LAND TO THE EAST OF HARDINGSTONE, NORTH OF NEWPORT PAGNELL ROAD, NORTHAMPTON

STATEMENT OF CASE ON BEHALF OF NORTHAMPTON BOROUGH COUNCIL

PLANNING INSPECTORATE REFERENCE:
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## CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introduction</td>
<td>3</td>
</tr>
<tr>
<td>2. The Appeal Site and its Context</td>
<td>5</td>
</tr>
<tr>
<td>3. The Council’s Case</td>
<td>9</td>
</tr>
<tr>
<td>List of Conditions if the Appeal is Allowed</td>
<td>16</td>
</tr>
<tr>
<td>List of Relevant Documents</td>
<td>31</td>
</tr>
</tbody>
</table>
1. INTRODUCTION

1.1 This is the Statement of Case on behalf of Northampton Borough Council in respect of an appeal against the decision of the Council to refuse outline planning permission for “the development of a Sustainable Urban Extension to include up to 1,000 dwellings (Class C3); Local Centre up to 1,320 sq m net floor space of retail, professional and financial services, restaurants/cafes (Classes A1, A2 and A3); up to 375 sq m net public house (Class A4); 2.09ha of land for a two-form entry primary school (Class D1); up to 750 sq m of community uses to include medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road” on land to the east of Hardingstone, north of Newport Pagnell Road, Northampton.

1.2 The decision to refuse planning permission was taken by the Council’s Planning Committee on the 6 May 2014. The application was refused by notice dated the 15 May 2014 for the following reasons:

- The highway mitigation measures proposed fail to demonstrate that this major development would not have a residual cumulative impact on the A45 trunk road and associated junctions such that the cumulative impacts of the development would not be severe. These adverse highway impacts in turn will lead to a detrimental impact on the highway network adversely affecting all users including occupiers of the business premises located in Brackmills Industrial Estate thus acting as an impediment to the operation of the business park and its future sustainable economic growth. The development would therefore be contrary to the overarching intentions of the National Planning Policy Framework; and,

- The site is identified in the Northampton Landscape and Green Infrastructure Study 2009 as being of high-medium landscape and visual sensitivity comprising of a rural landscape which has a stronger visual connection with the surrounding countryside than with Northampton. Furthermore, Policy E7 of the Northampton
Local Plan identifies part of the site as an important skyline between Great Houghton and Hardingstone as seen from the Nene Valley. Public Footpath KN6 runs across the site in a south-easterly direction providing amenity access through the rural landscape. The National Planning Policy Framework seeks to ensure that any detrimental effects on the environment, the landscape and recreational opportunities arising from major developments are moderated. The proposed development would have an urbanising effect and be of a scale and density detrimental to the existing rural character of the surrounding area and would result in the loss of land of significant amenity value. In the absence of sufficient information to demonstrate appropriate mitigation for the impact of the development on the landscape, skyline and rural character of the area the proposal is therefore contrary to Policies E1, E7 and H7 of the Northampton Local Plan and the overarching intentions of the National Planning Policy Framework.

1.3 This Statement outlines the Council’s case in defending its decision to refuse planning permission.
2. THE APPEAL SITE AND ITS CONTEXT

Site Description

2.1 The appeal site is approximately 45ha of greenfield land in agricultural use in the open countryside, and outside the urban area of Northampton. The site is approximately 3.7 kilometres to the south east of Northampton Town Centre, and is bounded by the residential areas of Hardingstone to the west and south west of the site.

2.2 Vehicular access to the proposed development is to be obtained from Newport Pagnell Road and Landimore Road which connect the surrounding residential and employment areas (including Brackmills Industrial Estate) with the A45 Trunk Road. The A45 Trunk Road is a strategic highway link of regional significance serving the town of Northampton, and linking the M1 with the A14 Trunk Road. The surrounding highway network, and significance of the A45, will be described in more detail within the Council’s evidence.

