

PLANNING COMMITTEE: 30th July 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0091

LOCATION: Upton Lodge Farm, Weedon Road, Upton

DESCRIPTION: Residential development of up to 1,400 no. units, a mixed use local centre including appropriate retail, healthcare and community facilities, a new primary school, areas of public open space, play provision and structured landscaping, internal roads and all associated infrastructure, and demolition of existing shed at Upton Lodge Farm (outline planning application with matters of layout, appearance, landscaping and scale being reserved for subsequent approval)

WARD: Upton Ward

APPLICANT: Homes England
AGENT: WYG

REFERRED BY: Head of Planning
REASON: Major Application requiring S106 Agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

- 1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a Section 106 Agreement to secure:
- i) 15% on-site affordable housing;
 - ii) Off-site highway improvements;
 - iii) Provision of public transport and infrastructure;
 - iv) Travel plan/monitoring;
 - v) Primary school provision – 1.9 ha site for primary school for 2-form entry school and financial contribution;
 - vi) Healthcare contribution;
 - vii) Provision of local centre and community facilities;
 - viii) Construction Futures – provision of employment training weeks and financial contribution;
 - ix) Open space provision, including a contribution for off-site outdoor sports provision, and future maintenance arrangements including maintenance of SuDs;
 - x) Council's monitoring fee, subject to the Head of 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 National Planning Policy Framework supports sustainable housing development and economic growth. The site is allocated for development as a Sustainable Urban Extension under Policy N9A of the West Northamptonshire Joint Core Strategy. The proposed development of the site for up to 1,400 dwellings forms a significant and vital component of the Borough Council's 5 year housing land supply. The development of the site in conjunction with the adjacent Norwood Farm site will also assist in the delivery of Phase 2 of the Sandy Lane Relief Road. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal is in accordance with the requirements of the National Planning Policy Framework, Policies N9A, SA, S1, S2, S3, S4, S7, S9, S11, C2, RC2, H1, H2, H4, BN1, BN2, BN5, BN7, BN9, INF1, INF2 and N10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

1.1.3 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 Head of 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 is an outline application with all matters reserved, except for access.

2.2 The submitted illustrative Framework Masterplan and Design and Access Statement indicates the following uses:

- Approximately 37 hectares of residential land providing up to 1400 dwellings;
- Primary school (1.9ha site);
- Local centre and community use (0.9ha) comprising an anchor convenience store (up to 294m²), up to 4 complimentary retail units (up to 69m² each) with apartments above;
- Approximately 24 hectares of green space including strategic landscape, allotments, balancing ponds, amenity green space, play space, parks and gardens;
- Highway infrastructure.

The majority of the group of buildings comprising Upton Lodge Farm, located centrally within the site, and within the area of the proposed local centre/community use area, are intended to be retained with the potential to be converted to community use (subject to local need), with the exception of the demolition of a shed to the south of the main farm buildings. An existing bungalow on site would be retained with access from Weedon Road.

2.3 The primary vehicular access to the site would be from an existing spur from Weedon Road, forming part of Phase 2 of the Sandy Lane Relief Road, which would continue into the Norwood Farm site to the north and subsequently to Berrywood Road. A second vehicular access would be from St. Crispin Drive which winds through the eastern part of the application site.

3 SITE DESCRIPTION

3.1 The application site comprises a site area of approximately 70 hectares of predominantly greenfield land, currently used for agricultural purposes situated to the west of the built up area of Northampton and adjoining the boundary with South Northamptonshire Council.

- 3.2 To the northwest and west of the site are open fields which comprise the Norwood Farm site, situated within South Northamptonshire Council's boundary, and currently the subject of a separate outline planning application for up to 1,900 dwellings and associated infrastructure. The immediate north and east the site is bound by residential development at St Crispin, Berrywood Fields and Princess Marina Hospital. The villages of Harpole and Kislingbury within South Northamptonshire are located to the west and south west respectively.
- 3.3 The A4500, Weedon Road, forms the southern boundary of the site, from which the junction and first section of the Sandy Lane Relief Road (SLRR) extends through the site towards the northern boundary. St. Crispin Drive winds through the eastern part of the site. A Public Right of Way, KP16/LB1, runs along the northern boundary of the site, but outside of the application site. An existing watercourse runs along the western boundary of the site.
- 3.4 Upton Lodge Farm and associated group of buildings is located broadly within the centre of the site, with a bungalow located immediately to south of Upton Lodge Farm, both accessed from Weedon Road. The site surrounds a retirement development to the south east of the site near to Weedon Road.
- 3.5 St. Crispin Conservation Area is located to the north of the site within which are a number of listed buildings. Harpole and Kislingbury Conservation Areas area situated to the west and south west. Upton Hall is a listed building located outside of the application site to the south of Weedon Road, beyond which is a Scheduled Ancient Monument site, a former medieval village.
- 3.6 The site is interspersed with hedgerows, with an established group of trees to the north eastern boundary and in the vicinity of Upton Lodge Farm, both to be retained.
- 3.7 The land is undulating with a general rise in land levels from the south western corner of the site to the north eastern corner, and a rise to the north to the ridge of higher ground towards St. Crispins, and a fall to the south towards Weedon Road and the River Nene beyond.

4 PLANNING HISTORY

- 4.1 N/2007/0308 - Development of housing, community and education facilities, employment, park and ride and country park - Outline application. Finally disposed of 16/01/18. Alternative application submitted (current application).
- 4.2 N/2016/0575 – Scoping Opinion for Upton Lodge development. Issued 1/06/16.
- 4.3 N/2006/1329 & N/2006/1330 - Construction of Sandy Lane Relief Road and associated landscaping and infrastructure works. NCC application. Approved 22/02/07.

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 Local Plan (1997) saved policies.

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

5.2 National Policies

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

Paragraphs 7-12 - Presumption in favour of sustainable development
Section 5 - Housing Supply
Section 8 - Promoting healthy and safe communities.
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Paragraph 148 - Planning system should support the transition to a low carbon future.
Paragraph 163 - Ensuring development does not increase flood risk
Paragraph 165 - Incorporating sustainable drainage systems in major developments
Section 12 - Achieving well designed places
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

5.3 **West Northamptonshire Joint Core Strategy (2014)**

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

Policy N9A - Northampton Norwood Farm/Upton Lodge SUE
Policy SA - Presumption in Favour of Sustainable Development
Policy S1 - The Distribution of Development
Policy S2 - Hierarchy of Centres
Policy S3 - Scale and Distribution of Housing Development
Policy S4 - Northampton Related Development Area
Policy S7 - Provision of Jobs
Policy S9 - Distribution of Retail Development
Policy S10 - Sustainable Development Principles
Policy S11 - Low Carbon and Renewable Energy
Policy C2 - New Developments
Policy RC2 - Community Needs
Policy H1 - Housing Density and Mix and Type of Dwellings
Policy H2 - Affordable Housing
Policy H4 - Sustainable Housing
Policy BN1 – Green Infrastructure Connections
Policy BN2 – Biodiversity
Policy BN5 – The Historic Environment and Landscape
Policy BN7 - Flood Risk
Policy BN9 - Pollution control
Policy INF1 - Approach to Infrastructure Delivery
Policy INF2 - Contributions to Infrastructure Requirements
Policy N10 – Convenience Shopping Needs Outside Northampton Town Centre

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

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

E20 - New Development (design)

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)
Biodiversity SPD for Northamptonshire (adopted September 2017)
Planning Obligations SPD (2013)

5.6 Other Material Considerations

Northampton Green infrastructure Plan (2016)
Open Space, Sport and Recreation Needs Assessment and Audit (2009)
Infrastructure Delivery Plan Update (2017)

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 NCC Highways – no objections subject to the following measures:

