

PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0412

LOCATION: Land South Of Bedford Road, off Liliput Road

DESCRIPTION: Demolition of farmhouse, associated buildings and the residential property of Little Norway. Construction of two warehouse and distribution units (Use Class B8) with ancillary office accommodation, together with earthworks, access, service yards, parking arrangements, landscaping and other associated infrastructure including creation of footpath

WARD: Rushmills Ward

APPLICANT: Roxhill Developments Limited
AGENT: Oxalis Planning Limited

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major application requiring S106 agreement

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

1.1.1 The prior completion of a S106 Agreement to secure:

- i) The submission of a management plan to secure the implementation of the proposed landscaping and a strategy for its ongoing maintenance throughout the life of the development;
- ii) A payment to enhance the bus services serving the site where 50 or more staff starting or finishing a shift are not within 15 minutes of an existing service to the Town Centre;
- iii) Two bus shelters at existing stops on Liliput Road near Scotia Close;
- iv) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and
- iv) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.1.2 The Conditions set out in section 9 below and for the following reason:

The development would support the continued economic growth of Northampton and would provide additional employment opportunities. These benefits would outweigh any harm to heritage assets within the vicinity of the site. Furthermore, subject to conditions and the legal agreement, the development would have a neutral impact upon the landscape and natural environment, residential and visual amenity, the highway system and flood risk. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies BN2, BN5, S1, S7, S8 and S10 of the West Northamptonshire Joint Core Strategy; and Policies E9 and E20 of the Northampton Local Plan.

- 1.2 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application seeks planning permission to erect two warehouse buildings, which would be accessed via an extended Thomas Dachser Way. The first of these would be located to the north east of the site and would have a maximum height of 14.9m and a floor space of approximately 35,840 square metres. This building would be served by 286 car parking spaces (including 14 spaces for use by those with disabilities), parking for 72 lorries and storage for 40 bicycles. The warehouse would also include ancillary office accommodation and a gatehouse. The second warehouse would be sited to the south west of the site and would have a similar height to Unit 1. This element of the development would also feature an ancillary office building in addition to parking for 100 cars (including five spaces for use by those with disabilities), parking for 18 lorries and storage for 20 bicycles. The floor space of this particular unit would 11,176 square metres.
- 2.2 Both warehouses would feature a variety of ancillary structures typically associated with commercial developments, including smoking shelters, electrical substations and security fencing.
- 2.3 It is proposed that bunding be constructed between the buildings and the northern, eastern and south eastern boundaries of the site in order to provide some screening from the highway and Great Houghton village. The bunding has a varied height of between 8m and 13m. In addition, the bunding would have a varied form in terms of the top ridge and the gradient. The bunding would be supplemented by additional landscaping.
- 2.4 The positioning of the bunding is such that the aforementioned footpath would need to be diverted. Assuming this application is successful, a further application would need to be made pursuant to Section 257 of the Town and Country Planning Act in order to formally achieve this; however, it is necessary as part of this application to consider the merits of the diversion in terms of the impacts on accessibility and amenity.
- 2.5 In order to facilitate the development, the existing buildings at Little Norway and Martins Farm would be demolished.

3. SITE DESCRIPTION

- 3.1 The site is located to the south eastern side of Northampton and has an area of approximately 18.8 hectares in area and is adjacent to the allocated commercial area of Brackmills, although the

site is predominantly in use for agricultural purposes. The agricultural land serves Martins Farm, which is sited to the north east of the site. Should the development proceed, the farm would be demolished. A further dwelling, Little Norway, sited to the south west of the site would also be demolished.

- 3.2 The topography of the site typically slopes and falls from its south-eastern side down to its north-western boundary that abuts the current industrial estate. The difference in ground levels at alternate ends of the site equates to as much as 19m. The area constitutes a broad river valley landscape with gently undulating valley slopes. The Brackmills Estate, to the northern-western side of the site, occupies a low-lying position in a natural, shallow bowl.
- 3.3 Great Houghton village is located to the eastern side of the site. Part of the boundary of the Great Houghton Conservation Area runs adjacent to the eastern boundary of the site for a distance of approximately 77m.
- 3.4 In terms of the site's relationship with the surrounding road network, Bedford Road (the A428) runs to the north of the site, although there would no direct access to the site from this highway. The development would be served by an extension to Thomas Dacsher Way, which is a relatively new road, which links Liliput Road (one of the main entrances to Brackmills from Bedford Road) to recently constructed commercial buildings.
- 3.5 Public Footpath KU9, which links Great Houghton to Bedford Road at the edge of the Brackmills Estate, runs through the application site from its southeast corner to the northern boundary. A dismantled railway line, which now serves as a footpath and cycle route (National Cycle Route 6), runs the southern boundary of the site and is lined with trees and shrub vegetation. A further public right of way runs along the north-western boundary of the site and provides a footway/cycleway connection between Bedford Road and the Brackmills Industrial Estate.