2.3 As noted above, to the north of the appeal site, lies the Brackmills Industrial Estate which is one of the largest business parks within the Northampton area and a significant contributor to the economic success of the wider region. The nature, scale and contribution of the Industrial Estate, both existing and committed, will be described in more detail within the Council’s evidence.

2.4 The appeal site itself slopes from north to south and occupies part of a limestone ridge which is an important skyline. The east and south eastern boundaries of the site are exposed, and there is a strong visual connection between the site and the wider rural landscape. To the north of the site is woodland with areas of grassland and scrub known as Brackmills Wood. The site is enclosed to the west and south west by a mixture of rear boundary fences and occasional trees and scrub which run along the back of properties which back onto the site.

2.5 A Public Right of Way (KN6) crosses the site from Hardingstone in the north west corner to Newport Pagnell Road in the south east.
2.6 The surrounding landscape and visual impact of the proposals will be described in more detail within the Council’s evidence.

Planning History

2.7 There is no planning history of relevance to this appeal.

Planning Policy

2.8 The Council will refer to relevant policies of the development plan, namely West Northamptonshire Joint Core Strategy and the Northampton Local Plan. Reference will also be made to the National Planning Policy Framework (NPPF) and guidance within the National Planning Practice Guidance (NPPG) as a material consideration. In light of paragraph 215 of the NPPF, the weight to be afforded to the ‘saved’ policies of the Northampton Local Plan will be addressed within the Council’s evidence.

2.9 In short, these policies require the proper assessment of the impacts of development on the highway network to ensure that any impacts are appropriately mitigated and not severe. They also require development to be of a high quality design that sustains and enhances valued landscapes.

2.10 The appeal site forms part of a mixed use allocation within the West Northamptonshire Joint Core Strategy (Policy N6 ‘Northampton south of Brackmills SUE’ refers), adopted by the West Northamptonshire Joint Strategic Planning Committee in December 2014.

2.11 However, on 19th January 2015 the Council resolved to confirm an objection to the allocation of the site in Policy N6, and to make this known to the decision maker in the determination of the planning applications submitted in respect of the site.

2.12 A list of relevant policies to the determination of the appeal include:
West Northamptonshire Joint Core Strategy

- Policy SA ‘Presumption in favour of sustainable development’
- Policy S4 ‘Northampton related development area’
- Policy S5 ‘Sustainable Urban Extensions’
- Policy S8 ‘Distribution of jobs’
- Policy S10 ‘Sustainable development principles’
- Policy C1 ‘Changing behaviour and achieving modal shift’
- Policy C2 ‘New developments’
- Policy C3 ‘Strategic connections’
- Policy H1 ‘Housing density and mix and type of dwellings’
- Policy H2 ‘Affordable Housing’
- Policy H4 ‘Sustainable housing’
- Policy B1 ‘Green infrastructure connections’
- Policy BN2 ‘Biodiversity’
- Policy BN5 ‘The historic environment and landscape’
- Policy BN7 ‘Flood risk’
- Policy BN8 ‘The River Nene Strategic River Corridor’
- Policy INF1 ‘Approach to infrastructure delivery’
- Policy INF2 ‘Contributions to infrastructure requirements’
- Policy N6 ‘Northampton south of Brackmills SUE’
- Policy N12 ‘Northampton’s transport network’

Northampton Local Plan

- Policy E7 ‘Skyline development’

2.13 Please note the Joint Core Strategy was adopted after the Council’s determination of the planning application, and a number of new policies exist and saved policies from the Local Plan are no longer part of the
development plan. Policies E1 and H7 referred to within the reasons for refusal have now been replaced by Joint Core Strategy policies BN2 and BN5 in respect of E1 and H1 in respect of H7.

2.14 Reference will also be made in the evidence to emerging development plans, and the weight to be afforded to any policies within these plans.