- The completion of the Sandy Lane Relief Road (SLRR) to the northern boundary of the site and securing of land adjacent to SLRR for future dualling (condition/S106).
- Completion of the spine road linking the SLRR to St. Crispins Drive prior to the occupation of the 301st dwelling (condition).
- Public Transport enhancements – to include provision of 2 bus stops with shelters and associated infrastructure on bottom section of Kents Road; the provision of a new bus service through the development and associated bus stops and infrastructure; the provision of one 28 day multi-operator travelcard for use through Northampton (or equivalent) to each new household.
- Provision of walking and cycling enhancements – comprising a 3m shared footway along the entire length of one side of the proposed road with appropriate controlled crossing facilities. Incorporation of footway/cycle provision along proposed 'green links' shown in illustrative Masterplan.
- Construction Environment Management Plan.
- Details of a site management company and associated management and maintenance methodology of streets in the event streets are not proposed for adoption.
- Approval of Full Travel Plan

Conditions to secure the following off-site highway mitigation measures:

- Berrywood Road/Berrywood Drive junction mitigation – replacing the roundabout with signal control – shown indicatively on WYG Drawing Number 006. To be delivered prior to occupation of the 301st dwelling, having first submitted to the LPA and agreed full engineering and construction details.
- A43 Swan Valley/Cobb Drive junction mitigation – implementation of partial traffic signal control – shown indicatively on WYG Drawing Number 007. To be delivered prior to occupation of the 301st dwelling, having first submitted to the LPA and agreed full engineering and construction details.
- M1/A43/Swan Valley junction mitigation – implementation of partial traffic signal control – shown indicatively on WYG Drawing Number 008. To be delivered prior to occupation of the 301st dwelling, having first submitted to the LPA and agreed full engineering and construction details.

A S106 Agreement to secure the following financial contributions:

- Upton Valley Way East/Nectar Way/Corrolla Way - £50,000 contribution payable prior to occupation of the 301st dwelling.

- Hunsbury Road/Danes Camp Way/Hunsbury Hill Road - £50,000 contribution payable prior to occupation of the 301st dwelling.
- Harlestone Road corridor improvement – contribution of £100,000 payable prior to occupation of the 301st dwelling.

- 6.2 **Highways England** – no objection. Request a contribution towards the NGMS delivered through CIL.
- 6.3 **Anglian Water** – no objection. Recommend condition for the submission and approval of a foul water drainage strategy.
- 6.4 **Environment Agency** – no objection.
- 6.5 **Lead Local Flood Authority** - No objection subject to conditions for a surface water drainage scheme, details of maintenance and upkeep of the proposed scheme and reserved matters complying with the approved scheme.
- 6.6 **Public Protection** – recommend condition in respect of unexpected contamination, a scheme for the assessment and appropriate mitigation as necessary for the impact of road noise on proposed occupiers, a Construction Environment Management Plan, noise and odour control and mitigation in relation to the proposed local centre, and mitigation measure in respect of air quality impacts to include the provision of EV charging points throughout the development, provision/upgrade of bus service to a Euro VI bus, and promotion of sustainable transport measures through a Travel Plan.
- 6.7 **NBC Conservation** – no objection, the revised Heritage Statement now includes an assessment of the significance and impact of the development on the heritage assets closet to the site, and the information now submitted, and conclusions drawn from it are appropriate and acceptable.
- 6.8 **Historic England** – no objection subject to appropriate consideration of heritage assets in accordance with statutory requirements.
- 6.9 **NCC Archaeology** – no objection in principle, subject to appropriate mitigation in respect of archaeological interests within the site, and conditions to ensure archaeological investigation is undertaken within the development parcels in a coherent manner
- 6.10 **NCC Ecologist** – no objection. The 2016 Badger Survey is very comprehensive and provides a broad picture and good idea of the complexity of the badger situation on and around the site. Because of their mobility the badgers will need regular surveying, so the report is acceptable for the purposed of the outline proposal. A condition requiring an Ecological Design Strategy for badger mitigation as each phase of the development comes forward will be required. Updated ecological surveys in general will also be required for each phase. A license will also be required from Natural England in respect of any works affecting bats. Conditions are also recommended in respect of a Construction and Environmental Management Plan, and a Landscape and Ecological Management Plan. In addition, a condition is required for mitigation in respect of barn owls in association with the proposed demolition of the farm building.
- 6.11 **Natural England** – proposal is unlikely to affect any statutory protected sites or landscapes, pleased Green Infrastructure has been designed in response to the existing landscape features and aims to deliver biodiversity enhancement. South West corner of the site is within Nene Valley Nature Improvement Area (NIA) and consideration should be given to this.
- 6.12 **Northamptonshire Badger Group** – raise concern regarding development at Norwood Farm, Upton Lodge Farm and Land West of St. Crispin Drive and the impact on the welfare of badgers and setts within these areas. There is real concern that badgers will be moved multiple times, be pushed to an area where another clan of badgers already live, or have reduced foraging areas. The badger sites in the area must be looked at holistically. Raise general concern regarding quality of ecology reports.

- 6.13 **NBC Housing Strategy** - Policy H2 of the West Northamptonshire Joint Core Strategy Part 1 (adopted 2014) requires that 35% of the dwellings on sites over 15 dwellings should be affordable housing. This is subject to a viability assessment on a site by site basis.

The Borough Council's Affordable Housing Interim Statement (2013) sets out the Council's position on affordable housing in more detail including the Tenure Split (Key Principle 7), the Size of Property (Key Principle 8) and the Affordable Housing Clustering and Phasing (Key Principle 10).

A range of sizes and types of dwellings should be provided on the site to reflect the needs of the Borough, however there is a particular need for houses for families providing 2 and 3 bedroom accommodation with private garden space. In addition, there is an identified need for housing for older people and supported housing. As far as possible this specific housing should be close to services and facilities such as local centres, health facilities including a GP and pharmacy, bus stops and provide attractive and safe walking routes.

- 6.14 **Northamptonshire Police** – recommends rear parking courts are restricted unless adequately secured, the design of the estate should comply with Secure by Design principles, play space should be overlooked but separated from the nearest dwellings by a well-used road to reduce noise nuisance by inappropriate use. Preference for bigger 'destination' parks and green spaces.
- 6.15 **Sport England** - no objection, subject to a financial contribution towards the provision of off-site sports facilities.
- 6.16 **Construction Training** - request the provision of 2275 training weeks and a financial contribution.
- 6.17 **NHS England** - request a financial contribution towards primary healthcare provision to mitigate impacts of development.
- 6.18 **NCC Development Management** - request the provision of a 1.9ha primary school site and a contribution towards primary provision, advise secondary education contributions would be sought through CIL, request contributions towards fire and rescue infrastructure costs, a condition for the provision of fire hydrants, a contribution towards enhancement of library facilities.
- 6.19 **NCC Planning Policy** - the Minerals Safeguarding report accompanying the application demonstrates the proposal meets Policy 32 of the Northamptonshire Minerals and Waste Local Plan (MWLP). The developer should monitor this and the volumes of mineral that are extracted.
- 6.20 **South Northamptonshire Council** – recommend the provision of 35% affordable housing, recommend study area of heritage assets is widened to 5km, request NBC ensure approved parameter plans show the Sandy Lane Relief Road (SLRR) within the Upton Lodge site up to the boundary with the Norwood Farm site and a requirement that the SLRR is constructed up to the boundary with the Upton Lodge site (by condition and S106) using co-ordinates; request to be party to S106 discussions in relation to off-site open sports provision; consideration of secondary school provision, submission of phasing plan and lighting assessment should be provided as part of EIA.
- 6.21 **Upton Parish Council** – Already dissatisfaction with residents about lack of local facilities in area, e.g. secondary schools, NHS provision, local shopping amenities, public transport, and leisure services to enhance social cohesion. It should be ensured that essential services are actually providable. Unreasonable environmental impact, given scale of development. Increase in traffic, due consideration must be given to ensure traffic flow is maintained with joined up thinking. The south/north spine road should be a limited access dual carriageway Parish consider the approval of plans that disregard the JCS sets a dangerous precedent for the area.
- 6.22 **Harpole Parish Council** – raise concern regarding the provision of hospital facilities, advise medical centre and other infrastructure should be put in place before housing is built; badgers frequent the area and need to be considered; 'road to nowhere' needs to be completed to take

excess traffic; question whether it complies with Strategic Development Framework; drainage in area needs improving; difficult to look at this development in isolation of all the other developments.

