

**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0654

**LOCATION:** Former Northampton Chronicle And Echo Building , Upper Mounts

**DESCRIPTION:** Variation of planning conditions 7, 9 and 10 of planning permission N/2015/0333 (hybrid application for new retail food store and up to 19 residential dwellings) to allow in-store bakeries, extension of opening hours at bank holiday between 8am to 10pm and change of deliveries hours to state no deliveries to be permitted before 6.30am and after 9.00pm on Mondays to Saturdays; bank holidays no deliveries to be permitted before 6.30am and after 9.00pm; Sundays and public holidays no deliveries to be permitted before 8.30am and after 5.00pm

**WARD:** Castle Ward

**APPLICANT:** Aldi Stores Limited  
**AGENT:** STOAS Architects Limited

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

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to S106 legal agreement to secure:

- 1.1.1
- i) 35% on site affordable housing;
  - ii) A payment towards primary education provision;
  - iii) A payment towards the provision of health care facilities;
  - iv) A payment towards improving the public realm and links between the application site and the town centre;
  - v) The funding of a Traffic Regulation Order to enable amendments to the existing parking restrictions within Earl Street to be carried out;
  - vi) That the applicant submit details of the marketing strategy for the residential portion of the site prior to building works commencing; and
  - vii) 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 as set out below and for the following reason:

The proposed development would result in the satisfactory reuse of this previously developed site, on account of the proposal representing a sustainable commercial and residential development which would have a neutral impact upon the viability and vitality of the allocated hierarchy of centres, in addition to contributing to the established need for housing within Northampton. Furthermore, the proposal has established a number of acceptable design parameters that would ensure that the proposed development would be of a satisfactory scale and design whilst ensuring a neutral impact upon neighbour amenity and the highway system. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework; Policies H1, H2, S1, S2 and INF1 of the West Northamptonshire Joint Core Strategy; and Policies 1, 12, 16 and 23 of the Northampton Central Area Action 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 applicant seeks planning permission to vary three conditions associated with the original planning permission N/2015/0333 that permitted the development of a retail unit and, at outline level, up to 19 residential dwellings.
- 2.2 The proposal variations include:
  - Condition 7 – to include the creation of an instore bakery;
  - Condition 9 – to allow extension of opening hours at bank holidays between 8am to 10pm;
  - Condition 10 – to allow extension of delivery hours between 6.30am to 9.00pm Mondays to Saturdays; between 6.30am to 9.00pm on bank holidays; between 8.30am to 5.00pm on Sundays and public holidays.

## **3. SITE DESCRIPTION**

- 3.1 The application site formerly contained the Northampton Chronicle and Echo building, which comprised a combination of office accommodation and printing works. The building was demolished in the summer of 2014 after a period of vacancy. The application site is currently in an undeveloped form, although it does benefit from a hybrid planning approval for the development of a retail unit and up to 19 residential dwellings. The site is also predominantly level.
- 3.2 The site is located adjacent to the Upper Mounts, which serves as part of the main orbital routes around the town centre. Furthermore, the site is in close proximity to the widely used junction between the Upper Mounts and St Michaels Road and has a high degree of prominence. There are a number of civic buildings within the Upper Mounts area, such as the Northampton College, the Magistrates Court, the Mounts Baths and the Fire Station. Whilst these buildings all have significant variations in terms of design there is a unifying theme in that they have a significant presence within the vicinity created by their form and proximity to the highway. The site is also close to the town centre, although linkages to this area from the application site are limited due to the scale of adjoining road.
- 3.3 The areas to the north of the application site are predominantly used for residential accommodation (generally comprising terraced, two storey dwellings); however, there are some commercial units within the adjacent Earl Street, which include a restaurant and small scale retail

units. In addition, the vacant area to the north of the application site (which used to contain the Top of the Town nightclub) is the subject of an extant planning permission to construct a three storey building containing 12 flats and office accommodation.

- 3.4 The site is bounded on the northern, eastern and western sides by the Boot and Shoe Quarter Conservation Area.