**Housing Land Supply**

2.15 Evidence will be provided as to the up-to-date position in respect of the Council’s five year housing land supply.
3. THE COUNCIL’S CASE

3.1 The Council considers that the main issues for consideration are:

- Whether the highway mitigation measures proposed by the appellant, demonstrate that the proposed development would not lead to a residual cumulative impact on the A45 trunk road and associated junctions that would be severe;

- Whether the highway impacts of the proposed development would lead to a detrimental impact on the highway network which would affect all users, including occupiers of the Brackmills Industrial Estate thus acting as an impediment to the operation of the business park and its future economic growth;

- Whether the proposed development would have an urbanising effect and be of a scale and density that would be detrimental to the existing rural character of the surrounding area resulting in the loss of land of significant amenity value, and whether the mitigation measures proposed by the appellant have been adequately demonstrated; and,

- Whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole, and the relevant policies of the development plan.

Highway Mitigation

3.2 The Council will demonstrate that transport policies have an important role to play in facilitating sustainable development. Paragraph 32 of the NPPF states that “all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment” and that planning decisions should take account of whether “improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development”. The failure to mitigate sufficiently against the impacts of development goes against the
Government’s intentions set out in the NPPF to “proactively drive and support sustainable economic growth” (paragraph 17 refers).

3.3 The importance of developments appropriately mitigating their impact on the highway network, as set out within the NPPF, is reflected within Policy C2 of the West Northamptonshire Joint Core Strategy which states:

“development will be required to mitigate its effect on the highway network and be supported by a Transport Assessment and Travel Plan prepared in accordance with current best practice guidelines as issued by the department for transport or the relevant local authority.”

3.4 The Council will demonstrate that there are significant shortcomings with the traffic assessment and associated junction capacity analysis contained within Parson Brinckerhoff’s Transport Assessment and, as such, the application failed to demonstrate that the development would not have a severe residual cumulative impact on the A45 trunk road and associated junctions. The Council’s evidence will also demonstrate that there are doubts over the deliverability of the highway mitigation measures proposed.

3.5 In respect of the traffic assessment and junction modelling, the following deficiencies have been identified that call into question the robustness of the assessment and the conclusions drawn:

- There is no indication as to whether the base traffic data collected by surveys undertaken over a single day is representative of flows on different days of the week or at different times of the year.
- The development’s traffic impact has not been considered at the following junctions and could adversely affect all road users, including occupiers of the Brackmills Industrial Estate:
  - A45 Southbound On-slip / Pavilion Drive to the south of Brackmills Interchange
  - A45 / A428 Barnes Meadow Interchange to the north of Brackmills Interchange
- A428 / Liliput Road at the north-eastern end of the Brackmills Industrial Estate

- Traffic generated by committed developments locally does not appear to have been taken into account within the assessment.

- Trip assignment for the proposed development is based on travel to work data from the 2001 Census. It is noted that travel to work data is now available from the 2011 Census, and this should be taken into consideration in the determination of this appeal. It is further noted that the same assignment has been applied to residential and non-residential uses, and this has not been justified as travel patterns are likely to be different for each use.

- There is no explanation or justification for the assumed assignment of development traffic through the Brackmills Industrial Estate to the north of the site, to/from the A45 and A428.

- “The development’s impact on the Queen Eleanor and Brackmills Interchanges on the A45 has been assessed using the software package LinSig. Deficiencies have been identified with the LinSig models, that cast serious doubt over whether the models are fit for purpose, and therefore the validity of the conclusion reached within the Transport Assessment that the mitigation measures proposed would achieve nil detriment. The detail of the deficiencies with the model will separately be drawn to the attention of the appellant. Further, there is no evidence that the LinSig modelling has been audited in detail by the highway authority and approved.”

3.6 In respect of the deliverability of the mitigation measures, the following deficiencies have been identified:

- The mitigation measures proposed for the A45 junctions appear to be drawn on plans based on Ordnance Survey mapping at either 1:1250 scale (urban) or 1:2500 scale (rural). Ordnance Survey mapping data is provided to an accuracy of around ±0.5m for urban locations and ±1.0m for rural locations. It is usual practice to base
proposals on an accurate topographical survey. Therefore, there are doubts over the reliability of the base mapping, and therefore the deliverability of the mitigation measures proposed within the land available.