6.23 **Ramblers Association** – Right of Way Bridleway Upton LB1/ Harpole KP16 runs along the eastern and northern boundaries of the site. An assurance is given this will be retained on the northern side by integrating it with the green links and open spaces. No objection subject to satisfactory safeguarding of use of the bridleway by equestrians.

6.24 **National Grid** – no objection.

6.25 15 representations have been received. Comments are summarised as follows:

- Encroachment on natural green land, why not develop brownfield sites within Northampton
- Loss of open space
- Impact on wildlife
- Hope hedge by allotments will be retained
- Increased impact on traffic congestion and struggling traffic network
- Increased pollution
- St. Crispin's Drive will have number of feeder roads to proposed development. The road currently has a large amount of school traffic which also park along the road. Additional roads joining this will reduce parking and increase risk to pupils and wider community due to traffic collision.
- Junction on St. Crispin's Drive will cause further congestion, a roundabout should be considered
- Need to ensure suitable parking provision
- No provisions for Secondary School children
- Doctors to service a medical centre
- School, shops, surgery and community facilities should be in place before houses
- Concern regarding noise and dust that will emanate from building work
- Absurd that any further development at St. Crispins is being considered, until original Hospital site and Clock Tower are redeveloped
- Development of site would encroach on villages
- Pumping station details to cope with this development
- Noise assessment does not take into account other planned development in the area
- Broadly supportive of development, but walking and cycling measures are weak

7 APPRAISAL

Background and Context

7.1 The application site forms part of a larger site allocated under Policy N9A of the JCS as Northampton Norwood Farm/Upton Lodge Sustainable Urban Extension. The policy overall sets out the following requirements:

- In the region of 3,500 dwellings;
- 2 primary schools;
- A local centre to include local retail facilities of an appropriate scale (including a small convenience store), health care services and community facilities;
- Local employment opportunities;
- Sandy Lane Relief Road Phase 2;
- Integrated transport network focused on sustainable transport modes, including public transport, walking, and cycling with links to adjoining area, employment areas and Town Centre;
- Structural greenspace and wildlife corridors, including provision of country park;
- Open space and recreation provision;

- Archaeology, ecological and ground stability assessment and required mitigation; and
 - Flood risk management
 - Necessary infrastructure to be phased alongside development.
- 7.2 An outline application for development of the Norwood Farm part of the allocated site for a Sustainable Urban Extension for up to 1,900 dwellings, mixed use local centre and community facilities, primary school, and associated infrastructure and open space is under consideration by South Northamptonshire Council with 'approval in principle' subject to the completion of a S106 Agreement.
- 7.3 In addition to this, 'approval in principle' subject to the completion of a S106 Agreement was granted by Northampton Borough Council Planning Committee in January 2019 for a smaller parcel of land within the N9a allocation for residential development of 118 dwellings. Negotiations are currently ongoing in respect of the S106 Agreement.
- 7.4 Furthermore, Northampton West SUE (Policy N4) within Daventry District, to the north of Norwood Farm, is allocated for up to 2,550 dwellings with outline applications for part of the allocation currently under consideration. Upton Park SUE, situated to the south of the Upton Lodge site within Northampton Borough, has planning permission for 860 dwellings.
- 7.5 All the sites referred to above form part of a significant part of proposed housing delivery within the Northampton Related Development Area on the western fringe of Northampton allocated for development in the WNJCS.
- 7.6 The principal issues for consideration in relation to the Upton Lodge scheme are:
- The principle of development
 - Community consultation
 - Design and layout
 - Landscape and visual impact
 - Highways
 - Open Space
 - Ecology and Green Infrastructure
 - Impact on heritage assets
 - Flood risk and drainage matters
 - Air quality, noise and contamination
 - Education
 - Healthcare
 - Local centre, retail and community infrastructure provision
 - Planning obligations and Community Infrastructure Levy (CIL)

Principle

- 7.7 The NPPF advises that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework places considerable importance on the need to have an up-to-date development plan and, that where the development plan is out of date, Local Planning Authorities are advised to grant planning permission unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Paragraph 8 of the NPPF seeks to ensure the planning system maintains the provision of a sufficient number and range of homes to meet the needs of present and future generations.
- 7.8 Paragraph 11 of the NPPF advises that relevant policies for housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year housing land supply which is currently the case for the Borough. Therefore, in accordance with the presumption in favour of sustainable development, as outlined in Paragraph 11, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

- 7.9 The site is allocated for development under Policy N9a of the adopted JCS as referred to above and, as such, it is considered that the site's identification as a SUE should be given significant weight.
- 7.10 In this context, it is considered that the development of the site is broadly compliant with policy, would make a significant contribution towards the Council's housing requirements and that the proposal accords in principle with the overriding aims of the NPPF for the provision of housing and the Council's obligations to ensure a 5 year housing land supply as required by the Government.
- 7.11 In addition, the development of the site would also make a positive contribution to the Borough in terms of generating income through the New Homes Bonus and Council Tax.

Community Consultation

- 7.12 The applicant carried out public consultation in October 2016 comprising a leaflet drop of 5,000 flyers within the vicinity of the site, advertisement in the local newspaper and two public exhibitions. The planning application has also been subject to consultation in accordance with statutory requirements. In addition, the allocation of the site as a SUE was the subject of extensive public consultation during the drafting and adoption of the JCS, and was considered as part of the Examination in Public

Design and Layout

- 7.13 The NPPF advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people, creating safe, inclusive and accessible places that promote health and well-being, with a high standard of amenity, and providing opportunities to promote walking, cycling and public transport. Policy S10 of the JCS seeks to achieve high standards of design and promotes the use of sustainable development principles in relation to access to facilities, alternative transport methods, waste generation and building methods.
- 7.14 The application is submitted in outline with access for approval, and therefore the detailed design of the proposal in terms of layout, appearance, scale and landscaping would be a matter for consideration at reserved matters stage.
- 7.15 The proposal is accompanied by a Design and Access Statement, an illustrative Masterplan and a number of parameter plans which sets out the broad parameters for development going forward, and Members need to consider whether these development parameters form an appropriate framework for the future development of the site. A detailed Design Code and Masterplan covering the whole site would be required by condition based on these submitted details prior to the submission of any reserved matters application and also responding to the recommendations in Building for Life 12. A condition would also require that Secure by Design standards are achieved throughout the site. The approved Design Code would seek to ensure a consistent approach throughout the development to design, layout and use of materials and identify key areas for design consideration within the site, such as the local centre.
- 7.16 The submitted plans outline a broad framework of land uses. The majority of the site is proposed for residential interspersed with green infrastructure comprising areas of open space, some incorporating Sustainable Urban Drainage Systems (SuDS), play areas, woodland, and green corridors providing links through the development to the surrounding area. A 1.9 hectare (ha) site is proposed for the provision of a primary school, and a 0.9 (ha) site for a local centre and community facility provision, located centrally in the site adjacent to the Upton Lodge Farm buildings proposed for retention and possible community use.
- 7.17 In respect of the residential development, density throughout the site would range from 20-30 dwellings per hectare (dph) to 40-50 (dph) around parts of the SLRR and at the entrance to the site. Building heights would range from predominantly 2-2 ½ storeys, with heights increasing to 3-4 storeys in parts of the site. The Design and Access Statement suggests a number of character

areas within the development which would vary throughout the site with density and building heights at a 'Gateway' entrance to the site from Weedon Road being increased, and similarly along the SLRR, with lower densities and building heights throughout the 'urban core' of the site and lower densities again on 'parkland' edges. These indicated densities and building heights are a maximum and a full assessment of their acceptability would be carried out at reserved matters stage in relation to impacts on the character of the surrounding area and impact on neighbouring amenity.