4. PLANNING HISTORY

- 4.1 N/2014/0068 – Demolition of farm house, associated farm buildings and two semi-detached industrial units. Erection of a strategic warehouse and distribution unit with ancillary outbuildings (totalling 60,108sq.m of floorspace), car parking, new site access off Liliput Road, attenuation ponds, infrastructure and landscaped bunding – Withdrawn
- 4.2 The above application was due to be reported to the Council's Planning Committee in July 2014, with a recommendation to approve; however, the application was withdrawn in advance of the committee meeting. The development proposed within this application is of a smaller scale.

5. PLANNING POLICY

5.1 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 Northampton Local Plan (1997) saved policies.

- 5.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area and listed buildings.

5.3 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:

- 5.4 Paragraph 14 of the NPPF states that the planning decisions should result in the approval of planning applications, where they conform with the requirements of the development plans and in cases where the development plan is absent, silent or out of date, the application should be approved provided that the benefits significantly and demonstrably outweigh any adverse impacts unless the development is contrary to the requirements of the NPPF.
- 5.5 Paragraph 17 sets out the overarching aims of the planning system and in particular identifies that there is a need to take into account the different roles and characters of areas, whilst recognising the intrinsic character of the countryside. In addition, it is necessary to secure high quality design and a good standard of amenity. It is also a requirement to proactively drive and support sustainable economic growth in order to deliver the needed business and industrial developments.
- 5.6 This requirement is elaborated within paragraph 18 where it is stated that there is a commitment to securing economic growth through the creation of jobs, whilst in paragraph 20 it is noted that there is a requirement for Local Authorities to support development which meets the needs of modern businesses.
- 5.7 Paragraph 35 requires that new developments accommodate the efficient delivery of goods and supplies, whilst creating safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- 5.8 Of further relevance is paragraph 109, which requires the protection and enhancement of landscapes in addition to minimising impacts on biodiversity and providing net gains in biodiversity where possible. Planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development in accordance with Paragraph 123 and should limit the impact of light pollution in accordance with Paragraph 125.
- 5.9 Paragraph 131 states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. 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 (paragraph 132); consent should be refused when substantial harm to or total loss of significance would be caused unless substantial public benefits would be achieved (paragraph 133). The effect of an application upon the significance of a non-designated heritage asset shall be taken into account with balanced judgement being required in decision-making as regards the scale of any harm or loss to its significance (paragraph 135).

5.10 **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:

- 5.11 Policy S1 – 'The Distribution of Development' requires that development be concentrated primarily in and adjoining the principal urban areas of Northampton.

- 5.12 Policy S7 – ‘Provision of Jobs’ requires that provision will be made for a minimum net increase of 28,500 jobs in the period 2008-2029 in order to maintain a broad balance between homes and jobs and to maintain a diverse economic base.
- 5.13 Policy S8 – ‘Distribution of Jobs’ requires the majority of new job growth to be concentrated within the principal urban area of Northampton.
- 5.14 Policy S10 – ‘Sustainable Development Principles’ requires development to achieve the highest standards of sustainable design.
- 5.15 Policy BN1 – ‘Green Infrastructure’ requires that measures to enhance existing and provide new green infrastructure provision be designed and delivered sustainably.
- 5.16 Policy BN2 – ‘Biodiversity’ requires that the ecological assessment of sites be carried out where development has the potential to harm sites of ecological importance and states that development will be supported when a net gain in biodiversity is achieved.
- 5.17 Policy BN4 – ‘Upper Nene Valley Gravel Pits Special Protection Area’ requires that new development will need to demonstrate that there will be no significant adverse effects upon the integrity of the Special Protection Area.
- 5.18 Policy BN5 – ‘The Historic Environment and Landscape’ requires that the settings and landscapes of designated and non-designated heritage assets will be conserved and enhanced in recognition of their individual and cumulative significance. Heritage and landscape features, such as conservation areas and significant historic landscapes, that contribute to the character of an area should be sustained and enhanced.
- 5.19 Policy INF2 – ‘Contributions to Infrastructure Requirements’ requires that development will only be permitted if the necessary on and off-site infrastructure that is required to support it, and mitigate its impact, is either already in place, or there is a reliable mechanism in place to ensure that it will be delivered

5.20 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:

- 5.22 E9 – ‘Locally Important Landscape Areas’ requires special importance to be attached to the effect of proposed development upon the landscape.
- 5.23 E20 – ‘New Development’ requires the design of any new built development to adequately reflect the character of its surroundings and to ensure adequate standards of privacy, daylight and sunlight.
- 5.24 E26 – ‘Conservation Areas’ requires development to either preserve or enhance the character and appearance of designated conservation areas.

