



EAST NORTHAMPTONSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

OUTLINE PLANNING PERMISSION

19/01327/OUT

Location

OP0038 TL0389 Cotterstock Road Oundle Northamptonshire

Proposal

Outline planning application for the erection of up to 130 dwellings with public open space, landscaping, sustainable drainage (SuDS) and vehicular access points from Cotterstock Road and St Peters Road. (All matters reserved except for site access).

Applicant

Gladman Developments Ltd

Gladman House Alexandria Way Congleton CW12 1LB

Date received

1 August 2019

Date valid

6 August 2019

Under the provisions of the Town and Country Planning Act 1990 the Local Planning Authority hereby **GRANT OUTLINE PLANNING PERMISSION** for the above development in accordance with the application and plans submitted, **subject to the following conditions** which are imposed for the reasons noted thereafter:

1. Approval of the details of the siting, scale and appearance of the dwellings and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development is commenced.

Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.

2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

Reason: Statutory requirement under section 91 of the Town and Country Planning Act 1990.

3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

4. The details required to be submitted by condition 1 above shall include the provision of a scheme for lighting the public and private areas of the development hereby permitted. The development shall thereafter be carried out in accordance with these approved details in accordance with an implementation plan to be agreed. Details shall include

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location, design, height and lux, uniformity level and a management and maintenance schedule to be retained in perpetuity.

Reason: In the interests of amenity and crime prevention and biodiversity.

5. The details required to be submitted by condition No.1 above shall include, details and samples of the external roofing and facing materials to be used for the construction of the dwellings hereby approved. The development shall thereafter be implemented in accordance with the approved details and retained in perpetuity.

Reason: To achieve a satisfactory appearance for the development.

6. The details required to be submitted by condition No. 1 above shall include the provision of boundary screening to the site. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before each respective dwelling is occupied and shall be retained and maintained thereafter in perpetuity.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

7. The details to be submitted for approval in writing by the local planning authority in accordance with condition 1 above shall include drawings showing the slab levels and finished floor levels of the dwellings in relation to the existing and proposed ground levels of the site, the ground levels of the surrounding land and the slab and finished floor levels of the surrounding properties as well as identifying the proposed ridge height levels and the ridge heights of all neighbouring properties. The development shall thereafter be constructed in accordance with the details so approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings and the street scene.

8. The development hereby permitted shall be carried out in accordance with the recommendations as set out in the Ecological Impact Assessment carried out by CSA Environmental dated July 2019.

Reason: In the interests of biodiversity.

9. The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include full details of one bus stop to be located centrally within the site and the timing of its implementation. The bus stop shall thereafter be erected in accordance with the approved details and thereafter be retained and maintained in perpetuity.

Reason: In the interests of connectivity, sustainability, air quality management and highway safety.

10. No development shall take place until a scheme and timetable detailing the provision of three fire hydrants and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

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11. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment ref SHF.1132.166.HY.R.001.D dated July 2019 prepared by Enzygo have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures;
- ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations;
- iii) cross sections of control chambers and flow control manufacturer's hydraulic curves.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

12. All subsequent reserved matters applications for the development plots shall make reference to the original approved Flood Risk Assessment and Drainage Strategy, document ref SHF.1132.166.HY.R.001.D dated July 2019 prepared by Enzygo 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: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

13. No above ground work shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted. A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Reason: To ensure the future maintenance of drainage systems associated with the development.

14. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment ref SHF.1132.166.HY.R.001.D dated July 2019 prepared by Enzygo, has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

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- 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 etc; and
- e) Confirmation that the system is free from defects, damage and foreign objects.

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

15. Notwithstanding the submitted details, no occupation of dwellings shall take place until details have been submitted to and approved in writing by the Local Planning Authority which demonstrate the following sustainability measures for the new buildings:

- a) Electric vehicle charging points (at least one per dwelling);
- b) Measures to limit water use to no more than 105 litres / person / day / and external water use of no more than 5 litres / person / day;
- c) Minimum standards for gas fired boilers.