- 7.18 The primary roads throughout the site would comprise the SLRR which would run through the site in a north westerly direction from Weedon Road in the western section of the site. In addition, a spine road would run eastward from the SLRR to St. Crispin Drive which would form the main axis of movement for the new development and is also proposed as the bus route. Secondary routes will then radiate from these primary routes. Footways and cycleways are proposed along these primary routes which, together with additional green links provide connectivity to the wider area. Full details of the road layouts and pedestrian and cycle routes/links would be agreed at reserved matters stage.

Landscape and Visual Impact

- 7.19 The NPPF seeks to ensure that planning protects and enhances our natural, built and historic environment contributing to conserving and enhancing the natural environment. These aims are reflected in Policies S10 and BN5 of the JCS which seek to protect the character and structure of the landscape from adverse visual impacts.
- 7.20 The site comprises an area of undulating predominantly arable land with levels rising to the north eastern corner and towards the built up area of St. Crispins. Due to this increase in height and lower land levels towards the River Nene, the site is clearly visible from the south.
- 7.21 The principle of development of the site and wider Norwood Farm site has already been accepted through the allocation of the site for a SUE under the JCS, and the visual and landscape impacts were considered as part of that. The Inspector accepted that the development would have visual and landscape impacts, but these were outweighed by the need for sustainable housing in order to meet established need.
- 7.22 The design seeks to integrate development into the wider landscape with the Masterplan structured around character corridors of open space and green infrastructure spines which cross the site, and would run alongside the SLRR. Two areas of existing woodland, one around Upton Lodge Farm, and the other on the north eastern boundary of the site would be retained, as would existing hedgerows around the majority of the site.
- 7.23 The built form of the proposed development would be seen in the context of existing development at St. Crispins, Berrywood and Princess Marina, and the future Norwood Farm development, and as an extension of the urban edge of Northampton.
- 7.24 It is inevitable that the landscape character would change significantly with the development of the site. However, these impacts need to be weighed against the requirement for growth. The provision of sufficient and appropriate green infrastructure throughout the site and sensitive design of layout and building heights at reserved matters stage would assist in mitigating some of the impact on the existing landscape.

Highways

- 7.25 The application is in outline with access for consideration.
- 7.26 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy N9A of the JCS requires the SUE

to mitigate the impacts of the proposed development on the highway network and provide an integrated transport network focused on sustainable transport modes.

- 7.27 The main vehicular access to the site would be from Weedon Road via the existing junction and built section of the SLRR, and via a new access from St. Crispin Drive to the east. The existing vehicular access serving the bungalow at Upton Lodge would be retained to serve the bungalow only.
- 7.28 The application is accompanied by a Transport Assessment (TA) in accordance with the requirements of the NPPF. The submitted TA, and subsequent revisions received, have assessed the impact of the proposed development on the existing local highway network and includes an assessment of traffic impacts with both the Norwood Farm and Upton Lodge development coming forward with the SLRR, and an assessment of the implications of the Upton Lodge development as a standalone development without the SLRR. The submitted details have been assessed by the Highway Authority and Highways England.

Sandy Lane Relief Road (SLRR)

- 7.29 In respect of the SLRR, a section of this road has already been constructed towards the south of the site, which is wholly within the Upton Lodge site with the exception of a small section up to the northern boundary of approximately 28m in length. Whilst this has been constructed, it only forms part of the intended wider system of highway improvements. This is of particular importance owing to the current design, and level of usage, of the original Sandy Lane, which runs west of the site.
- 7.30 A key element of the development, and the bringing forward of other allocations, is the timely provision of the SLRR in its entirety. It is intended that this would run from Weedon Road through to the north of the site, upon which the road would enter the Norwood Farm development (Approved in Principle by South Northamptonshire Council), and then subsequently join Berrywood Road. As a consequence, the delivery of this road is of significant importance in mitigating the impacts of this development, whilst also directly contributing to the delivery of other key development sites that would contribute to addressing the shortfall of housing within Northampton.
- 7.31 As a consequence, a number of discussions have taken place between the Council, the applicant and the Highway Authority. Following the completion of these negotiations, the agreed position is that the applicant would, through the Section 106 Agreement, enter into an obligation that would compel the final developer to complete the missing link of the SLRR within the Upton Lodge site prior to any house building taking place. This would include bringing the existing spur up to contemporary standards.
- 7.32 This mechanism would therefore ensure that this section of the SLRR would be ready for residents to use upon moving into the development. Furthermore, the provision would also accelerate the delivery of the adjacent Norwood Farm site (which as set out above has been 'Approved in Principle' by SNC). This accelerated delivery would enable the developer of that site to complete their section of the SLRR at an earlier stage in the proceedings, thereby joining Weedon Road and Berrywood Road. In respect of the Norwood Farm development, it is understood that mechanisms are proposed to ensure the completion of the section of the SLRR prior to occupation of the 550th dwelling within this development. As a consequence, it is concluded that there is a robust mechanism for ensuring that the SLRR can be delivered in its entirety at a comparatively early stage in the development process than might otherwise be the case. This therefore ensures that the long term impacts upon the wider highway system are diminished.
- 7.33 In order to ensure that the SLRR is effective, in addition to including trigger points for the completion of the link of the SLRR, it is also necessary to include mechanisms by which the specification, route and levels for this piece of highway can be controlled. This is imperative as the application is made in outline form and, whilst an indicative route has been submitted to the Council as part of the planning application, this is subject to change as the design of the development is finalised through the submission of Reserved Matters applications. Therefore, to be wholly effective the road does need to join with the Norwood Farm development in a safe manner.

- 7.34 Separate to the preceding conclusion, it is a certainty that the delivery of the development would increase the usage on the surrounding road network. This is likely to also increase pressure on existing junctions. The applicant has submitted a suite of documents that highlight potential improvements to junctions within the vicinity. These have been reviewed by the Highway Authority, and the conclusions are that off-site highway measures as detailed in paragraph 6.1 of this report are required in order to ensure that the highway impacts of the development are sufficiently mitigated.
- 7.35 Given that this is an outline planning application, subsequent applications would need to be submitted to the Council for Reserved Matters consent. This would, in addition, to finalising the layout of the development, and design of buildings, would include the precise details of car parking provision. This would enable an appropriate provision to be considered and secured in order to prevent any significant adverse impact on the surrounding highway system, and to prevent the displacement of vehicles onto surrounding developments, which would not be desirable.
- 7.36 The above highway mitigation measures would be secured by condition and as a S106 obligation.
- 7.37 In respect of public transport provision, it is intended that the first phase of development (of no more than 300 dwellings) will utilise the existing bus service on Kent Road which provides access to the Town Centre. This will necessitate the provision of two bus stops at the bottom section of Kent Road. In addition, a new bus service will be required through the development along the spine road with the provision of bus stops and associated infrastructure to be required by condition/S106.
- 7.38 The application is supported by a Framework Travel Plan which sets out a broad framework for sustainable transport measures for the site including Travel Packs issued to all new residents, information on car share initiatives, promotion of bus services and public transport. A more detailed Travel Plan and associated monitoring costs will be required by condition or as part of the S106 Agreement.
- 7.39 Public Right of Way Bridleway Upton LB1/ Harpole KP16 which runs along the outside edge of the northern boundary of the site will be retained along its existing alignment. It is understood that mechanisms will be put in place to provide a Pegasus and toucan crossing where the bridleway crosses the SLRR within the Norwood Farm development.
- 7.40 A Construction Environment Management Plan will be required by condition in order to agree the route of construction traffic, site compounds and construction matters are appropriately mitigated to ensure there is no unacceptable adverse impact on the surrounding road network and amenity.
- 7.41 The proposed mitigation measures outlined above are considered sufficient to mitigate the highway impacts of the development such that it would not lead to a severe cumulative residual impact on the highway network in accordance with the requirements of the NPPF and, therefore, the development is considered acceptable in this regard.