5.25 Supplementary Planning Documents

Developer Obligations

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Archaeology Advisor (NCC)** – Object to the development on the grounds that it would have an adverse impact on heritage assets; however, if permission is forthcoming, it should be subject to a condition requiring archaeological investigation prior to development commencing.
- 6.2 **Conservation (NBC)** – The proposed development would harm the character and significance of the Great Houghton Conservation Area through the loss of its setting of open countryside and the setting of listed building. The harm would be significant and would be substantial. In line with planning policy, permission should be refused unless it can be demonstrated that the harm is outweighed by substantial public benefits.
- 6.3 **Ecology Advisor (NCC)** – Broadly satisfied with the submitted information in respect of ecology matters.
- 6.4 **Environmental Health (NBC)** – In the event of permission being granted, it is recommended that conditions are imposed in respect of contamination investigation, unexpected contamination, noise controls and lighting.
- 6.5 **Highways Agency** – No objections.
- 6.6 **Highway Authority (NCC)** – In the event of an approval, planning conditions are required in order to secure precise details relating to the proposed highway works, a travel plan and a Construction Environment Management Plan and a legal agreement to secure works to encourage more sustainable means of travel.
- 6.7 **Lead Local Flood Authority (NCC)** – No objections, subject to conditions relating to the submission of a drainage strategy and the agreement of a strategy for maintaining the drainage system.
- 6.8 **Natural England** – There are no objections in terms of the impacts on the Upper Nene Valley Gravel Pits and the inclusion of green infrastructure within the development is welcomed. In addition, the retention of matters such as boundary trees, along with the creation of new habitat areas and tree planting would help to retain and enhance important links to the wider countryside for a variety of species. The development may provide opportunities to include features that are beneficial to wildlife, such as nest boxes.
- 6.9 **Northamptonshire Police Crime Prevention Design Advisor** – In order to minimise opportunities for crime, it is recommended that a gate is installed at the rear path to Unit 2.
- 6.10 **Historic England** – Planning permission should only be granted unless the Council is fully satisfied that the harm to heritage assets, including the Great Houghton Conservation Area and the loss of the ridge and furrow landscape is outweighed by substantial public benefits.
- 6.11 **Great Houghton Parish Council** – Object due to the detrimental impact that the development would have on the rural setting of Great Houghton and its conservation area. The development would also have a significant detrimental impact upon the amenities of residents. This land is wholly unsuitable for a development of this scale and type. It is considered that the applicant's assessment regarding the weight that can be given to Policy E9 of the Local Plan is unconvincing. The development fails to comply with the requirements of National and Local Planning Policies.
- 6.12 **Hardingstone Parish Council** – No objections.
- 6.13 13 letters of objection have been received. Comments can be summarised as:
- The proposal does not represent sustainable development
 - The development has limited economic and social benefits to the community

- There would be a detrimental impact on residential amenity, the natural environment and the historic environment.
- The economic impacts of the proposal are overstated.
- The development represents the loss of open countryside and is a locally important landscape
- The scale of the proposed green area is small.
- The Local Plan is still a material consideration and should be given significant weight.
- The development would have an adverse impact upon the highway system
- There are no improvements to the wider cycle network.
- The diverted footpath would increase distances for pedestrians
- Excessive noise would be generated, particularly as there would proposal would operate on a continual basis.
- Increased air and light pollution would occur.
- The development would have an adverse impact upon wildlife.
- The ongoing maintenance of the landscaping is questioned.
- The development could be accommodated within existing units in Brackmills.

7. APPRAISAL

Principle of the development

- 7.1 It is recognised that the development is allocated as green space within the Local Plan; however, the relevant policy has since been superseded by the West Northamptonshire Joint Core Strategy (JCS). Policy BN1 identifies the site as forming part of a Green Infrastructure Corridor and requires that such corridors are incorporated into proposed development and that long term strategies for the management of green infrastructure are delivered. In the case of this particular proposal, the loss of trees on site (which are not of particularly significant species) would be replaced by good quality trees, which would represent an ecological improvement. Furthermore, the general poor quality grasslands would be replaced by species that are of a good ecological quality and would be of a type that could be characterised by old meadow and pasture types that have seen a reduction in occurrence since the 1960s due to changes to drainage, ploughing and re-seeding and from the use of high rates of fertilisers. In addition to these physical works, the developer would enter into a Section 106 Legal Agreement which would require the submission and agreement of a management strategy for the site's green infrastructure and for this to be retained throughout the life of the development.
- 7.2 Therefore, whilst the specific allocation of the Local Plan is noted, the more recent JCS should carry the greatest weight. It is notable that the Policy BN1 doesn't form a bar to development; however, seeks improvements and maintenance where that development takes place. In this specific instance, the current ecological value of the greenspace is limited and if this development were to proceed, enhancements would be secured as would the ongoing maintenance of this green space. This represents an improvement over the existing situation and in light of this conclusion, it is considered that the breach of the Local Plan allocation should not warrant a refusal of this planning application.
- 7.3 Policy E9 of the Northampton Local Plan is material to the consideration of the application. This policy allocates the area north of the disused railway line and south of Bedford Road as being a locally important landscape area. This area expands to the east of the application site. The reason for the allocation is summarised as the space delineating the boundaries of Great Houghton and Brackmills in addition with the fields marked by hedges. The site also represents one of the few sites within the current Borough which features evidence of ridge and furrows.
- 7.4 Whilst this policy is material to the consideration of the planning application, the enhanced landscaping as described previously would provide some screening of the development and