- There is no evidence that a vehicle tracking exercise has been carried out to demonstrate that large vehicles will able to negotiate the proposed junction arrangement without encroaching on adjacent traffic lanes. It is noted that some proposed lane widths are relatively narrow, particularly within the circulatory carriageway of the interchanges.

- There is no evidence that that the mitigation measures have been subject to independent Stage 1 Road Safety Audits, as is normal practice in accordance with HD 19/03. Therefore, it has not been demonstrated that the proposals are safe for all road users. The safety audit process may raise concerns with aspects of the proposal that could result in theoretical capacity benefits not being realised.

- There is no evidence that the mitigation measures have been subject to a technical approval process by the highway authority to confirm, or otherwise, compliance with relevant design standards.

- There is no indication as to whether the design of the mitigation measures require any Departures from Standards and, if so, whether they have been approved by the highway authority.

Impact on Brackmills Industrial Estate and Future Growth

3.7 The Council will demonstrate that policies in the NPPF and the Development Plan encourage and support economic growth, including specifically at Brackmills Industrial Estate (Policy S8 of the Joint Core Strategy). Moreover, the Government attaches significant weight to the need for planning to support economic growth (paragraph 19 of the NPPF refers).
3.8 Brackmills Industrial Estate lies to the north of the appeal site, and uses the same junction to access the A45 Trunk Road as the proposed development.

3.9 The Council’s evidence will describe the significance of the estate and its occupiers to the local and regional economy, and identify the land and buildings available for the future growth of the estate as envisaged by the development plan for the area.

3.10 The Council will explain the importance to the success of the estate of businesses being able to safely and effectively access the strategic highway network, and how the current operation of the highway network affects the estate and its viability and sustainability.

3.11 The Council’s evidence will go on to identify how the proposed development and highway mitigation measures have failed to demonstrate there will not be a detrimental impact on occupiers of the Brackmills Industrial Estate through increased congestion at peak periods affecting their operations. The Council will explain the likely consequences of the proposed development for the future attractiveness of the estate to existing and new occupiers, and the impacts this is likely to have for the future of the estate, its expansion, and its contribution to the local and regional economy.

**Landscape and Visual Impact**

3.12 The Council will demonstrate the importance attached to valued landscapes and their protection and enhancement by national and local planning policies. Reference will also be made to development plan policies that recognise the value of the landscape associated with the appeal site. Moreover, the Government attaches great importance to the design of the built environment (paragraph 56 of the NPPF refers) and the Council’s evidence will refer to the importance of ensuring developments respond to local character, and integrate into the natural environment.
The Council will demonstrate that the appeal site is identified by the Northampton Landscape Sensitivity and Green Infrastructure Study as being located on a principal ridgeline that runs between Whiston and Hunsbury Hill. The Council will show that the proposal will have an impact on the characteristics associated with the principal ridgeline and in relation to the Limestone Valley Slopes landscape character area, it being clear that the appeal site forms part of this rural, open landscape that is identified as having high landscape and visual sensitivity to “major mixed-use urban extension development in excess of 5ha”.

3.13 The Council will show that the Illustrative Masterplan and Framework Plans, which is the only evidence submitted of how the development of the proposed size can be accommodated on the site, proposes a layout that is of a scale and density that results in a very urban form which is out of keeping with the rural edge location of the site. It is considered that the proposed layout would result in an adverse impact on the local landscape character, including the openness of the large scale fields and long distance views across the valley from the important ridgeline.

3.14 The Council will demonstrate that the proposals depicted in the Illustrative Masterplan and Framework Plans do not recognise the existing character of Public Footpath KN6 and that the proposed mitigation is inappropriate in its context.