Open Space

- 7.42 The indicative parameters submitted with the planning application include the provision of approximately 24 hectares of open space comprising areas of strategic landscaping, Sustainable Urban Drainage Systems (SuDS) including balancing ponds, amenity green space, and play space which would also include suitably equipped children's play areas. This is of particular importance owing to the fact that the development is of a significant size and a notable proportion of family housing would be envisaged within the development.
- 7.43 Given that this is an outline planning application, whilst the broad locations of open space are indicated in the Illustrative Masterplan, the precise locations of these areas is yet to be fully defined. However, in order to provide certainty of an appropriate level of provision throughout the site, the Section 106 Agreement will include a minimum level of open space provision and

typologies that is to be included across the final, finished development, including, where necessary, appropriate play equipment. The Section 106 Agreement will also include for a mechanism to be agreed that would ensure that these spaces are appropriately maintained throughout the life of the development.

- 7.44 Originally, Sport England raised a holding objection to the development particularly due to the lack of on-site sports provision. The possibility of including on site sports provision has been discussed with the applicants. Unfortunately, it has been confirmed that owing to the general topography of the site, which slopes quite noticeably over the confines of the site, it is has not been possible to secure such provision on-site.
- 7.45 In order to respond to the points raised by Sport England, it has been agreed that the developer, through the Section 106 Agreement, would make a financial contribution to the Council in order to fund the provision and/or enhancement of sports facilities within the general vicinity of the site. The Section 106 Agreement would prescribe the geographical areas in which the contribution could be utilised. This mechanism therefore provides certainty that the financial contribution would be used to directly mitigate the impacts of the development and to provide infrastructure for the future occupiers. As a consequence, and following further discussions, Sport England have removed their objection to the proposed development and as such, planning permission could not be reasonably resisted on this basis.
- 7.46 The detailed layout of open space would be a matter for consideration at reserved matters stage. The provision of an appropriate level and type of open space, including SuDS, and the management of such spaces would be secured by way of a Section 106 obligation.

Ecology and Green Infrastructure

- 7.47 Section 15 of the NPPF seeks to ensure that planning decisions contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If significant harm to biodiversity resulting from development cannot be avoided, or adequately mitigated, planning permission should be refused. Policy BN2 of the JCS seeks to ensure development maintains and enhances existing designations or delivers a net gain in biodiversity, with appropriate weight attached to the status of any sites affected.
- 7.48 The Green Infrastructure Framework Plan submitted with the application indicates areas of greenspace throughout the site comprising areas of strategic landscaping, amenity green space, play areas and the provision of green links throughout the site and to the wider area. The proposal includes the provision of a green buffer along the northern boundary and western boundaries, and a green link running north/south which seeks to retain existing hedgerows where possible, and an existing orchard to the north of Upton Lodge Farm. The existing area of mature woodland to the east of the site is also proposed for retention. The existing Bridleway KP16/LB1 outside the northern boundary of the site would be retained along its existing alignment.
- 7.49 The Environmental Statement (ES) and supporting surveys have assessed the ecological impacts of the proposed development. The application site has no specific designations in this regard, and the ES identifies that the site falls outside of the zone of influence in respect of the Upper Nene Gravel Pits Special Protection Area, located approximately 5.3km to the west of the site, but notes that there are 17 locally designated wildlife sites within 2km of the application site. The application is also supported by a Preliminary Ecological Appraisal completed in February 2016, a number of species surveys completed in 2016, an updated Badger Survey completed in January 2019 for part of the site, and an Arboricultural Report.
- 7.50 The site is subject to a variety of habitat types including arable land, hedgerows, woodland, watercourses, an orchard and buildings. Notably, surveys identified the presence of a barn owl roost within the site, and the presence of bats within buildings and surrounding habitats. In addition, three active badger setts were identified on site, two main and one subsidiary. The surveys indicated no presence of water vole, great crested newts or reptiles within the site.

- 7.51 In respect of potential mitigation, existing vegetation is proposed to be retained and enhanced along the boundaries of the site, including two hedgerows running north/south centrally through the site, an area of grassland to the west retained as open space, and two existing areas of woodland, along with the provision and enhancement of green links throughout the site which would all assist in providing areas for foraging and commuting for species within the site.
- 7.52 Whilst it is acknowledged that a number of the surveys submitted with the application are now dated, due to the size of development proposed and in view of the potential build out period of approximately 10 years, and that there is potential for a change and movement of species present on site over time, it is considered appropriate that updated surveys are required with each reserved matters submission. In addition, conditions are proposed for a Construction and Ecological Management Plan to ensure impacts during construction are appropriately mitigated, the submission of a site wide Landscape and Ecological Management Plan (LEMP), and for an Ecological Design Strategy for badger mitigation as each phase of development comes forward. A license will also be required from Natural England in respect of any works affecting bats, and a condition is also proposed to ensure appropriate and timely habitat is provided in respect of the barn owl present on site within the existing farm building prior to demolition. Subject to such conditions, the County Ecologist has no objection.
- 7.53 The development of the site will have inevitable ecological impacts, however the site is not subject to any nationally important landscape designation. The provision of open space and green links throughout the site, the detail of which would be considered alongside updated ecology surveys, would assist in ensuring appropriate mitigation and habitat creation within the new development such that the development would not lead to any significant adverse impact on ecological interests.

Impact on Heritage Assets

- 7.54 Section 16 of the NPPF advises on the need to conserve heritage assets in a manner appropriate to their significance, giving great weight to the asset's conservation. Where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. Proposals within the setting of heritage assets should look for opportunities to enhance or better reveal their significance. Policies S10 and BN5 of JCS seek to conserve and enhance designated and non-designated heritage assets.
- 7.55 St. Crispin Conservation Area is located to the north of the site containing two Grade II listed buildings, Connolly Lodge and The Chapel, beyond which to the north east is Duston Conservation Area. Harpole and Kislingbury Conservation Areas are located to the west and south west respectively within South Northamptonshire. To the south of the site, beyond Weedon Road is a Scheduled Ancient Monument, Upton Deserted Medieval Village, and Upton Hall and Church of St. Michael, both Grade I listed, and Park House, Grade II listed.
- 7.56 Due to the variation in land levels throughout the site, physical distance and the presence of existing development and mature trees within the locality, it is not considered the proposed development would lead to any undue impact on the character and setting of heritage assets. NBC Conservation officer raises no objection to the development, advising that the assessment submitted, and conclusions within are acceptable.
- 7.57 In respect of archaeological interest, evaluation of the site has identified that the site contains archaeological remain that require further investigation before the site is developed. Surveys indicated the possible presence of areas of possible prehistoric of Romano-British settlement and agricultural activity, as well as possible ditches and furrows and other features from later periods, and field enclosures dating from late Iron Age of early Romano-British period.
- 7.58 The County Archaeologist raises no objection in principle to development of the site, subject to appropriate mitigation in respect of archaeological interests within the site, and conditions to ensure archaeological investigation is undertaken within the development parcels in a coherent

manner. Discussions are ongoing in respect of appropriate conditions and will be reported to Committee on the Addendum to this agenda.