#### **4. PLANNING HISTORY**

- 4.1 N/2014/0258 – Prior notification of proposed demolition – Approved  
N/2015/0333 – Hybrid planning application comprising: (a) Full Planning Application for the erection of a 1,810m<sup>2</sup> new retail food store with associated access from Earl Street, landscaping and car parking; and (b) Outline Planning Application with all matters reserved except access (from Great Russell Street) of up to 19 residential dwellings – Approved

#### **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 the Northampton Central Area Action Plan (2013).

- 5.2 Section 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 its setting.

##### **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 The overarching roles of the planning system are summarised in paragraph 17, which states that planning decisions should always secure a good standard of design and ensure a suitable level of amenity for existing and future occupiers; whilst promoting mixed use developments and conserving heritage assets in a manner consistent with their significance.
- 5.5 The NPPF states Paragraph 21 states that town centres should be the heart of communities and that there should be an appropriate level of retailing in the centre in order to meet the needs of the locality. Separate to the outcomes of the sequential assessment, the NPPF (in paragraph 26) requires that any retail development with an area in excess of 2,500 square metres should be accommodated by an impact assessment. This should include the impact of the proposal on existing, committed and planned in centre investment and the impact of a proposal on town centre vitality and viability.
- 5.6 In addition to the assessment of the preceding matters, the NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant developments on sites that are sustainable.

- 5.7 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layout are required, that minimise conflicts between pedestrians, cyclists and traffic.
- 5.8 Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date.
- 5.9 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).
- 5.10 Paragraphs 133 and 134 outline the need to balance the level of harm to a heritage asset with the public benefits of the proposal.
- 5.11 **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.
- 5.12 Policy S2 of the submitted JCS identifies Northampton as performing the role of a regional town centre and allocates Kingsthorpe and Weston Favell as being district centres. The same policy also allocates Far Cotton, Kettering Road, St James and Wellingborough Road as being local centres. The policy also requires that the viability and vitality of these centres should be maintained. Policy S9 of the JCS reiterates the sequential approach in the location of retail developments and requires that an impact assessment is carried out for developments with a floor space in excess of 1,000 square metres.
- 5.13 Policy S1 of the JCS states that new residential developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. Policy S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period and Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.
- 5.14 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing. Policy S10 encourages sustainable development through incorporating measures to increase safety and security. To further encourage sustainable development, Policy C2 requires that new developments maximise opportunities for travel choices. This is in order to facilitate a modal shift.

5.15 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure

**5.16 Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF.

5.17 Policy 1 states that new developments should contribute to the character of an area with regards to the existing urban grain, scale, massing materials and style. It is also a requirement that there is clarity in respect of the relationship between buildings and public spaces that provides a continuity of frontages. New development should contribute towards the provision of logical links between destinations and create buildings with active frontages onto the street. Developments should promote mixed use developments .

5.18 Policy 12 defines the primary shopping area, which should be the main focus for retail developments in the Central Area and comprises a significant proportion of the land contained within the inner ring road. In addition, Policy 14 identifies that there is a need to generate 40,700m<sup>2</sup> of net convenience goods floor space and 4,500m<sup>2</sup> of net comparison goods floor space within the town centre. It is anticipated that over the plan period the bulk of this would be delivered through the redevelopment of the Grosvenor Centre and further development within Abington Street East and the Drapery and College Street.

5.19 Policy 16 states that in order to promote town centre living up to 3,400 additional new homes will be constructed within the central area up to 2026, with some of these being located within the Upper Mounts and Great Russell Street areas.

5.20 Of specific relevance to this planning application, Policy 23 requires that the Upper Mounts/Great Russell Street is redeveloped in a comprehensive manner that delivers a mixed use scheme delivering some or all of: residential accommodation; offices; employment uses; community, leisure or education facilities; and small scale retailing. The redevelopment should also provide public realm improvements on the Mounts frontage and improve pedestrian linkages with the town centre.

**5.21 Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2016  
Planning out Crime in Northamptonshire SPG 2004

**6. CONSULTATIONS/REPRESENTATIONS**

6.1 **Environmental Health (NBC)** – No objections.

6.2 **Highway Authority (NCC)** – No objections.

**7. APPRAISAL**

7.1 The applicant seeks to vary three conditions of the extant planning permission, those being the times that deliveries can be made to the store, the opening times of the store and the operation of an instore bakery.