provide a notable buffer between Brackmills and Great Houghton. As a result of this, the distinct identity of Great Houghton would be retained. In addition to this point, it is noted that it would appear that the traditional hedge layout on the specific application site has already seen a number of alterations and given the proposal to retain planting on the site boundaries, it is considered that the harm generated by the proposal would be less than substantial in this regard. Whilst the development would result in the loss of ridge and furrows, as the varying levels on the site, requires re-levelling in order to facilitate the proposed development. The main significance of the ridge and furrows arises from their limited occurrence within the current boundaries of the Northampton Borough. As a result of these conclusions, it is considered that the harm arising from the breach of this particular planning policy is also limited and therefore should not be used as a reason for refusing planning permission.

- 7.5 In addition to these factors, there is a national and local planning policy requirement to provide new developments in order to meet the changing needs of businesses and to facilitate new economic and employment opportunities. As a result, the proposed development is in conformity with these requirements, which carries significant weight in the determination of the planning application.
- 7.6 It is recognised that the development would result in the loss of two dwellings at Martins Farm and Little Norway. Whilst there is a need for residential accommodation within the Borough, there is also a need to generate employment opportunities and economic growth, which outweighs the loss of residential accommodation.
- 7.7 On account of the nature of the site, conditions are recommended that would require the submission of an investigation into the potential for contamination and, if appropriate, a strategy for its mitigation. A separate condition should also be utilised that would cover the possibility of unexpected contamination being discovered during the construction process.

Design and appearance

- 7.8 The proposed warehouses have a functional design; however, attempts have been to reduce the impacts of the proposals. In particular, the buildings would feature a curved roof, which serve to reduce the overall massing of the building and provide some interest in the general form. In addition, the application identifies a materials palette that includes the use of graded colours on the elevations, which serves to reduce the overall visual impact of the scheme and minimises the impacts of the height of the proposed development. In order to secure a satisfactory form of development, a condition is recommended that would enable the Council to approve building materials prior to construction works taking place. This matter is of particular significance due to the relative prominence of the site.
- 7.9 By reason of the positioning of the development it is considered that there would be no significant adverse impact upon the amenities of the residential properties in terms of considerations such as light, outlook and privacy.
- 7.10 The development includes ancillary offices and gate houses, which are of a functional appearance. This is considered appropriate given the nature of the proposed development. A condition is recommended that would ensure that the offices are used for ancillary purposes only and do not form separate planning units. This would be for the avoidance of doubt and to ensure that a sustainable development is created.
- 7.11 The application has been reviewed by Northamptonshire Police's Crime Prevention Design Advisor, who has requested that the rear path leading to the staff car park from unit 2 is fitted with gates in order to provide a safe and secure form of development. This would be secured via a condition, in addition to a more general condition relating to boundary treatments, which would be provide security and maintain visual amenity.

- 7.12 Bunding is to be provided on the periphery of the development. It is accepted that this would represent a new feature within the landscape; however, it has been designed in such a way so as to provide variations in terms of height and gradient. This varied form therefore creates a more natural form of development, which prevents the bunding from forming an incongruous feature whilst also assisting in mitigating the general height and form of the proposed development.

Impact on residential amenity

- 7.13 The site is in close proximity with the village of Great Houghton; however, the development has been designed in such a way so that the buildings and bunding would provide some screening of noise arising from the operation of the development. Notwithstanding this conclusion and given that the development would potentially operate on a continual basis it is recommended that should the application be approved, it be subject to a condition requiring the submission of a scheme of a strategy for noise attenuation and for the development to operate in accordance with this agreed strategy. This is in line with the advice that has been received from the Council's Environmental Health section. For the avoidance of doubt, this scheme should include, but not be limited to, equipment such as air conditioning units, vehicle movements and reversing sirens.
- 7.14 Given the pattern of usage of the development, it is likely that lighting would be installed at the development, such as in the car parks and vehicle manoeuvring areas. As this has the potential to impact upon the amenity of residential properties, a condition is recommended that would require the submission and agreement of a lighting scheme. This lighting scheme would establish the maximum levels of illuminance and provide certainty that these would be maintained in the future.
- 7.15 It is recognised that the construction of the development has the potential to create adverse impacts upon residential amenity. In order to provide mitigation of this, a condition is recommended that would ensure that a Construction Environment Management Plan (CEMP) is submitted and agreed by the Council. The CEMP would therefore include matters such as the hours in which buildings works would take place and strategies for dust control during the construction works.