Flood Risk and drainage matters

- 7.59 The NPPF seeks to ensure that in determining development proposals flood risk is not increased elsewhere and that development does not contribute to or is put at risk from unacceptable levels of water pollution. Policy BN7 of the JCS states that all new development should demonstrate that there is no increased risk of flooding to existing properties and should seek to improve existing flood risk management. Surface water management incorporating sustainable drainage techniques should be accompanied by a long term management plan and protect and enhance water quality.
- 7.60 The site falls within Flood Zone 1 comprising land of having less than 1 in 1,000 annual probability of flooding from rivers or seas. The principal risk of flooding is considered to be from surface water run-off as a consequence of reducing the permeable surface of the site which is currently greenfield.
- 7.61 Ground levels vary throughout the site but generally fall from north to south with the lowest ground levels located in the southwest corner of the site. An unnamed watercourse situated along the western boundary of the site, which it is understood originates from a natural spring located downstream of the Norwood Farm buildings, leaves the site at this lowest point and discharges into the River Nene to the south of the application site. As part of the proposed development this watercourse would be diverted into a pond before being directed under Weedon Road and re-joining its original course to the River Nene.
- 7.62 Low lying areas within the site adjacent to Weedon Road and near Weedon Road/St Crispin Drive shown to be at high risk of flooding from surface water are either not proposed for development or allocated for SuDS.
- 7.63 The application is supported by a Flood Risk Assessment (FRA) that sets out a scheme for the use of above and below ground SuDS features to intercept surface water run-off and store excess water within the site. The surface water drainage strategy has been designed to accommodate surface water run-off from the site for 1 in 200 year plus climate change (an additional 40% allowance for increases in rainfall intensity due to climate change). Attenuation would comprise local soakaways, permeable paving, above ground attenuation ponds and a below ground attenuation tank.
- 7.64 The submitted FRA indicates that new drainage networks located within public highways would be offered for adoption by Anglian Water, with above ground SuDS features likely to be maintained privately by a suitable maintenance company.
- 7.65 The Environment Agency, Lead Local Flood Authority, and Anglian Water raise no objection to the development proposals subject to appropriate drainage conditions.

Air Quality, Noise and Contamination

- 7.66 The NPPF seeks to ensure that development is appropriate for its location in respect of pollution and contamination and impacts of noise arising from development are minimised. Policies S10 and BN9 of the JCS seek to ensure new development minimises pollution from noise, air and run off.
- 7.67 Impacts on existing air quality are likely to arise from the proposed development as a result of traffic and dust during the construction phase, and traffic during the operational phase. A condition is proposed requiring the submission and approval of a Construction Environment Management Plan (CEMP), and measures are proposed through the provision of EV charging points throughout the development, the provision of a Euro VI bus service, and promotion of sustainable transport measures through the Travel Plan. Such measures would be secured either through conditions and/ or a S106 Agreement.

- 7.68 Noise sources from the proposed development are likely to include construction noise, noise from plant and machinery and deliveries associated with commercial uses, noise from the local centre, and from roads and other non-specific noise sources. The CEMP will be required to address noise issues during construction. Proposed commercial uses within the local centre will be assessed as part of a reserved matters submission when layout details are known and proximity to residential properties can be fully assessed and conditions applied as appropriate in respect of both noise from plant and machinery, deliveries and odour.
- 7.69 In respect of contamination, a condition is proposed to ensure mitigation in respect of any unexpected contamination.

Community Considerations

- 7.70 Section 8 of the NPPF seeks to ensure new development promotes healthy and safe communities that provide opportunities for social interaction, enable and support healthy lifestyles, plan positively for the provision and use of shared spaces, community facilities including shops and other local services, and ensure that a sufficient choice of school places is available.

Education

- 7.71 The application includes the provision of a 1.9 ha site for a 2-form entry primary school located centrally within the site adjacent to the local centre. In addition, the County Council request a financial contribution towards the provision of the school, both of which would be secured through a S106 Agreement.
- 7.72 Secondary education forms part of the Councils CIL Regulation 123 requirements and would be considered alongside other requirements on the Council's CIL list.

Healthcare

- 7.73 A financial contribution to mitigate the healthcare impacts arising from the development has been requested by NHS England. The contributions would be secured through a S106 obligation, and NHS England has indicated at this time that contributions would be directed towards enhancement of the existing healthcare facility at St. Luke' Medical Centre.

Local Centre/ Community Facilities

- 7.74 The NPPF at Section 7 seeks to ensure the viability and vitality of town centres is maintained by directing town centre uses, such as retail and leisure, to these centres. Paragraph 86 requires a sequential test, and paragraph 89 an impact assessment, for main town centre uses not in an existing centre or in accordance with an up-to-date plan. Para 92 encourages positive planning for the provision and use of shared spaces and community facilities to provide social, recreational and cultural facilities and services the community needs.
- 7.75 The JCS seeks to ensure that retail uses are located primarily within the Primary Shopping Area and then other town centre locations, but recognises the need to ensure local convenience shopping is met within the wider urban area to deliver sustainable patterns of development. Policy N9a allocates the application site as a SUE and identifies the need for retail, healthcare and community facilities, recognising that such facilities should be appropriately sized (Policies S2 and N10) and not detrimentally impact other areas, including the vitality and viability of the town centre. Policy S9 requires an Impact Assessment for retail development over 1,000 sq. m gross internal floor area.
- 7.76 The development proposal includes the provision of 0.9 ha of land for a local centre and community facilities. The land includes the retention of existing farm buildings which would be considered for conversion for community uses. The maximum total amount of retail floorspace to be provided within the Local Centre, would be 570 sq. m. including the proposed convenience

store. The total retail floorspace is therefore below the threshold set by Policy S9 of the JCS requiring an Impact Assessment. The retail element of the local centre is considered of an appropriate scale to provide suitable facilities for the proposed development without impact on the vitality and viability of the Town Centre.

- 7.77 The requirement for the provision and phasing of the local centre and community uses would be subject to a S106 obligation, and precise details of the layout and design would be dealt with as part of subsequent reserved matters submissions

Employment

- 7.78 The submitted Environmental Impact Assessment indicates that over an estimated 10 year build period, the development has the potential to create approximately 168 construction jobs per year. Sources may be both nationally and locally. Direct employment during the operational phase would arise from job creation within the mixed use local centre and the primary school.

S106 Planning Obligations and CIL

- 7.79 Paragraph 54 of the NPPF advises that Local Planning Authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The Heads of Terms as listed below form the basis for the formulation of planning obligations in order to mitigate the unacceptable impact of the development. It is considered that the impact of the development in terms of affordable housing, educational requirements, highway improvements, public transport provision and healthcare are all capable of being sufficiently mitigated.

- 7.80 Paragraph 56 advises the planning obligations must only be sought where they meet the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

- 7.81 Paragraph 57 of the NPPF advises that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances, including whether the plan and the viability evidence underpinning is up-to-date.

- 7.82 Paragraph 64 of the NPPF advises that at least 10% of the homes in major housing developments should be available for affordable home ownership. Policy H2 of the JCS requires the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.

- 7.83 The application is supported by a Viability Report which has been subject to independent assessment on behalf of the Council. The independent assessment concludes that it is reasonable to expect a developer to achieve a profit and, given the size and complexity of the scheme, it is considered current market expectation would be for a profit equating to circa 20% of market gross domestic value (GDV). The assessment concludes that the scheme could achieve a profit level of 20% and provide 15% affordable housing and S106/CIL contributions. CIL contributions are non-negotiable and would be payable on all residential and retail development within the SUE.

- 7.84 In respect of affordable housing on the site, this would comprise a tenure type of 70% affordable rent and 30% Affordable Home Ownership, the distribution of which throughout the development would be controlled through the S106 and conditions.