- 7.2 The reason for the conditions covering delivery and opening times was to ensure that the operation of the development would have a neutral impact upon the occupiers of neighbouring properties.
- 7.3 The currently permitted times that deliveries can be made are 7.30am – 8pm on Mondays to Saturdays and 10am – 4pm on Sundays, bank holidays and public holidays. The applicant wishes to amend this to 6.30am – 9pm on Mondays to Saturdays, 6.30am – 9pm on Bank Holidays and 8.30am – 5pm on Sundays and Public Holidays. For the purposes of clarification, public holidays are New Year's Day, Good Friday, May Day (the first Monday in May) and Christmas Day, whilst bank holidays comprise Easter Monday, the final Monday in May, August Bank Holiday (the final Monday in August) and Boxing Day.
- 7.4 Given that the increases in delivery times are comparatively limited, it is considered that the potential for disturbance to be created is small and as such, there is limited potential for amenity to be impacted. In addition, the loading bay is sited to the rear of the store and would be surrounded by a brick wall. This arrangement therefore means that there is a significant distance between the delivery bay and the surrounding and proposed residential dwellings.
- 7.5 Although it is recognised that residents would be more expectant of a greater degree of peace and quiet on Sundays, Bank Holidays and Public Holidays, it is noted that the site is located adjacent to a busy road, where the movement of large vehicles would be reasonably anticipated for larger proportions of any day. As such, the change to the pattern of activity within the area would be limited. A relatively small amount of weight can also be given to the fact that the site was previously occupied by a newspaper business which included the printing and distribution of publications throughout the night. Given this historic use, it is likely the proposed delivery times would be no more intrusive. For these reasons, when combined with the absence of objections from the Council's Environmental Health section, the increase in delivery times is unlikely to cause a significant detrimental impact upon residential amenity.
- 7.6 The currently permitted opening times are 8am to 10pm on Mondays to Saturdays and 10am to 4pm on Sundays, Bank Holidays and Public Holidays. The applicant seeks to extend the times that the store can be open on Bank Holidays from 8am to 10pm. This would reflect the times that the store can open on a conventional weekday. Whilst it is appreciated that the store would be open during times when less commercial activity would be expected, the relative infrequency of such occurrence would limit the overall impacts of the increase. In addition, the majority of noisy activity (such as people entering and leaving the store) would take place towards the front of the site. This would be adjacent to The Mounts, which is a less sensitive road due to the level of traffic that uses it and provides the greatest separation distance to the more sensitive areas, such as surrounding residential accommodation.
- 7.7 Condition 7 of the original planning permission prevented the store from including a number of specialist counters, such as butchers, fishmongers and bakeries. It is now proposed to vary this condition to allow a bakery. Whilst it is noted that the reason for this condition is to assist in maintaining the viability and vitality of the hierarchy of centres, it is considered that the number of bakeries is already comparatively low, comprising 0.55% of the total number of units within the town centre and 6.8% of those involved in convenience goods retailing (bearing in mind that the bulk of town centre retailing relates to comparison goods). Furthermore, there have been a number of changes within the bakery sector over recent years with a gradual change towards 'foods to go', such as sandwiches and other pre-prepared items. Given that the existing planning permission does not prevent the sale of such items, it is considered that the overall impact of the proposed amendment would not lead to a significant divergence of trade away from established centres.
- 7.8 As a result of this conclusion, it is considered that the proposed insertion of a bakery would not be unacceptable. In order to enable the Council to consider any further potential variations, it is

recommended that the condition be reworded to maintain the restriction on other specialist counters.

- 7.9 The effect of varying the conditions would be to create a new planning permission. As a result of this, it is necessary to restate the other conditions on the decision notice associated with the planning permission in order to secure a satisfactory form of development. In addition, as a new permission would be created, a new legal agreement would need to be entered into prior to the decision being issued to secure the necessary mitigation in order to render the redevelopment of this site acceptable. The Heads of Terms would be consistent with the previous approval and would include affordable housing, primary education contributions, health care, highway works and to provide funding to improving links between the application site and the town centre.
- 7.10 Whilst the variation of these conditions would result in a new permission being granted, the form of the development would be unchanged from that previously permitted. As a consequence, there would be a neutral impact upon the character of the surrounding area and neighbour amenity.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed variations of delivery and opening times, being somewhat limited in scope, would have a neutral impact upon the amenities of surrounding properties, and the addition of a bakery would have a neutral impact upon the viability and vitality of surrounding centres. As a consequence, the proposed variations are considered acceptable, subject to a new legal agreement being entered into and a reinstatement of the previously approved conditions.