3.15 The Council will also consider the importance of green infrastructure across Northampton and how green infrastructure principles should be better incorporated within the proposed development.
Conclusion

3.16 In conclusion, the Council will submit that the appeal proposal does not achieve sustainable development as required by the NPPF. The Council will identify and assess the adverse impacts and benefits of the proposed development and invite the Inspector to find that the adverse impacts of granting permission in this case will significantly and demonstrably outweigh the benefits.

Other Matters

3.17 The Council also include below a list of conditions if the appeal were allowed, and a list of relevant documents. The Council will engage with the appellant and statutory consultees regarding any proposed section 106 agreement and will comment on a draft when submitted by the appellant in due course.
LIST OF CONDITIONS IF THE APPEAL IS ALLOWED

The Council reserves the right the review the wording of these conditions during the appeal process.

1) Approval of the details of the appearance, layout and scale of the building(s), the means of access other than that approved and the landscaping of the site (hereinafter called „the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase is commenced.

Reason: This permission is in outline only granted under Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.

2) Application for approval of the first reserved matter must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of the grant of outline planning permission and all remaining reserved matters applications for this development 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 to which the permission relates must be begun not later than the expiration of two years from the approval of the first reserved matters and development shall commence under any subsequent reserved matters approval within two years from the date of the approval of the relevant reserved matters.

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

4) The number of residential units to be constructed on the site shall not exceed 1,000 units.

Reason: To ensure the provision of a mixed use development and to enable the Local Planning Authority to assess the environmental implications of additional residential development in accordance with the aims of the NPPF.

5) The development and all reserved matters applications submitted pursuant to this permission shall not materially depart from the following plans and parameters:
   
   • Application Boundary Plan, drawing no. 3238/100.
   
   • Access and Movement Framework, drawing no. 3238_201 Rev A, received 14 March 2014.
   
   • Land Use Framework, drawing no. 3238_202 Rev A, received 14 March 2014.
• Scale Framework, drawing no. 3238_204 Rev A, received 14 March 2014.
• Green Infrastructure Framework, drawing no. 3238_205 Rev A, received 14 March 2014.
• Blue Infrastructure Framework, drawing no. 3238_206 Rev A, received 14 March 2014.
• Urban Structure and Legibility Framework, drawing no. 3238_207, received 14 March 2014.
• Highways plans – SKO1, SK02, SK04, SK05, SK09, SK10 & SK11.
• Up to 2.09 hectares for the provision of a primary school.
• A minimum of 9.98 hectares of public open space, including playing pitches, informal and informal play areas, parkland, allotments and public footpaths/cycleways.
• A local centre of up to 1,320 sq m net floorspace comprising of uses within use Classes A1(shops), A2 (financial & professional services) and A3 (restaurants/cafes), up to 375 sq m net public house (Class A4) and up to 750 sq m of non-residential uses (Class D1).

Reason: To ensure that the development complies with the principles set out within the Design and Access Statement and to ensure that the Environmental Impacts are within the scope of development as assessed by the Environmental Impact Assessment.

Prior to the submission of any reserved matters application, a Masterplan and Design Code covering the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be formulated having regard to the approved Design and Access Statement, Parameters Plans and respond to the recommendation 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. The proposed layout, use and function of all open space within the development.
• The approach to and design principles applied to car parking (on street and off-street).
• 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 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.

• External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods.

• The design principles that will be applied to the development to encourage security and community safety.

• The specific design principles that will be applied to the Local Centre.

• The specific design principles that will be applied to the ‘green link’ that runs from the northwest to the southeast of the site along the existing public footpath.

• The design principles for development and green infrastructure along Landimore Road particularly to the south of the public footpath that crosses the road.

• The design principles for the incorporation of SUDS throughout the development.

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

Reason: To provide a site layout in general conformity with the Masterplan and Design Code that demonstrates quality in form and design, maximises public amenity, reduces the potential for crime and anti-social behaviour, and deals with ongoing maintenance in accordance with the aims of NPPF.

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, play equipment, primary school, public house, allotments and housing, highway infrastructure and SUDs) shall be commenced, completed and made available for occupation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details.
Reason: For the avoidance of doubt and to ensure that appropriate infrastructure, mitigation and facilities are in place in a timely manner to support the proposed residential community.