- 7.85 S106 Heads of Terms

- 15% affordable housing

- Highways – off-site highway improvements
- Provision of Public Transport and Infrastructure
- Travel Plan/Monitoring
- Primary school provision - 1.9 ha site for primary school for 2-form entry school and financial contribution
- Healthcare contribution
- Provision of local centre and community facilities
- Construction Futures – provision of employment training weeks and financial contribution
- Open space provision, including a contribution for off-site outdoor sports provision, and future maintenance arrangements including maintenance of SuDS
- Council's monitoring fee

(All the above S106 requirements are subject to compliance with Regulation 122 and 123 of The Community Infrastructure Levy Regulations 2010).

- 7.86 Requirements in respect of contributions towards the provision of police officers, fire and libraries are not required by planning policy.
- 7.87 The development will be subject to CIL payments which are non-negotiable. The contributions will be considered against the requirements of the Council's CIL Regulation 123 list which includes the following infrastructure: the North West Relief Road, secondary education, the Northampton Growth Management Strategy (M1/A45 junction improvements) and indoor sports provision.
- 7.88 It is disappointing to both officers and the applicant that the site is only able to achieve this reduced level of affordable housing. However, these viability issues must be weighed against the provision of much needed housing to meet the Borough's housing need and the associated New Homes Bonus, and the provision of the SLRR.

8 CONCLUSION

- 8.1 The NPPF supports sustainable housing development and economic growth. The development of the site for up to 1,400 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement. The development of the site in conjunction with the adjacent Norwood Farm site will also assist in the delivery of Phase 2 of the SLRR.
- 8.2 The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the NPPF and the submitted WNJCS (as subsequently modified) and subject to the recommended conditions and planning obligations contained within the associated 106 agreement development of the site as proposed is considered acceptable.

9 CONDITIONS

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") in any phase shall be submitted to and approved in writing by the local planning authority before any development in that phase begins and the development shall be carried out as approved.

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 first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and application for approval of all remaining reserved matters shall be made within ten years from the date of this permission.

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

3. The development hereby permitted shall begin no later than two years from the date of approval of the first of the reserved matters, and development of any subsequent phase shall begin no later than two years from the date of approval of the reserved matters for that phase.

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

4. The number of dwellings to be constructed shall not exceed 1,400.

Reason: To accord with the requirements of Policy N7 of the West Northamptonshire Joint Core Strategy.

5. The development and all reserved matters applications shall pursuant to this permission shall not materially depart from the following plans and parameters:

- Site Location Plan UD.10
- Illustrative Masterplan v5a UD.02
- Green Infrastructure Framework UD.03
- Density UD.06
- Access and Movement UD.04
- Building Heights UD.07

6. Prior to submission of any reserved matters application, a detailed Masterplan and Design Code covering the whole site shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code shall be formulated having regard to the submitted Design and Access Statement, and respond to the recommendations of Building for Life 12, and shall include the following details:

- A phasing plan for the development, including an affordable housing phasing plan;
- The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
- Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- The proposed layout, use and function of all open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.
- The approach to and design principles applied to parking (on street and off-street).
- The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
- Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
- The design principles that will be applied to the development to encourage security and community safety.
- Design principles that will be applied to the mixed use areas, local centres and employment areas;

- External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods
- Design principles for the incorporation of Sustainable Urban Drainage Systems (SUDS) throughout the development.
- Design principles for the incorporation of Electric Vehicle Charging points throughout the development

Thereafter, any reserved matters application for any phase of development shall comply with the principles established by the approved masterplan and within the approved Design Code.

Reason: In the interests of securing a sustainable and secure development in accordance with the requirements of Policies S10 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Prior to the submission of any reserved matters application, a detailed phasing plan for the development that identifies stages at which each element of the proposed development (including the local centre, open space, community facilities, open space, play equipment, primary school, housing, highway infrastructure and SUDs) shall be commenced, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the timely provision of facilities and to ensure the delivery of a sustainable and satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Contemporaneously with the submission of reserved matters applications for each phase of development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of BREEAM “very good” (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority. No development in that phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved sustainability strategy.

Reason: In the interests of the environment and to promote sustainable development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

9. As part of each reserved matters application details of existing and proposed ground levels and finished floor levels of the development in relation to adjoining land levels shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of surrounding amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

10. As part of each reserved matters application, a scheme shall be submitted for approval in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development as identified in the submitted Design and Access Statement. The approved details shall be implemented concurrently with the reserved matters development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

11. As part of each reserved matters application for each phase of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients, within that phase shall be submitted to the Local Planning Authority. No development in that phase shall take place until the details have been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

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

12. Before any above ground works commence, engineering and construction details, including co-ordinates and levels for the remaining section of the Sandy Lane Relief Road up to the northern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of any of part of the development hereby permitted.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

13. Before any above ground works commence, engineering and construction details for the provision of the priority junction access from and the widening of St. Crispin Drive to incorporate a 6.5m carriageway width from the access to the Main Road/Kent Road Roundabout, shown indicatively on WYG Drawing No. 001 Rev A, and which shall include a 3m footway/cycleway, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

14. Before any above ground works commence, engineering and construction details for the provision the spine road linking the Sandy Lane Relief Road and St. Crispin Drive shown indicatively on the Illustrative Masterplan drawing no. UD.02 and the Access and Movement Plan drawing no. UD.04 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of the 301st dwelling.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

15. Before any above ground works commence, full engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority, and the works shall be carried out in accordance with the approved details as follows:

- Berrywood Road/Berrywood Drive junction mitigation, replacing the roundabout with signal control, (as shown indicatively on WYG Drawing Number 006) to be delivered prior to occupation of the 301st dwelling hereby permitted.
- A43 Swan Valley/Cobb Drive junction mitigation, implementation of partial traffic signal control (as shown indicatively on WYG Drawing Number 007) to be delivered prior to occupation of the 301st dwelling hereby permitted.

- M1/A43/Swan Valley junction mitigation, implementation of partial traffic signal control (as shown indicatively on WYG Drawing Number 008) to be delivered prior to occupation of the 301st dwelling hereby permitted.

Reason: Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. Details for the provision of two bus stops (with shelters and associated infrastructure) on the bottom section of Kent Road shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Details for the provision of marked bus stops westbound, together with the provision of marked bus stops and shelters eastbound on the Upton Lodge spine road and the neighbouring sections of the Sandy Lane Relief Road and St. Crispin Drive in 4 locations along the spine road shall be submitted to and approved in writing by the Local Planning Authority. All eastbound stops shall be equipped with real time displays. The bus stops shall be provide in accordance with the approved details prior to the occupation of the 301st dwelling hereby permitted.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

18. Prior to the first occupation of any dwelling, a full Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

19. No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

20. The development shall not commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway, a proposed Routing Agreement, followed by all construction traffic drivers, to and from the site which shall include an A4 sized map to be given to all construction traffic drivers;
- b) Location of access points for site traffic for that phase of development;
- c) Detailed measures for the control of dust during the construction phase of development;
- d) The location and size of compounds;
- e) The location and form of temporary buildings, adverts and hoardings;

- f) Details for the safe storage of any fuels, oils and lubricants;
- g)) Construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) A scheme for the protection of areas and species of ecological interest and for the mitigation of any possible harm to such areas or species in accordance with the principles set out in the Outline Construction Ecological Management Plan dated September 2018 by Ecology Solutions Ltd;
- i) Details of any temporary lighting;
- j) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- k) Measures for the control of noise emanating from the site during the construction period;
- l) Construction Plant Directional signage (on and off site);
- m) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- n) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

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

Reason: In the interests of the protecting the surrounding environment and amenity, and highway impacts in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

- 21.** In the event that any of the streets associated with the residential element of the development hereby approved are not being proposed for adoption as public highway, details of a site management company and an associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of development. The streets shall be laid out and constructed to an adoptable standard to ensure safe and practicable operation, and any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

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

- 22.** 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 200 year plus climate change 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:
- 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 basins.
 - b) 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 requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework by ensuring the satisfactory means of surface water attenuation and discharge from the site. This is a pre-commencement condition to ensure timely submission of details.