## **9. CONDITIONS**

- 9.1 1. Approval of the details of the appearance, landscaping, layout and scale (‘the reserved matters’) of the residential development shall be obtained from the Local Planning Authority in writing before any residential development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority on or before the 17<sup>th</sup> March 2019.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either on or before the 17<sup>th</sup> March 2021, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

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

5. The retail unit hereby permitted shall only be occupied as a Limited Assortment Discounter only.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

6. The floor space of the retail development hereby permitted that can be used for the display and sale of goods and products to the public shall not exceed 1,254 square metres. No more than 20% of this figure (250.8 square metres) shall be used for the display and sale of comparison goods. The remaining 80% shall be used for the display and sale of convenience goods only.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

7. Notwithstanding the details submitted, the retail unit hereby permitted shall not include any specialist counters comprising butchers, fishmongers, delicatessen or chemists.

Reason: In the interests of maintaining the viability of the hierarchy of allocated centres in accordance with the requirements of the National Planning Policy Framework.

8. The retail unit hereby permitted shall not be divided to form more than one retail unit.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

9. The retail unit hereby permitted shall only be open to customers between the hours of 8am and 10pm on Mondays - Saturdays; 8am to 10pm on Bank Holidays; and 10am to 4pm on Sundays and Public Holidays.

Reason: In the interests of maintaining the amenities of surrounding residential properties in accordance with the National Planning Policy Framework.

10. No deliveries or collections shall be made to or from the development hereby permitted before 6.30am and after 9pm on Mondays to Saturdays; before 6.30am and after 9pm on Bank Holidays; and before 8.30am and after 5pm on Sundays and Public Holidays.

Reason: In the interests of the amenities of the occupiers of surrounding properties in accordance with the requirements of the National Planning Policy Framework

11. Prior to the commencement of development of the retail unit, 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 1 of the Central Area Action Plan.

12. Prior to the commencement of the retail development hereby approved, full details of the method of the treatment of the external boundaries (including the installation of a staggered barrier to serve the link between the residential and retail development) of the retail development shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the retail unit 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.

13. All planting, seeding or turfing comprised in the approved details of landscaping as shown on drawing Z12A42-P005 Rev. D shall be carried out in the first planting and seeding seasons following the occupation of the retail 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.

14. Prior to the commencement of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients 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 retained thereafter.

Reason: In the interests of visual amenity and highway safety in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition in order to ensure timely submission of details.

15. The car parking, vehicle manoeuvring space and access as shown on drawing Z12A42-P003 Rev. C shall be fully implemented prior to the first occupation of the retail development hereby permitted and retained thereafter.

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

16. The vehicular access from Great Russell Street as shown on drawing Z12A42-RES-P002 Rev. C shall be fully implemented prior to the first occupation of the residential development hereby permitted and retained thereafter.

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

17. The residential development hereby permitted shall contain a minimum of 27 car parking spaces (including garages), which shall be provided prior to the first occupation of the residential development hereby permitted and shall be retained thereafter.

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

18. The residential development shall not include more than 19 dwellings.

Reason: In the interests of amenity in accordance with the National Planning Policy Framework.

19. The residential units hereby approved shall not exceed 9.2m in height.

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

20. Notwithstanding the details submitted, full details of secure cycle storage to serve the retail unit hereby permitted 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 retail unit and retained thereafter.

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

21. Notwithstanding the details submitted, full details of CCTV to serve the retail unit hereby permitted 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 retail unit and retained thereafter.

Reason: In the interests of creating a secure form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

22. Notwithstanding the details submitted, full details of external lighting (including hours of usage) to serve the retail unit hereby permitted 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 retail unit and retained thereafter.