8) Contemporaneously with the submission of reserved matters applications for each phase of development, a Sustainability Strategy including pre-assessment checklist detailing a method of achievement of a minimum of Code of Sustainable Homes Level 3 (or equivalent) for any residential development and BREEAM "very good" (or equivalent) for any non-residential development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved Sustainability Strategy.

Reason: To ensure the delivery of a sustainable development in accordance with the NPPF.

9) No development shall take place in each phase of development until details of the materials to be used in the construction of the external surfaces of the buildings to be constructed within that phase have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the NPPF.

10) Concurrently with the submission of reserved matters applications 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 and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and thereafter provided in full prior to the development being first brought into use.

Reason: To ensure the development is served by a satisfactory highways and parking network in accordance with the NPPF.

11) Development shall not commence on any phase of development until a Construction Environmental 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;

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 handling and storage of topsoil;

i) Details of the methods of protection of trees, hedgerows and water features in accordance with Condition 28;

j) A scheme for the protection of areas of ecological interest and for the mitigation of any possible harm to such areas

k) Details of any temporary lighting

l) Procedures for maintaining good public relations including complaint management, public consultation and liaison;

m) Measures for the control of noise emanating from the site during the construction period;

n) Construction Plant Directional signage (on and off site);

o) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;

p) 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: To ensure that appropriate consideration is given to environmental assets and safeguard the amenities of the locality in accordance with the NPPF.

12) 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 Saturday or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of the amenity of adjacent properties in accordance with the NPPF.
13) Prior to commencement of development engineering and construction details of the five access junctions to the site as shown on the Parsons Brinkerhoff drawings SK01, SK02 and SK05 shall be submitted for approval in writing by the Local Planning Authority. The junctions shall be provided prior to commencement of any other works on site in accordance with the approved details.

Reason: To ensure adequate access to the site and in the interests of highway safety and the free flow of traffic in accordance with the requirements of NPPF.

14) Prior to commencement of development details of the precise location and engineering and construction details of the following walking and cycling measures shall be submitted to the Local Planning Authority for approval in writing:

- A new pedestrian link to The Warren as indicated on the ‘Access & Movement Framework’ plan, drawing no. 3238_201 Rev A (with measures to prevent vehicular access);
- 2 x toucan crossings on Landimore Road;
- Provision of a shared pedestrian cycle track (3m wide) along the entire western side of Landimore Road.

The works shall be carried out in accordance with the approved details prior to the first occupation of any part of the development hereby permitted.

Reason: To ensure the provision of appropriate walking and cycling measures throughout the development and in the interests of highway safety in accordance with NPPF.

15) Prior to commencement on site engineering and construction details of the following highway improvements (as shown on Parsons Brinkerhoff drawings of the revised TA, December 2013) together with a programme for implementation in accordance with the approved phasing plan as approved by Condition 7 shall be submitted for approval in writing to the Local Planning Authority.

- Improvement to Landimore Road/Gowerton Road roundabout (drawing SK10, Appendix 10);
- Improvement to Caswell Road/Rhosili Road junction (drawing SK09, Appendix 11);
- Improvement to the Queen Eleanor Interchange (drawing SK11, Appendix 12);
- Improvement to the Brackmills Interchange (drawing SK10, Appendix 13).

The junction improvements shall be carried out in accordance with the approved details.
Reason: In the interests of highway safety in accordance with the requirements of NPPF.

16) Prior to the first occupation of any dwelling a full Residential Travel Plan based on the submitted Draft Residential Framework Travel Plan (contained at Appendix 3 of the revised Transport Assessment, December 2013) shall be submitted for approval 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 sustainable development in accordance with the requirements of NPPF.

17) Prior to the commencement of any works affecting any existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted for approval in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with a timetable to be agreed in writing with the Local Planning Authority.

Reason: To ensure the impacts on the public right of way are acceptable in the interests of public amenity in accordance with NPPF.