Development shall only take place in accordance with the approved details and all measures shall be available for use upon first occupation of each respective property.

Reason: In the interests of sustainability and to mitigate the impacts upon air quality in the vicinity.

16. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan CEMP (Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity.

17. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of development. 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 organisation 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(ies) 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 interests of biodiversity.

18. The development shall be carried out in accordance with the submitted flood risk assessment (ref. SHF.1132.166.HY.R.0001.D) dated July 2019 and the following mitigation measures it details:

The built development (including surface water attenuation) shall be limited to outside the mapped extent of fluvial flooding (above the 1 in 100 year plus climate change modelled flood level). No land shall be raised within the historical fluvial flood outlines. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing / phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

19. At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To ensure the protection of the local amenity throughout construction works.

20. During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

Reason: To ensure the protection of the local amenity throughout construction works.

21. Vehicles (associated with the development), including delivery vehicles, must not park outside the development site at any time of the day or night unless specifically agreed in

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writing with the Local Planning Authority. Vehicles must enter the site immediately and must leave the site in a safe and controlled manner. The public highway shall not be used as a holding area for deliveries. There shall be no contractor parking on the public highway at any time.

Reason: To ensure the protection of the local amenity throughout construction works.

22. Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud refuse etc. deposited on the road as a result of the development must be removed immediately by the operator/contractor.

Reason: In the interests of residential amenity, highway safety and visual amenity.

23. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity.

24. No development shall commence until full design details and costings of a crossing for pedestrians / cyclists from the site to Oundle Church of England Primary School, a shared cycle / pedestrian path along the western side of Cotterstock Road and a shared cycle / pedestrian path along the eastern side of Cotterstock Road, as identified on drawing number ITM14114-SK-006 Rev B, have been submitted to and approved in writing by the Local Planning Authority. Details shall include how the paths and crossing will be maintained for their lifetime. The paths and crossing shall thereafter be carried out in accordance with the approved details prior to the occupation of the first dwelling of the development hereby permitted.

Reason: In the interests of connectivity and to create an integrated development that provides access for all to the Town of Oundle.

25. No development shall commence until full engineering and construction details of the continuation of St Peters Road in to the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the first dwelling hereby approved.

Reason: In the interests of highway safety and to create better connectivity to the school.

26. No development shall commence until full engineering and construction details of the right hand turn ghost island access junction on Cotterstock Road (shown indicatively on drawing number ITM14114-SK-006 Rev B), and a scheme for the reduction of the speed limit in the vicinity of the access (as shown indicatively on drawing ITM14114-SK-011 Rev A), have been submitted to and approved in writing by the Local Planning Authority. Furthermore, no development shall commence until a Traffic Regulation Order (TRO) for the agreed speed limit reduction has been approved. No dwellings shall be occupied until a permanent extension of the existing 30mph speed limit has been enacted through a Traffic Regulation Order (TRO) and the access has been implemented in accordance with the approved details.

NOTE TO APPLICANT: The development shall not be permitted to proceed in the absence of the 30mph speed limit being enacted through a TRO.

Reason: In the interests of highway safety.

27. The details to be submitted for approval in writing by the Local Planning Authority relating to condition 1 above shall include a comprehensive landscaping scheme for the site, including an implementation schedule, all hard and soft landscaping, existing and proposed contours of the land, use of materials, street furniture and details of any additional natural boundary screening to be planted. Landscaping shall thereafter be provided in accordance with the details so approved. It is expected native species, traditionally found in the locality shall be used.

Reason: To ensure a reasonable standard of development and visual amenity for the area.

28. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

29. Notwithstanding the details submitted and prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include and specify the provision to be made for site procedures to be adopted during the course of construction, including:

- overall strategy for managing environmental impacts which arise;
- measures to control the emission of dust and dirt;
- control of noise emanating from the site;
- hours of construction work;
- contractor's compounds, material storage and other storage arrangements, cranes, and plant, equipment and related temporary infrastructure;
- designation, layout and design of construction access and egress points to minimise disruption or access for existing residents and new residents of the development;
- internal site circulation routes;
- directional signage (on and off site);
- provision for emergency vehicles;
- provision for all site operatives, visitors and construction vehicles loading and unloading plant and material;
- provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- routing agreement for construction traffic and limits on deliveries to the site during peak school times;
- storage of plant and materials used in construction;
- enclosure of phase or development parcel development sites and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works;
- soil stockpiling and material crushing and sorting, control of dust and other emissions, construction noise and vibration from the development.