Reason: In the interests of creating a secure form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

23. The retail development hereby permitted shall be fully implemented in accordance with the submitted Travel Plan (dated December 2014).

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

24. No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval. Any site investigation found to be required shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval. All remedial works found to be required 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: In the interests of ensuring that the possibility of contamination is adequately mitigated in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure that such details are adequately addressed in a timely manner.

25. 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: In the interests of ensuring that the possibility of contamination is adequately mitigated in accordance with the requirements of the National Planning Policy Framework.

26. Prior to the residential development commencing, the applicant shall submit to the Local Planning Authority an assessment of the noise exposure of each habitable room and/or

outdoor amenity spaces due to transportation noise. This must take into account, the likely growth of traffic over the next 15 years.

Where noise levels in any habitable room or amenity space may exceed:

Indoor habitable areas – LAeq,16H 35 dB window open, during the daytime period (07:00 – 23:00)

Bedrooms – LAeq,8H 30 dB and LAMAX 45 dB (for 2+ events per hour) window open, during the night time period (23:00 – 07:00)

Outdoor Amenity Spaces – LAeq,16H 50 dB

A scheme to protect any affected habitable rooms/bedrooms or out outdoor amenity spaces shall be submitted to the Local Planning Authority for written approval. For habitable rooms/bedrooms this will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the residential development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory level of amenity for the future occupiers of the development in accordance with the requirements of the National Planning Policy Framework.

27. Notwithstanding the details submitted, full details of the refuse storage to serve the residential development 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 residential development and shall be retained thereafter.

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

28. Notwithstanding the details submitted, full details of the cycle storage to serve the residential development 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 residential development and shall be retained thereafter.

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

29. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development should be submitted to and approved in writing by the local planning authority. The design should include an appropriately detailed drainage arrangement drawing(s); design calculations and any supporting evidence. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained thereafter.

The Surface Water Drainage Strategy shall also include the details relating to the residential development.

Reason: To ensure that drainage systems are appropriately designed to ensure satisfactory storage of/disposal of surface water from the site in accordance with the National Planning Policy Framework. This condition is required in order to ensure that such details are agreed in a timely manner.

30. No development shall take place until a detailed scheme including residential element of the application for the ownership and maintenance for 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.

Reason: To ensure the future maintenance of drainage systems associated with the development in accordance with the National Planning Policy Framework. This condition is required in order to ensure that such details are agreed in a timely manner.

31. No development, which shall comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing for the provision of mains foul water drainage on and off site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure. This is a pre-commencement condition to ensure that details are submitted in a timely manner.

32. Prior to the commencement of each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This condition is required in order to ensure that these issues are adequately addressed in a timely manner.

33. The retail development hereby permitted shall be carried out in accordance with the conclusions of the submitted Environmental Noise Survey and Plant Noise Impact Assessment (reference: BS 33806/NIA and dated 20th March 2015).

Reason: In the interests of the amenities of neighbouring properties in accordance with the requirements of the National Planning Policy Framework.

#### **INFORMATIVES:**

1. A Limited Assortment Discounter is a retailer as defined in Part 1 of The Groceries Market Investigation (Controlled Land) Order 2010 and for the avoidance of doubt includes a Convenience Goods Retailer, which sells a limited ranged of Convenience Goods at a low price.

2. Convenience Goods are defined as goods that include foods, pet food, drinks, cleaning products, toiletries, newspapers and magazines and non-durable household goods
3. Comparison Goods are defined as goods that include, but shall not be limited to, clothing, shoes and other footwear, DIY products, furniture and furnishings, carpets and other floor coverings, household textiles, major household appliances (whether electrical or not), small electric household appliances, tools and other miscellaneous accessories, glassware, tableware, household utensils, non-prescription medical goods and other pharmaceutical products, therapeutic appliances and equipment, perfumes, bicycles, recording media, games, toys, hobbies and craft materials, tools and equipment, musical instruments, plants and flowers, pets and pet related products, books and stationary, greetings cards, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches and clocks, petrol, tobacco and tobacco products and financial services
4. Northamptonshire Police advise that all access gates to serve the residential development are lockable in order to create a secure form of development.