18) No development shall commence until a Foul Water Strategy including phasing for the provision of mains foul sewage infrastructure on and off site and details of the procurement of works has been 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 building.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of NPPF.

19) Prior to the submission of any reserved matters application 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, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details in accordance with the approved phasing details as required by Condition 7 and before the development is completed.

The scheme also shall include:

- Percolation tests to be undertaken in accordance with BRE-Digest 365 or Ciria 156.
Full detailed surface water calculations to ensure adequate surface water drainage facilities on site all for all events up to and including 0.5% (1 in 200) plus climate change.

Sustainable Drainage Systems (SuDS) features on site to be in accordance with Table 12.1 of the Northampton Level 2 Strategic Flood Risk Assessment.

An assessment of surface water pump failure (if applicable).

An assessment of overland flood flows.

Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with NPPF.

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:
   - all previous uses
   - potential contaminants associated with those uses
   - a conceptual model of the site indicating sources, pathways and receptors
   - potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the potential risk posed to controlled waters is appropriately assessed and mitigated if necessary.
21) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and had approved in writing by the Local Planning Authority a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner.

22) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that if any remedial works are required at the site, that they are completed as per an agreed method statement and a Verification Report is produced.

23) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that any type of infiltration drainage is not located in contaminated ground which could pose additional risk to groundwater by potentially mobilising contaminants.

24) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Prior notice shall be given to the Local Planning Authority’s nominated archaeologists of the exact date on which it is proposed that construction of the development hereby permitted is to begin. During the construction period representatives of the Local Planning Authority’s nominated archaeologists, shall be allowed access to the site in order to observe and inspect all excavation works and record all findings of archaeological interest. If required they shall be allowed to excavate such remains, provided that this shall not interfere unreasonably with the progress of the development.
Reason: In the interests of safeguarding relevant archaeological material that may be present in accordance with the NPPF.

25) No development shall commence until a detailed Green Infrastructure Strategy (in accordance with the mitigation requirements outlined in Sections 7.6 and 8.4.2 of the Environmental Statement dated January 2013) has been submitted to and approved in writing by the Local Planning Authority. The submission shall include the following:

- Details of any existing habitats to be retained and managed, including existing trees, hedgerows, grassland or other habitats, including the enhancement of existing hedgerows.
- Strategy for the creation of new habitats, including where appropriate Acid Grassland, and their on-going maintenance (being those habitats' mitigation requirements referred to in Section 7.6 of the Environmental Statement dated January 2013).
- Details for the provision of new amenity areas, including the allotments, public open space, play areas, and multi-use games area.
- Details of how the site will link to Brackmills Wood, including the points of access, treatment of any new footpath/ cycleways, and the approach to landscaping within the residential areas adjacent to the existing woodland.
- Details of an assessment of the contribution of Brackmills Wood to the green infrastructure and opportunities to increase its value to both residents and wildlife detailed in a Future Management Strategy.
- Detailed proposals for the design and layout of the green streets, highlighting the use of street trees and SUDS infrastructure.
- Details of a scheme of management (including who is responsible) for all areas of green infrastructure, for a period of 15 years from the point of occupation of each phase of development.

Thereafter, the development shall be carried out in accordance with the details so agreed.

Reason: To ensure that the development provides a satisfactory level of green infrastructure, in the interests of amenity of existing and proposed residents, to protect and enhance wildlife habitats and to ensure that the site integrates with the surrounding area in accordance with the NPPF.

26) Prior to commencement of development a detailed mitigation strategy in accordance with the mitigation measures proposed in the submitted ‘Dormouse Survey Report’ dated December 2012 in Appendix E1 of the Environmental Impact Assessment dated January 2013 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: In the interests of the preservation and protection of the species in accordance with the requirements of NPPF.

27) No development shall take place until an Arboricultural method statement, in accordance with BS 5837:2012 “Trees in Relation to Design, Demolition and Construction – Recommendations“, including details and proposed timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so agreed.

