

Addendum to Agenda Items Tuesday 20th November 2018

10. ITEMS FOR DETERMINATION

Item 10a

N/2018/0277

Distribution Centre (Use Class B8) including related service roads, access and servicing arrangements, car parking, landscaping bund and associated works

Milton Ham

A further **representation** objecting to the planning application and, in particular, stating that this application should be not be determined based upon a comparison with the scheme considered in 2015, and dismissed on appeal in 2016. Furthermore, comparison is made between the current proposal and a scheme, for the same site, that was dismissed on appeal in 2003. It is also highlighted that the proposal breaches the Northampton Local Plan Policy, which sets out the parameters for development on the Milton Ham site. In addition, it is considered that the proposal is of an inappropriate design and that the bunding is unacceptable. Furthermore, concerns are raised regarding the number of vehicle movements and the fact that the proposal is speculative.

Officers response:

Whilst it is appreciated that the site is located in close proximity to a busy junction, at an entry to Northampton, the design has been assessed within the committee report. For the reasons set out therein, it is considered that the proposal is of an acceptable design. In respect of breaching the requirements of the Local Plan, the committee report sets out the scheme breaches the requirements of Local Plan Policy B9 in respect of the separation distance from the M1, however the report sets out that the harm is not significant enough to warrant refusal of the application.

It should be noted that the 2003 appeal was determined in accordance with national and local policies in place at that time. Therefore it clearly predates the 2014 West Northamptonshire Joint Core Strategy (JCS) and the publication of the National Planning Policy Framework (NPPF) (in 2013 and, amended in 2018). As a consequence, it would not be appropriate to attach significant weight to that decision, particularly as there has been another appeal decision on the site which was determined under the current policy context. However, in respect of the bunding, it is considered that owing to a larger footprint, the proposed bunding features a more gently gradient and some variation in terms of height. As a consequence, and when combined with the proposed landscaping, it is considered that the bunding would not appear overly engineered within the natural landscape.

In respect of vehicle movements, the Council does not have any data to contradict the conclusions regarding vehicle movements. However, a number of conditions are proposed in respect of noise control measures, the design of acoustic fence and setting noise limits for the development. Given that these conditions are enforceable, it is considered that sufficient measures can be put in place in order to prevent there being a significant adverse impact upon the amenities of surrounding properties.

Whilst it is appreciated that the development is speculative, the matter for consideration is whether the proposed development is acceptable in land use terms. As a consequence, any consideration given to the final occupier, is something that can be given only limited weight.

A **representation** has also been submitted that raises concerns regarding the impact of the development and the potential to increase the flow rate onto adjacent land, which would increase flood risk. If the application is to be approved, it is requested that this be subject to a condition that limits the discharge of water to adjacent land to be no more than what is currently the case.

Officers Response:

The application has been supported by a Flood Risk Assessment, which has been considered by statutory consultees in the form of the Lead Local Flood Authority and the Environment Agency. No objections have been raised to the contents of this assessment, which concludes that the development would not increase flood risk either on site, or elsewhere.

Furthermore, the recommended list of conditions requires the submission of a verification report prior to the development first being occupied to be agreed by the Council (in consultation with the Lead Local Flood Authority). The Council therefore has a procedure in place to ensure that the drainage system is in conformity with the previously submitted details, and has a mechanism to take enforcement action, if required.

Revised conditions:

4) Prior to the commencement of each phase of the development, 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.

The approved CEMP and measures contained therein shall be adhered to throughout the construction process.

Reason: To minimise the impact of the development during the construction phase in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement to ensure the agreement of such details in a timely manner.

7) Prior to the commencement of each phase of the development, details and/or samples 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 S10 of the West Northamptonshire Joint Core Strategy. This condition is required in order to agree such details in a timely manner.

8) Notwithstanding the details submitted and prior to the commencement of each phase of the development, full details of all boundary treatments (which for the avoidance of doubt, shall not include the acoustic fence referenced in Condition 26) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the phase and retained thereafter.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with

its surroundings in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

9) Notwithstanding the details submitted and prior to the commencement of each phase of the development, full details of the appearance of all proposed hard surfacing 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 phase and retained thereafter.

Reason: In the interests of visual amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

19) Prior to any above ground works commencing, 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 in accordance with the Flood Risk Assessment document reference R-FRA-9247M-01-0 Revision A, dated April 2018, prepared by JPP Consulting Ltd, shall be submitted to the Local Planning Authority for approval in writing. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, attenuation basins and soakaways .
- b) Cross referenced calculations.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of the National Planning Policy Framework.

20) Prior to any above ground works commencing, a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

The scheme shall include:

- a) a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- b) a site plan including access points, maintenance access easements and outfalls.
- c) maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- d) details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Item 10b

N/2018/0322

**Demolition of existing residential unit, construction of two residential units with associated garages, construction of extension to existing self-storage (Class B8) facility to provide additional self-storage (Class B8) accommodation over basement, ground and two upper floors, provision of associated plant and landscaping
Access Storage Solutions, Tollgate Way**

Additional comments from the **Lead Local Flood Authority** raising no objections to the proposal, subject to conditions.

Additional conditions:

17) No above ground works shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (ref 17-060R_004 rev A prepared by Bradbrook dated 28th November 2017) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- b) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 200 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. These storms should also include an allowance for climate change.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site on accordance with the requirements of the National Planning Policy Framework.

18) No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood risk assessment document ref 17-060R_004 rev A prepared by Bradbrook dated 28th November. These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in accordance with the National Planning Policy Framework.

Item 10c

N/2018/1141

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 7 occupants (Retrospective)

11 Abington Grove

No update.

Item 10d

N/2018/1280

Engineering operations to raise front garden levels to accommodate additional off road parking and sitting area

18 Tanfield Lane

No update.

Item 10e

N/2018/1333

Conversion of 59 Abington Avenue to a single dwelling (Class C3) and conversion of 61 Abington Avenue to house in multiple occupation (Class C4) for 5 occupants

59 - 61 Abington Avenue

No update.

Item 10f

N/2018/1380

**Demolition of 10no domestic garages and construction of two one-bed flats and parking
Lock Up Garages, Camborne Close**

No update.

Item 10g

N/2018/1381

**Demolition of 10no domestic garages and construction of 2no new-build bungalows with
parking**

Land and Garages adjacent to Eleanor Lodge, 25 Camborne Close

Further comments have been received from a resident which refer to the lack of parking for residents, and need for new appropriately sized garages for letting. It is pointed out that the garages do not experience vandalism and that disrepair has been due to change in management.

Item 10h

N/2018/1386

**Two storey side extension, single storey side and rear extension with front porch and car
port**

27 Thruxton Drive

In Condition 2, drawing number 03 should be substituted with drawing number 03A.

Item 10i

N/2018/1393

Retention of new window shutters to rear and side of building

1 Billing Road

No update.