Air quality

- 7.16 The CEMP referenced above would include measures for dust suppression during the construction process. In addition, the proposal includes the provision of electric charging points for vehicles (which would be secured by condition), which would serve to encourage the use of less polluting vehicles. Furthermore, the Section 106 Agreement would include mechanisms for improving the attractiveness of more environmentally sustainable means of transport.

Highway impacts and access

- 7.17 The impacts of the development have been assessed by the Highway Authority and in principle they have no objections to the development proceeding. If the application is approved, it would be subject to conditions requiring the provision of the access, vehicle movement spaces and parking to be provided prior to the first occupation of the development and for this to be retained thereafter. A further condition is recommended that would ensure that these spaces are not used for open storage, which may compromise the overall success of the development. These conditions are considered necessary and reasonable in order to ensure that the proposal does not impact on the surrounding road network, where additional on street parking would be undesirable.
- 7.18 By reason and the nature and scale of the development, it is likely that the usage of Bedford Road and the access roads within Brackmills would increase. In order to counteract this, the

developer is proposing upgrades to the highway network, which have been agreed with the Highway Authority. In particular, the Rushmills roundabout within Bedford Road would be altered so that the two exits onto the A428 would feature two lanes. In addition, the Barnes Meadow roundabout with the A45 would be altered to increase the number of lanes on exit to Bedford Road to two. These measures would increase the capacity of the highway network. In order to secure a satisfactory form of development, a condition is recommended that would ensure that the final specifications of these alterations are agreed by the Council, in consultation with the Local Highway Authority.

- 7.19 It is recognised that there is a need for new developments to promote more sustainable means of travel. To this end, the applicant has prepared a framework Travel Plan, which sets out means by which this would be achieved (such as promoting sustainable transport measures to staff, financial incentives to travel sustainably and the setting up of programmes, such as car sharing). The implementation of this plan would be secured via a condition. In addition, to these requirements, and in line with the advice of the Highway Authority, the applicant would enter into a Section 106 Agreement that would require the provision of new bus shelters within Liliput Road (near to Scotia Close), which would serve to make travelling by public transport to be more attractive. Furthermore, the Section 106 Agreement would secure improvements to bus provision on routes between the application site and the town centre when there is a shift change of more than 50 people. As a consequence of these measures, it is considered that adequate consideration has been given to means of encouraging more sustainable means of travel as required by national and local planning policies.
- 7.20 As outlined previously in paragraph 3.5, the site features a pedestrian/cycleway between the Bedford Road and Thomas Dacsher Way. The development proposes that this would be retained and would be hard surfaced to a width of 3m in line with the requirements of the Highway Authority. This would be secured through a condition and would be carried out prior to the first occupation of the development. In addition, bollards would be placed at either end of this route in order to prevent the unauthorised use by vehicles.
- 7.21 On a related point, no objections have been received from the Highways Agency with regards to the impacts upon the strategic road network.
- 7.22 Should planning permission be granted, the Council would receive an application pursuant to Section 257 of the Town and Country Planning Act to divert the footpath. The primary test within such an application is whether it is necessary to divert the footpath in order to implement any planning permission. In this case, the path would be built on through the provision of bunding. This is necessary to ensure that the visual impacts of the proposal are adequately mitigated and that suitable landscaping and green infrastructure is provided in line with planning policy. As also described, the bunding would provide some mitigation in terms of noise attenuation.
- 7.23 In addition, it is noted that the existing route of the footpath has a distance of approximately 315m which would be increased to approximately 380m if the diversion were to take place. Given this comparatively limited increase and the fact that improvements could be secured in the form of hard surfacing, it is concluded that users of the footpath would not be unduly disadvantaged through the diversion of the path. In addition, the proposed route of the path is relatively straight and as a consequence users of the path would have a clear line of sight, which reduces the opportunity for users to be adversely affected by anti-social behaviour. There would also be no significant changes in the level of natural surveillance that the path currently experiences.
- 7.24 The required CEMP would include details of the routing of construction traffic, delivery times and measures to prevent dust and other materials from being dragged onto the highway.