- 23.** No development shall take place until a scheme for the maintenance and upkeep of the surface water drainage system proposed for that development site has been submitted to and approved in

writing by the Local Planning Authority. 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: To ensure the future maintenance of the drainage systems associated with the development and in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

24. All subsequent reserved matters applications shall accord with the recommendations of the approved Flood Risk Assessment and Drainage Strategy document reference number A090070-51 Revision Version 2 dated January 2017 prepared by WYG Consultants and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased 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.

25. Prior to occupation of each phase a Verification Report for the installed surface water drainage system for that phase shall be submitted to and approved in writing by the Local Planning Authority based on the approved Flood risk assessment and Drainage Strategy document reference number A090070-51 Revision Version 2 dated January 2017 prepared by WYG Consultants. 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 the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

26. Prior to commencement of development a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings within a phase shall be occupied until the works have been carried out in accordance with the foul water strategy approved for that particular phase.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

27. Any unexpected suspect contamination discovered during the development of the site shall be reported to the Local Planning Authority forthwith. The unexpected contamination shall be assessed and remediated by methods agreed with the Local Planning Authority prior to the occupation of the development.

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.

28. Concurrently with the reserved matters submission for each phase, a noise assessment of the exposure of proposed residential premises based on the Noise Assessment prepared by WYG (A090070-51), with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted to and approved in writing to the Local Planning Authority. The assessment shall take into account the likely growth of traffic over the next 15 years. Where any habitable room or outdoor amenity space cannot achieve the noise levels recommended by the World Health Organisation, a scheme to protect outdoor amenity space and any affected habitable rooms shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

29. Concurrently with the reserved matters submission for each phase, a Low Emissions Strategy, based on the mitigation measures as detailed in the Air Quality Mitigation and Damage Cost Calculation by WYG dated July 2019, shall be submitted for that phase for approval in writing by the Local Planning Authority. The strategy should be based on the include an assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, rapid charging points, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

The Low Emissions Strategy shall contain target for emission reductions and timescale, with pollution savings quantified. The strategy shall be implemented in accordance with the strategy as approved.

Reason: In the interests of improving air quality and reducing greenhouse gases in accordance with the requirements of Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

30. Prior to the submission of each reserved matters application, details of the need and scope for updating any protected species surveys shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The supplementary surveys shall be of an appropriate type for the habitats and/or species present and survey methods shall follow national good practice guidelines, and shall be used to inform the preparation of ecological measures and mitigation within the a Landscape and Ecological Management Plan. The development shall be carried out in accordance with any approved mitigation measures contained therein.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

31. Concurrently with the reserved matters submission for each phase, a Landscape and Ecological Management Plan (LEMP) shall be submitted for approval in writing by the Local Planning Authority.
The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

32. No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation for development impacts on badgers has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

33. No development shall take place (including any demolition, ground works, and site clearance) until a method statement for barn owl mitigation (in accordance with paragraph 6.1.4, Upton Lodge Northamptonshire Daytime Bat and Barn Owl Assessment by WYG and dated December 2016) has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details at least six months prior to works to or demolition of any buildings on site, and shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

34. Any works to existing buildings to be retained on site within Upton Lodge Farm shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
 - b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
 - c) a statement in writing from a suitably qualified ecologist to the effect that (s)he does not consider that the specified activity/development will require a licence.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

35. No development shall take place in each phase of development until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in relation to Design, Demolition and Construction – Recommendations", including details of timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase of development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

36. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to Design, Demolition and Construction – Recommendations', have been submitted for approval in writing by, the Local Planning Authority for that phase of the development. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

37. The development hereby permitted shall include a single anchor convenience store (Use Class A1) of no more than 294 square metres (gross internal floor area) and no more than four retail units (which shall be used for purposes falling within Use Classes A1, A2, A3, A4 and A5) of no more than 69 square metres each (gross internal floor area).

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of Policies N9a and N10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

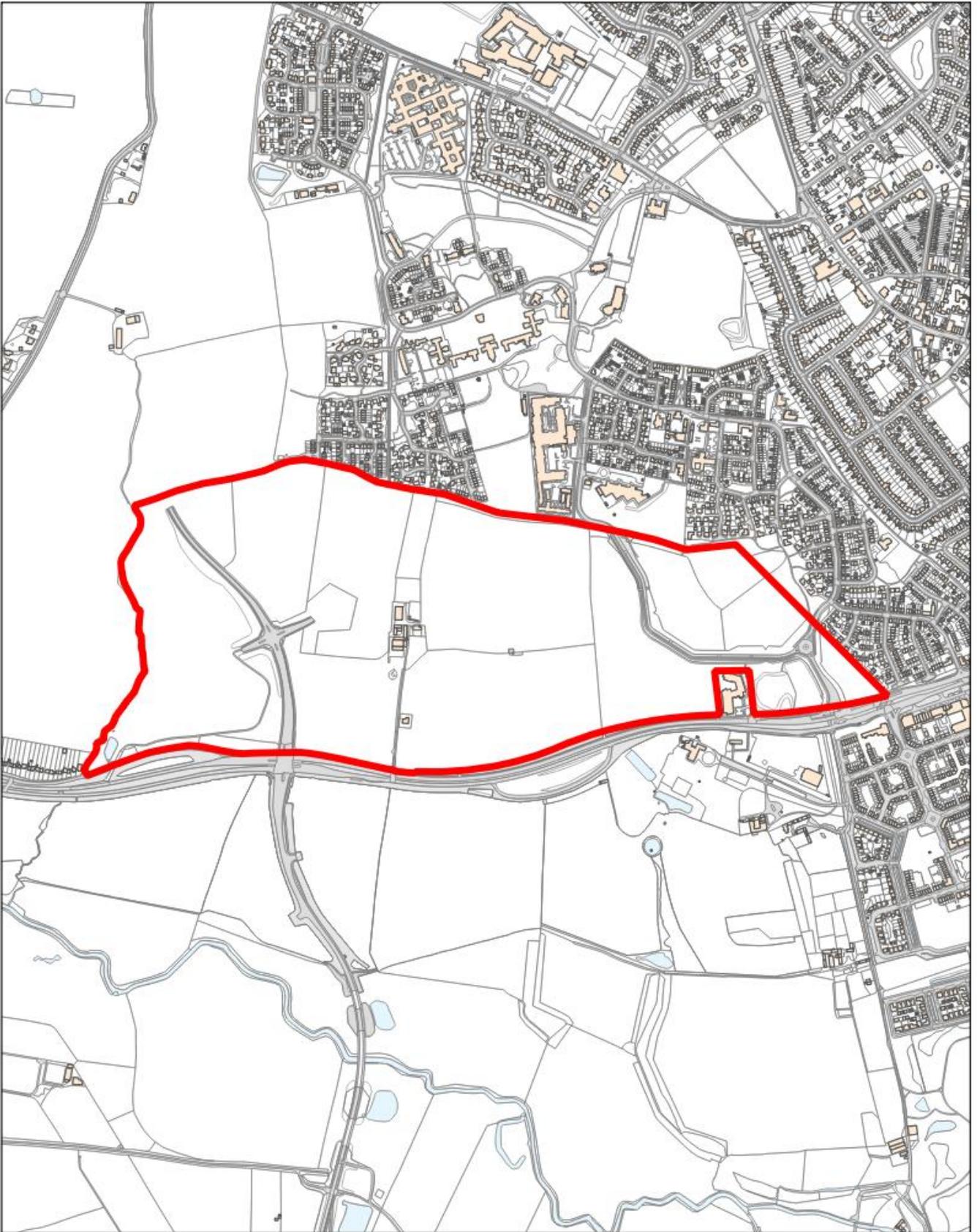
10.1 N/2017/0091.

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: **Upton Lodge Farm. Weedon Road**

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Date: 16-07-2019

Scale: 1:9,986

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