The provisions of the CMP shall cause minimum disturbance in the surrounding area. Construction of development shall proceed in accordance with the CMP and the approved measures shall be retained for the duration of the construction works.

Reason: To maintain the amenities of the area in accordance with the NPPF.

Your attention is drawn to the following notes:

1. Please refer to the Northamptonshire Fire and Rescue Service planning guide for details in relation to fire safety when preparing any application for reserved matters approval.
2. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (4) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

3. With reference to condition 10 above, the developer will be expected to meet the full costs of supplying and installing the fire hydrants, sprinkler system and associated infrastructure.
4. Early registration of development sites is key to making sure the people moving into your developments get a fibre based broadband service when they move in. More information can be found in the links below:

BT Openreach: <https://www.ournetwork.openreach.co.uk/property-development.aspx>
Virgin Media: <http://www.virginmedia.com/lightning/network-expansion/property-developers>

There are also other providers may also be able to connect your development:
<http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>.

It is advised that ducting works are carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500

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Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 - I Series Underground Cable Ducts (found at <http://www.dft.gov.uk/ha/standards/mchw/index.htm>).

For further information on the project please visit www.superfastnorthamptonshire.net or contact: bigidea@northamptonshire.gov.uk

5. The details pursuant to conditions 10, 16, 17, 24, 25, 26 and 29 are required prior to any development taking place on site because they are critical to the material considerations of the scheme. The development would not be acceptable without these details first being approved.
6. Please note that any future application that seeks approval of the proposed layout, should include sufficient parking spaces for both residents and visitors to the site, in accordance with Northamptonshire Highways Parking Standards document, or any such document which replaces it. It is also advised that tandem parking should be avoided as this is unlikely to be supported.
7. Please note that any future application that seeks approval of the proposed layout shall demonstrate how the development complies with the National Space Standards as required by Policy 30 of the North Northamptonshire Joint Core Strategy.
8. Any future application seeking approval of the layout of the development shall demonstrate that consideration has been given to the incorporation of wet rooms to prevent the Council having to retrofit these.
9. With regards to the proposal to relocate the 30mph speed limit the applicant shall be required to submit this proposal to Northamptonshire County Councils Speed Limit Review Panel for appraisal, please request that the applicant makes contact with Northamptonshire Highways Road Safety Team Leader John Spencer jspencer@kierwsp.co.uk to undertake this process.
10. The applicant is advised to design a layout which encourages healthy and active lifestyles. Please refer to the following for guidance on how this can be achieved. Any application which seeks approval of the reserved matters should demonstrate how this guidance has been adapted:
 - NPPF Section 8 <https://www.gov.uk/guidance/national-planning-policy-frameowrk/8-promoting-healthy-communités>
 - PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>
 - Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

Decision Date
12 June 2020

Signed:



Paul Bland
Head of Planning Services

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NOTES:

In reaching this decision the Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.

A full report is available at www.east-northamptonshire.gov.uk.

Please note that a formal application is required to discharge conditions (where applicable). Discharge of condition applications have a target determination period of 8 weeks and require a fee. Please programme in adequate time to avoid delay to your development. Details of how to apply can be obtained from the Council's website:

<https://www.east-northamptonshire.gov.uk/planning>

This notice relates only to planning permission and does not include or imply consent under the Building Regulations or any other legislation for which a separate application may be required.

For advice and guidance about the Building Regulations, including the need for consent, please contact the Council's Building Control helpline on 01832 742139. Further information can also be obtained from the Council's website:

<https://www.east-northamptonshire.gov.uk/buildingcontrol>

APPEALS TO THE SECRETARY OF STATE:

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against the local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- In all other circumstances if you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at:

<https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)