Impact on heritage assets

- 7.25 As set out previously, the site is in close proximity to Great Houghton and the Conservation Area. Whilst part of the Borough, the character of this area is different from other areas of Northampton due to its semi-rural character. In addition, Great Houghton is sited on more elevated land, which highlights the differences in this character as well as providing views from the Nene Valley. Although a number of developments have taken place within the wider area, this geographical distinction has been maintained and is significant.
- 7.26 Within Great Houghton there are a number of buildings of historical and architectural significance. The most notable include the St Mary's Church (Grade A Listed) and the adjacent former Rectory. Views westwards from the church yard include undeveloped land, which contributes to the setting of these heritage assets. In addition, views of the spire are also an important characteristic in terms of assessing the building's setting.
- 7.27 Given the nature of the proposed development, it is apparent that a number of these characteristics would be eroded as, in places; it would no longer being possible to view a more rural landscape. In addition the proposed development is likely to reduce the views from the north west of Great Houghton towards the church spire, which is visible from some of these areas.
- 7.28 Paragraph 132 of the NPPF states that the significance of a heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. In this case, the relationship between the application site and the heritage assets is variable. This is because the views of the development site are generally made through gaps in between buildings or trees. As such, the prominence of the proposed buildings and landscaping would be variable depending on season. Furthermore, although some views of the church spire may be removed, it would not be correct to state that this applies to all such views. As a result of this, it is concluded that although harm to heritage assets would arise from the proposed development, this harm is less than substantial.
- 7.29 As a consequence of these conclusions, this harm has been minimised and therefore can be justified in the context of paragraph 132 of the NPPF.
- 7.30 In this particular case, it is noted that an occupier has been identified for the larger warehouse of the two, which is also the closest to the Conservation Area and Listed Building and it has been confirmed that Decathlon has entered into a lease to occupy the building upon its completion.
- 7.31 Decathlon a company specialising in sports retail and operate in a significant number of countries. The company has plans to expand their presence within the UK and wishes to construct a new distribution facility in order to support this growth. Whilst this company is already present on Brackmills, it has outgrown its facility. It is therefore a possibility that if this development were not to precede it would need to look at sites outside of the Borough in order to assist in the delivery of this growth. As a consequence, the development would facilitate further economic growth in terms of generating additional jobs and business activity as the occupier has plans to at least double their size, as well as safeguarding existing jobs. Further to this, the existing Decathlon site would then become available for an alternative occupier, which is of benefit in terms of promoting further economic growth.
- 7.32 These benefits are therefore substantial and are of benefit to the wider public and would support the future growth of Northampton. This is of particular relevance as the likely increase in population in the future requires employment opportunities to be generated in tandem. Having applied the relevant test as described in paragraph 134 of the NPPF, it is concluded that the less than substantial harm is outweighed by the employment activities and economic development as described previously.
- 7.33 As discussed previously, the application site feature a ridge and furrow landscape that would be lost should the development take place. It is first important to note that this feature constitutes a non-designated heritage asset and therefore is not selected as being nationally important as the

significance derives more from offering interpretation as to historical architectural practices within the area. Although its loss would be regrettable it is not considered that there would be a significant adverse impact upon the village of Great Houghton. In addition, Great Houghton exhibits a historical settlement pattern developed over time along a straight axis. In this context the agricultural setting of the village plays a lesser role in interpreting the pattern of development within the vicinity.

- 7.34 Due to these conclusions, it is considered that the benefits of the development as described previously outweigh the harm caused through the loss of the non-designated ridge and furrow landscape.
- 7.35 Due to the pattern of development within the wider area and the fact that the bulk of the application site has not been built upon a condition requiring the undertaking of an archaeological investigation in necessary and reasonable.

Ecology

- 7.36 Given the currently undeveloped nature of the site, there is the possibility that portions of the site would be utilised as habitats for wildlife. In respect of bats, the applicant would provide boxes, which would be of benefit to the population. Furthermore, the loss of foraging habitat would be compensated through the creation of woodland, grassland and wetland habitats within the landscaped sections of the development. This habitat creation would also be of benefit to the local bird population. The applicant has also made a commitment to avoiding the removal of existing habitats within the nesting season, which would further reduce the impacts on birds.
- 7.37 As the application site contains a pond that has been used as a habitat for Great Crested Newts, two additional ponds would be implemented and managed in order to provide additional habitats for this species. These areas would include suitable planting to improve this type of habitat. The risk of mortality to Great Crested Newts during the construction process would be mitigated through translocation.
- 7.38 The habitat creation scheme would include a more varied mosaic of woodlands, scrub, grasslands and wetlands habitats, which would be maintained in the future. This would therefore provide a small improvement for invertebrates over the current situation.
- 7.39 In respect of badgers, the applicant has identified two setts on the site; however, the application site is likely to represent a portion of the foraging habitat for the badger population. The setts would be retained following the implementation of the proposed development and steps would be taken during the construction process to avoid any disruption to the badger population (such as capping pipes during the construction process to prevent access to the development and covering trenches overnight), in addition to a further survey being carried out in advance of the construction work commencing to ascertain that there have been no changes in the extent of the badger population.
- 7.40 In addition to these measures, the landscaped sections of the development would feature plants such as crab apple, hawthorn, rowan and wild cherry which would represent an improved foraging resource for badgers.
- 7.41 On account of the relatively small scale of the application and given the proposed mitigation measures as described above, it is considered that there would be no significant detrimental impact upon the Nene Valley Gravel Pits Special Protection Area.
- 7.42 The application has been reviewed by Natural England and the County Council's Ecology Advisor, who have raised no objections in principle to the proposed development.