## **10. BACKGROUND PAPERS**

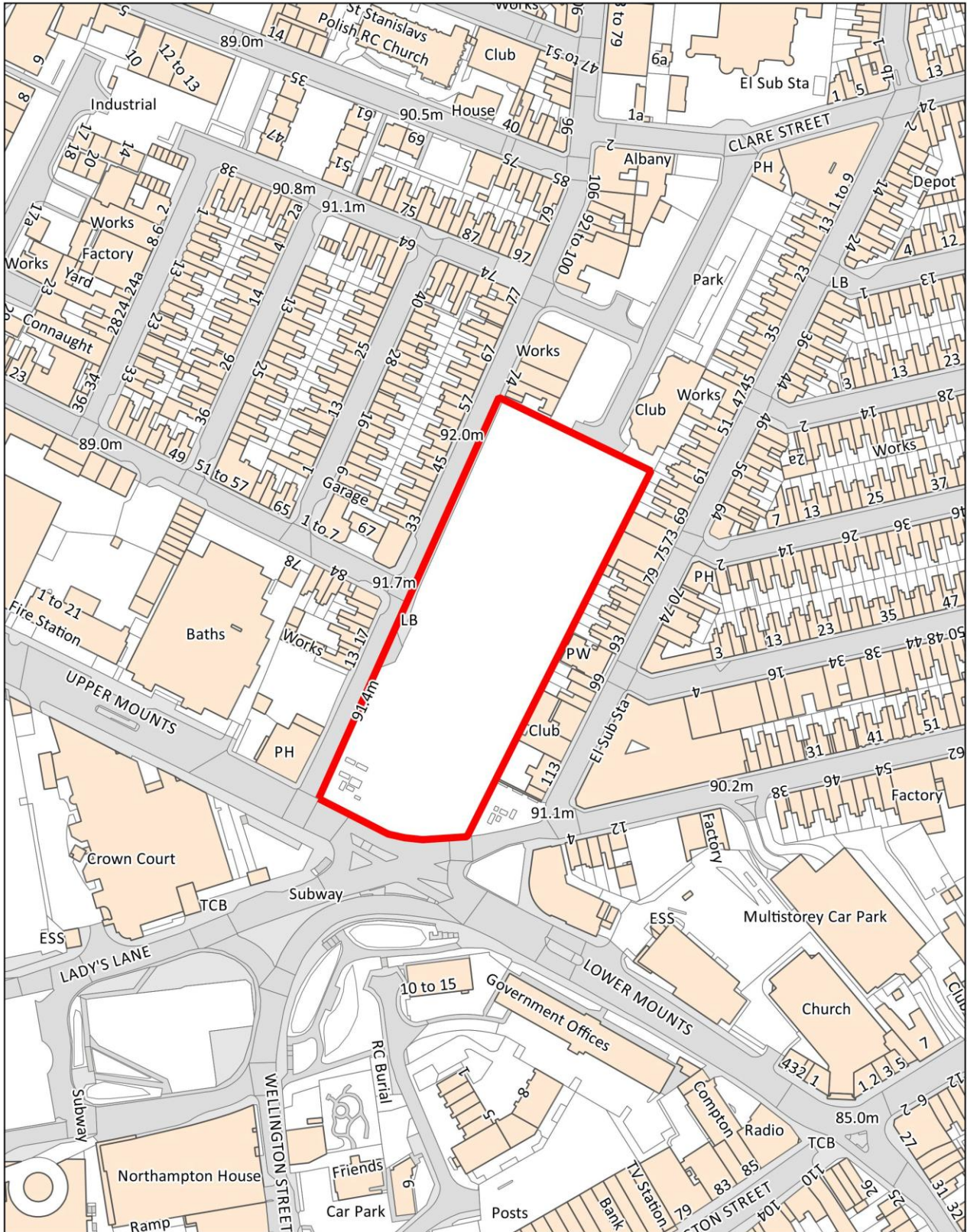
10.1 N/2015/0333

## **11. LEGAL IMPLICATIONS**

11.1 The development is CIL liable.

## **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: **Former Northampton Chronicle And Echo Building, Upper Mounts**

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Date: 13-10-2016

Scale: 1:2,000

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