Reason: In order that trees, hedges and wildlife are protected through the development in accordance with the NPPF.

28) No equipment, machinery or materials shall be brought onto the site for the purposes of the development until an 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 to, and approved in writing by, the Local Planning Authority. 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: In order that trees, hedges and wildlife are protected through the development in accordance with the NPPF.

29) Prior to the submission of each reserved matters application, details of the need and scope for updating any protected species surveys shall be agreed in writing with the Local Planning Authority. Where required updated surveys shall be submitted as part of the reserved matters application. The works will be carried out in accordance with the agreed scope and any approved mitigation measures contained therein.

Reason: To ensure the ongoing protection and enhancement of protected species in accordance with the NPPF.

30) Bat and bird boxes shall be provided as in integral part of the development in accordance with the submitted Ecological Impact Assessment, full details of which shall be submitted to and approved by the Local Planning Authority as part of each reserved matters application. The details shall be implemented concurrently with the development and thereafter retained and maintained.
Reason: To ensure the ongoing protection and enhancement of protected species in accordance with the NPPF.

31) As part of each reserved matters application, a scheme shall be submitted to and approved 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 as approved.

Reason: In the interests of security and amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the NPPF.

32) Concurrently with the Reserved Matters submission for each phase, a Low Emissions Strategy, for that phase, shall be submitted in writing to the Local Planning Authority. The strategy should include:

- Assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

- Assessment of fleet emission specification. This should include all vehicles forming part of the operation of and accessing the site.

- Assessment of procurement policy, including planned vehicle replacement and suppliers of other goods and services.

- Measures such as eco driving and policies such as vehicle idling.

The Low Emissions strategy shall contain targets for emission reduction and timescales, 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 NPPF.

33) A minimum of 10% of the residential units on any phase shall be available for occupation by persons with disabilities and constructed to a Lifetime Homes standard or any subsequent Government equivalent standard set out in Building Regulations and shall include 1% of the total number of residential units constructed to full wheelchair standard, the detailed layout of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of any residential unit on that phase.

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H4 of the West Northamptonshire Joint Core Strategy.
34) Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no premises shall be used for the purposes of a house of multiple occupation.

Reason: To enable the Local Planning Authority to assess the implications of a house of multiple occupation in this location in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

35) Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the commercial premises hereby approved shall not be used for any purposes other than those in use classes A1, A2 and A3 of the aforementioned order.

Reason: To enable the Local Planning Authority to assess the implications of alternative uses in this location in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the NPPF.

36) Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), at no time shall the total gross retail floor area of the development hereby approved exceed 1,320 square metres, any individual unit exceed 500 square metres gross floor area, any individual office unit exceed 250 square metres gross floor area and any comparison goods retailing exceed a total of 300 square metres gross floor area.

Reason: To ensure that they are of a scale to meet local provision, without affecting the balance in the provision of local facilities elsewhere within the south-west district or town centre in accordance with the NPPF.

37) Before any non-residential development commences as part of the overall development a Noise Assessment shall be submitted for approval in writing to the Local Planning Authority specifying the sources of internal and external noise and the provisions to be made for its control. The approved scheme shall be implemented prior to the occupation of the non-residential unit in accordance with the approved details and retained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

38) Before any non-residential development commences as part of the overall development a scheme shall be submitted for approval in writing by the Local Planning Authority which specifies the arrangements to be made for deliveries to
commercial premises. The scheme shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

39) Concurrently with the Reserved Matters submission for each phase, a Noise Assessment of the exposure of proposed residential premises, with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted for approval 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 (WHO), 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: In the interests of residential amenity in accordance with the requirements of NPPF.

40) Prior to the commencement of each phase, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

41) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

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

42) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

43) 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 to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with the aims and objectives of the NPPF.
LIST OF RELEVANT DOCUMENTS

- National Planning Policy Framework
- National Planning Practice Guidance
- West Northamptonshire Joint Core Strategy 2014, and supporting evidence base documents
- Northampton Borough Local Plan 1997