Flooding

- 7.43 It is accepted that the proposal would result in construction works on a hitherto undeveloped site, which reduces the capability for natural run off. As a result of this and in line with the advice of the Lead Local Flood Authority, conditions are recommended that would ensure that a drainage scheme is submitted to and approved by the Council prior to the development commencing and that a management strategy is also submitted and agreed. These measures therefore provide confidence that there would be adequate level of drainage and this would be retained throughout the life of the development. As a result of these conditions, it is considered that the development would not increase flood risk either on the site or elsewhere in line with the requirements of the NPPF.

Legal obligations

- 7.44 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.

- 7.45 In addition to the highway infrastructure and maintenance strategy for the green space as described previously, financial contributions would also be secured for the provision of off-site open space and for construction worker training opportunities. This ensures compliance with the requirements of the Council's Developer Obligations Supplementary Planning Document.

8. CONCLUSION

- 8.1 It is considered that the principle of the development would have an adverse impact upon the heritage assets of Great Houghton; however, planning policies require that this harm is balanced against the benefits of the development. Given that the development would generate additional employment opportunities and would contribute to economic growth, it is considered that the harm is outweighed. Furthermore, subject to conditions and the proposed legal agreement, the impacts of the development can be satisfactorily mitigated and a neutral impact upon amenity can be secured.

9. 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. The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to ensure the agreement of such details in a timely manner.

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

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to agree such details in a timely manner.

5. The boundary treatments as shown on drawing SK032 Rev. P4 shall be fully 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 S10 of the West Northamptonshire Joint Core Strategy.

6. Full details of gates to serve the rear pathway to Plot 2 as shown on drawing SK023 Rev. P19 shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the Plot 2 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 S10 of the West Northamptonshire Joint Core Strategy.

7. Full details of facilities for the secure and covered parking of bicycles 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 safe and adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

8. Prior to the commencement of development, full details of all external lighting shall, which shall include data of all predicted light level, including the vertical illuminance levels at all sensitive properties 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 the National Planning Policy Framework. This condition is required to ensure the agreement of such details in a timely manner.

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 two weeks of completion (or within two 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. This condition is required to ensure the agreement of such details in a timely manner.

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

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

11. Notwithstanding the details submitted, full information relating to the provision of electric vehicle recharging facilities shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of creating a sustainable development in accordance with the requirements of the National Planning Policy Framework.

12. A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment, vehicle reversing sirens or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

13. Prior to commencement of development a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for agreement in writing, The CEMP should include (but not be limited to):

- i) Hours in which construction work would take place;
- ii) Methods for the suppression of dust;
- iii) Details of the proposed construction access to the site;
- iv) Details of routing to/from the site of construction traffic;
- v) Details of hours delivery times; and
- vi) Details of any wheel washing and other measures to prevent the discharge of dust and other materials on to the public highway.

Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a neutral impact upon amenity and highway safety in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to agree such details in a timely manner.

14. Prior to the first occupation of any unit of the proposed development the applicant shall provide a full Travel Plan for written agreement by the Local Planning Authority, in accordance with the agreed Framework Travel Plan dated 18/03/2016 submitted with this application. The measures identified shall thereafter be carried out in accordance with a timetable to be included in the full Travel Plan and shall be retained thereafter.

Reason: In the interests of promoting sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

15. Notwithstanding the details submitted and prior to the commencement of development, full details of the engineering and construction details of the road improvement works as shown on drawing ADC1295/001 and ACD1295/002 in respect of the A428 Bedford Road/Rushmills/Waterside Way roundabout and the A45 Barnes Meadow shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of highway safety and the movement of traffic in accordance with the requirements of the National Planning Policy Framework.

16. 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.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance the National Planning Policy Framework. This condition is required in order to agree such details in a timely manner.

17. 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 buildings 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 the National Planning Policy Framework.

18. All trees shown to be retained on drawing 4567-A-03 Rev. A shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the Joint Core Strategy. This condition is required in order to ensure the agreement of such details in a timely manner.

19. No development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This condition is required in order to agree such details in a timely manner.

20. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins; and
- ii) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydro brakes and any other flow control devices.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 13 of the West Northamptonshire Joint Core Strategy by ensuring the satisfactory means of surface water attenuation and discharge from the site. This condition is required to ensure the agreement of such details in a timely manner.

21. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

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

22. The access ways, parking spaces and vehicle manoeuvring areas as shown on drawing SK023 Rev. P19 shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

23. The car parking spaces and vehicle manoeuvring spaces as shown on drawing SK023 Rev. P19 shall at all times be reserved for the movement and parking of vehicles only and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure the provision of adequate facilities and a neutral impact on highway safety in accordance with the requirements of the National Planning Policy Framework.

