which would enhance the character and appearance of the area and would also provide much needed housing.

Affordable Housing, S106 and Viability

- 8.14 National Planning Guidance advises that a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. A flexible approach should be taken in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.
- 8.15 Assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the National Planning Policy Framework is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.
- 8.16 Policy H2 of the JCS sets out a requirement for affordable housing at 35% for developments of 15 or more dwellings. This would equate to a requirement of 17 units within the development being affordable.
- 8.17 A viability assessment has been produced on behalf of the applicant that advises that development of the site as proposed would result in a Gross Development Value (GDV) of 14.77%, below market expectations of 20% GDV.
- 8.18 The viability assessment has been considered by an independent consultant on behalf of the Council who has advised that a key issue in relation to the viability of the site includes abnormal costs associated with developing a brownfield site such as this, in addition to the conversion costs. The abnormal costs for this project include demolition, asbestos removal, flood risk mitigation measures, the removal of lift shafts and non-recoverable VAT on the build cost. The type of development proposed means that the construction of all 45 apartments must be completed prior to sale, which has implications on capital employed and subsequent interest charges.
- 8.19 The Council's independent consultant has reviewed the submitted viability assessment and concluded the following:
- A policy compliant scheme with 35% affordable housing and S106 contributions would result in a negative land value for the site.
 - A scheme based on 100% open market units (i.e. with no affordable housing and no S106 contributions) whilst resulting in a positive residual land value would fall below the benchmark land value over and above existing land use values considered appropriate to incentivise a landowner to bring their site forward for development.
 - Given the above the development as proposed is not capable of supporting an affordable housing contribution or other S106 payments.

- 8.20 Based on this assessment, it is considered that would not be reasonable to require any affordable housing provision on the site, which would make the scheme unviable and therefore undeliverable.
- 8.21 Comments from the County Council Development Management Section request financial contributions for fire and rescue, libraries and broadband. There is no policy basis for such payments and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122.
- 8.22 The County Council has also requested a financial payment towards the provision of primary school education within the vicinity. Whilst a request has been made by NHS England for a contribution towards increased healthcare facilities no response has been received. However, contributions of £621 per dwelling would ordinarily be requested.
- 8.23 A further requirement is for the provision of construction training and the Council's monitoring fees. These requests would normally satisfy the tests as set out above and the payments as requested would be required to be made, to be secured through a legal agreement.
- 8.24 However, these contributions are also subject to the viability assessment as discussed above. Given that the land value produced for the site would be below the benchmark level, the requirement for affordable housing and S106 contributions would result in the development being unviable and the site remaining undeveloped for a further period.
- 8.25 The applicant has considered the re-use of the existing lift shafts to ensure that all flats are fully accessible, but considers that the cost of this non-statutory requirement, and the potential impact of this on the viability of the scheme, means that it is not deliverable. However, four of the ground floor flats are to be made mobility units, and all of the ground floor flats units will be accessible by level access and ramps.

9. CONCLUSION

- 9.1 The proposal would bring about the development of a disused and derelict building in a prominent location within a predominantly residential area, the renovation of which would enhance and make a positive contribution to the character and appearance of the surrounding area. The site is in a sustainable location with good access to the town centre and public transport and the conversion to residential use and additional two dwellings proposed would make a positive contribution to the Council's 5-year housing supply. The development would not lead to any adverse impacts on existing highway or flood conditions or existing residential amenity.
- 9.2 It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied. This consideration needs to be weighed against the benefits of bringing a derelict building back into use in an area where there is a high degree of crime and anti-social behaviour and the positive contribution that the development would make towards the character and appearance of the area in addition to the provision of much need housing. On balance it is considered that the environmental and social benefits of the proposal outweigh the harm identified above and the application is therefore recommended for approval.

10. 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 Section 91 of the Town and Country Planning Act 1990.

2. Prior to the commencement of development, details of all proposed external facing materials including windows shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy H1 & S10 of the West Northamptonshire Joint Core Strategy.

3. Prior to occupation of the development hereby permitted, full details of all external lighting shall be 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 H1 & S10 of the West Northamptonshire Joint Core Strategy.

4. Prior to construction of the covered cycle store full details of the cycle store shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

5. Prior to occupation a detailed scheme of hard and soft landscaping for the site shall be submitted for approval in writing by the Local Planning Authority.

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

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.

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

7. The development shall be carried out in accordance with the approved Flood Risk Assessment undertaken by BCAL Consulting (ref:5357 R001 FRA, dated September 2015), letter from BCAL Consulting dated 24 December 2016, and emails from Mark Brydon, BCAL consulting dated 2nd and 3rd February 2016 and the following mitigation measures detailed within:

- Finished floor levels shall be set no lower than 67.50m AOD for the flats and 65.05m AOD for the dwellings.
- Provision of floodplain compensation as shown on drawing nos. 5357-09, 5357-08 & 5357-07 (Rev A) and 5357-06 (Rev A).

The mitigation measures shall be implemented fully prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy.

8. Notwithstanding the submitted details, prior to commencement details of the proposed bollards or alternative structures proposed around the watercourse as shown on drawing no. SK357-SK20160202 shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development hereby permitted and retained thereafter.

Reason: To provide adequate protection to the adjacent watercourse in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy.

9. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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

10. Prior to occupation of the development hereby permitted a scheme for the mitigation of external noise impacts from adjacent employment uses on the proposed residential Units 7 to 15 (odds), 21 to 29 (odds), 37 to 43 (odds), Unit 47 and the rear elevations of Units 38, 40, 42, 44, 45 & 46 inclusive as shown on drawing no. 15/C238/11A shall be submitted for approval in writing by the Local Planning Authority. The scheme shall include glazing specifications and details of mechanical ventilation. The scheme shall be implemented in accordance with the approved details prior to occupation of the above units and retained thereafter.

Reason: In the interests of the amenity of the proposed occupiers in accordance with the requirements of Policy BN9 of the West Northamptonshire Joint Core Strategy.

11. The access, access gates, car parking, cycle parking provision and bin storage shall be laid out in accordance with the details shown on drawing no. 15/C238/10C prior to occupation of the development hereby permitted and retained thereafter.

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

12. The development hereby permitted shall be carried out in accordance with the following approved plans: 15/C238, 15/C238/10C, 15/C238/11A, 15/C238/12A, 15/C238/13A, 15/C238/14C, 15/C238/15C, 15/C238/16C, 15/C238_17B, 15/C238/18, 15/C238/19A, 5357-SK-20160202, 5357-06 rev A, 5357-07 rev A, 5357-08 rev A, 5357-09 rev A, Topographical Survey.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the dwellings hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place.

Reason: To prevent overdevelopment of the site in accordance with Policies H1 & S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

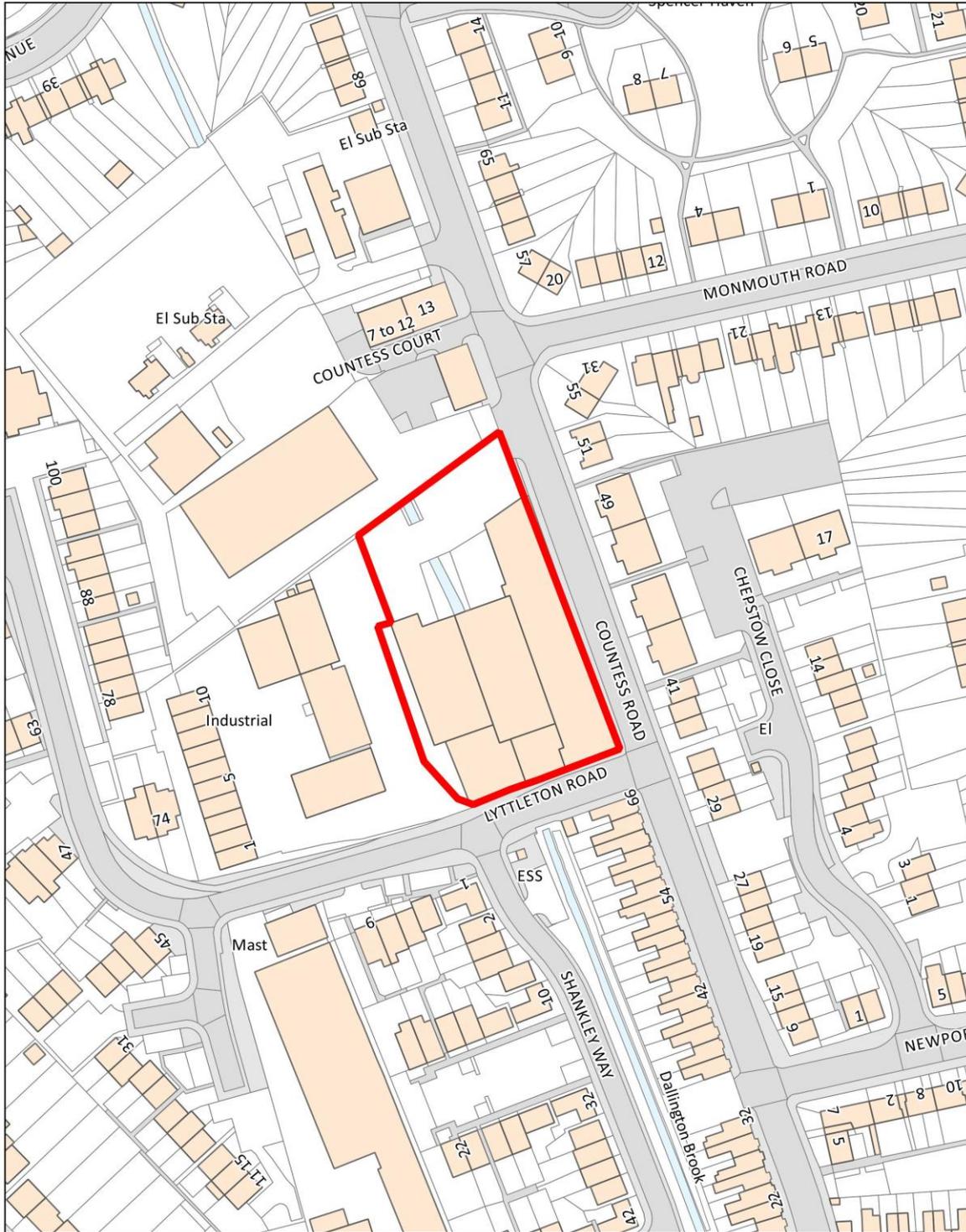
- 10.1 N/2015/1021

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **Land corner of Countess Rd & Lyttleton Rd**

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