24. Notwithstanding the details submitted, full information of the surfacing and bollards to be installed on the public right of way running to the west of the site shall be submitted to and approved in writing. Development shall be carried out in accordance with the details submitted, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of promoting more sustainable means of travel in accordance with the National Planning Policy Framework.

25. Notwithstanding the details submitted, full details (including siting) of new bat and bird nesting boxes shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of promoting ecological mitigation in accordance with the requirements of the National Planning Policy Framework.

26. The development hereby permitted shall be carried out in accordance the recommendations of paragraphs 9.7.24 and 9.7.27 of the Environment Assessment in respect of Great Crested Newts.

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

27. The office buildings as shown on drawing SK023 Rev. P19 shall be ancillary to the warehouses hereby permitted and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt and to secure a sustainable development in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

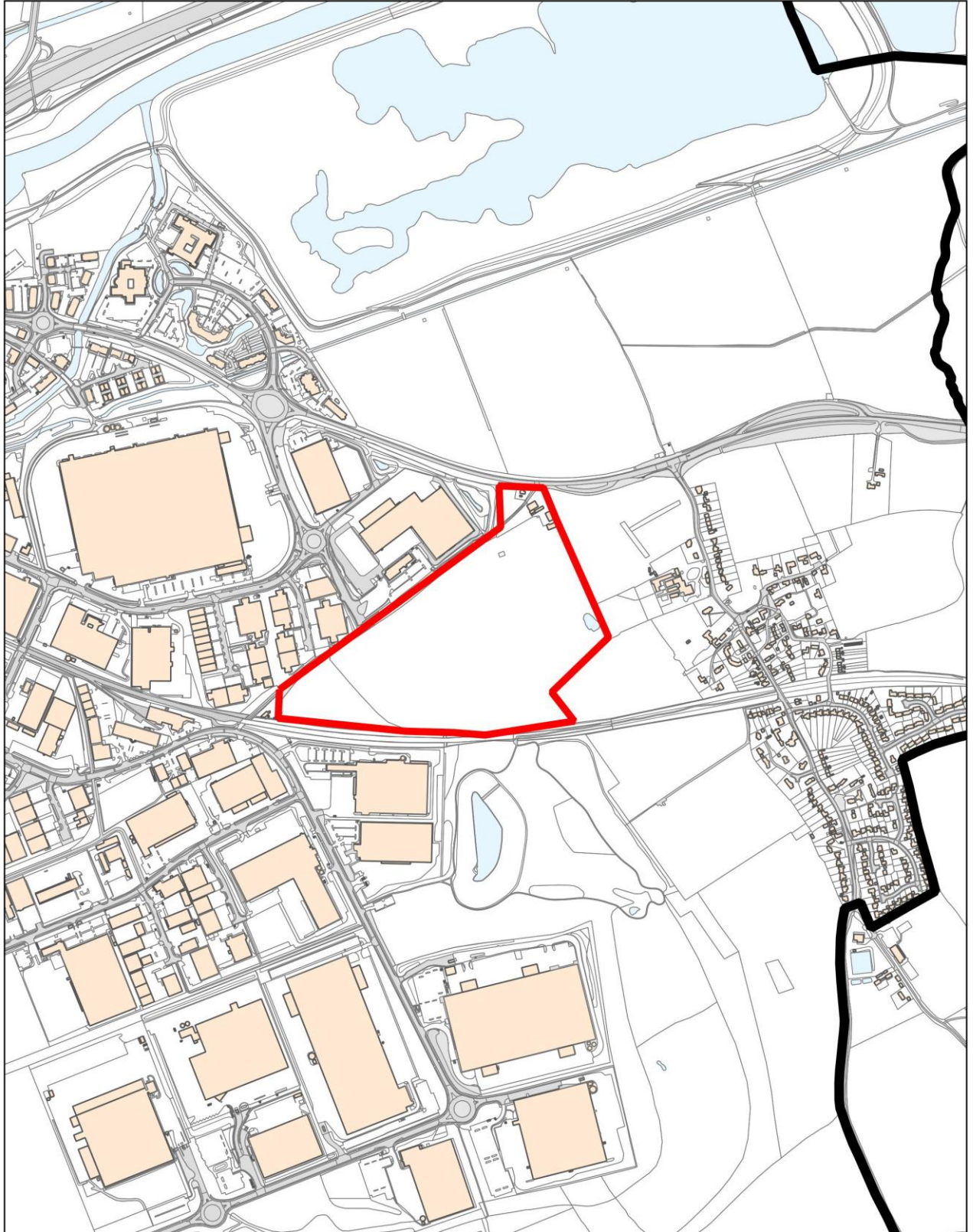
10.1 N/2016/0412

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: **Development Land South of Bedford Road Off Liliput Road**

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Date: 14-07-2016

Scale: 1:9,762

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