
Date received	Date valid	Overall Expiry	Ward	Parish
06 August 2019	20 August 2019	27 March 2019	Oundle	Oundle

Applicant **Mr Matthew Harmsworth – Persimmon Homes**

Agent **NA**

Location Land Between St Christopher's Drive and A605 Oundle Bypass, Oundle, Northamptonshire

Proposal **Outline planning application for the erection of up to 65 dwellings and an extra care facility of up to 65 units on land at St Christopher's Drive, Oundle, (all matters reserved except access).**

The application is brought before the Planning Management Committee because it is a 'major' residential development as defined in legislation and falls outside of the Scheme of Delegation in Part 3.2 of the Council's Constitution (2019).

1 Introduction

1.1 This outline planning application was considered by East Northamptonshire Council Planning Management Committee (PMC) at its meeting on 13th November 2019. At the meeting the Committee resolved to defer the application in order to allow officers time to consider additional information received following the publication of the committee report, about securing the provision of the Extra Care facility, as well as information to address public transport matters.

1.2 Information received prior to the PMC and subsequent to the publication of the 13th November 2019 committee report included:

- A file note from the applicant setting out their case regarding compliance of the scheme with the relevant planning policy (Appendix 5 of the PMC update report on 13th November 2019).
- A letter from the applicant's solicitor setting out how the proposal would be fully policy compliant (Appendix 6 of the PMC update report on 13th November 2019).
- A file note setting out the key principles for affordable housing delivery (Appendix 7 of the PMC update report on 13th November 2019).
- Comments from the Local Highway Authority (as summarised on the 13th November 2019 update report).

1.3 Since the submission of this information, discussions have taken place between the applicant, their representatives and the Local Planning Authority and further clarification has been sought about how a policy compliant scheme will be achieved. The following additional documents have been received from the applicant and considered since the PMC meeting:

- Extra Care Explanatory Note (received 05.03.2020);
- Timeline for Delivery of St Christopher's Drive, Oundle (flowchart received 05.03.2020);
- Letter (dated 02.03.2020) and brochure from Housing 21 – the Extra Care provider;
- Response to ENC Environmental Protection (Noise) comments (email received 27.02.2020);

- Affordable Housing Delivery (document received 24.01.2020);
- Revised drawings / documents received 16.01.2020, which address comments from the Local Highway Authority:
 - Landscape Strategy Plan OUND/ASHR/LS/100 Rev A;
 - Building Heights Parameters Plan OUND/ASHR/BHP/100 Rev A;
 - Land Use Plan OUND/ASHR/LU/100;
 - Proposed Planning Layout OUND/ASHR/PPL/100;
 - Mini Bus Tracking OUND/ASHR/MBT/100;
 - Design and Access Statement – January 2019;
- Letter from Howes Percival (applicant's solicitor) dated 18th December 2019 responding to request by ENC for applicant to provide viability information;
- Draft S106 Agreement received 05.12.2019;
- Outline Noise Impact Assessment (Spectrum Acoustic Consultants) – Revision 5, 10.03.2020.

1.4 The purpose of this report is to provide Members with a response / update in relation to the above matters and other relevant considerations which have arisen since the 13th November 2019.

1.5 This report should be read in conjunction with the 13th November 2019 committee report (the 'original committee report') and the 13th November 2019 'update report', both of which are appended in full to this report (Appendix 1 and 2 respectively).

1.6 Relevant matters are considered in this report under the following headings:

- Extra Care Facility / S106 Requirements;
- Public Transport / Highways;
- Environmental Considerations – Noise and Contamination
- Five Year Housing Land Supply;
- Principle of Development – Policy Background – Emerging Plans Progress and Status;
- Additional Representations / Consultation Responses;
- Conclusion;
- Recommendation;
- Conditions.

2 Summary of Recommendation

2.1 Recommendation 1: If a satisfactory S.106 Planning Agreement which secures obligations as set out in the original committee report (as amended by this report) is completed by 27th March 2020 (or other date agreed in writing with the Local Planning Authority): GRANT planning permission subject to conditions.

2.2 Recommendation 2: If a satisfactory S.106 Planning Agreement to secure obligations as set out in the original committee report (as amended by this report) is not completed by 27th March 2020 (or other date agreed in writing with the Local Planning Authority): Delegate to Head of Planning Services to REFUSE planning permission.

3 Extra Care Facility / S106 Requirements

3.1 The original committee report referred to a lack of information having been received from the applicant to demonstrate that the proposed Extra Care provision would be a suitable alternative to the provision of affordable housing on the site and that it would be delivered (paragraphs 7.90 and 7.91). The applicant has since provided additional information in respect of these matters in the documents listed at paragraph 1.3 (above).

In particular, the Extra Care Explanatory Note, Timeline for Delivery of St Christopher's Drive, Oundle (flowchart), and the letter from Housing 21 (the identified registered provider of the Extra Care scheme) set out the proposals (Appendix 3 – 5), which now differ in terms of the mechanism from that described in the original committee report.

- 3.2 In summary, it is proposed that Persimmon Homes will gift serviced land on the site to the Extra Care provider, who will subsequently submit a reserved matters application for the (up to) 65 unit 100% affordable Extra Care scheme and thereafter provide it. In the event that the registered provider cannot proceed for whatever reason, there will be provision in the S.106 agreement to ensure that instead of providing the Extra Care, 40% of the (up to) 65 dwellings proposed in the planning application will be affordable, thus still providing a policy compliant development with respect to affordable housing provision.
- 3.3 A planning condition is recommended to agree the treatment of the Extra Care land (which would revert to Persimmon Homes) in the event that the Extra Care provision does not come forward. In reality, the applicant may submit a revised planning application for the comprehensive development of the whole site for housing in that event, as an alternative to leaving the Extra Care land vacant, or submitting an alternative proposal for developing the Extra Care land. Nevertheless, the proposed condition (condition 23) would deal satisfactorily with matters should that not be the case.
- 3.4 A draft S.106 agreement has been submitted and the Council's solicitor has initially reviewed the clauses relating to Extra Care / affordable housing provision. Subject to further negotiation about the detailed wording of the agreement, there is sufficient comfort that the provision of the Extra Care facility or the affordable housing can be secured. The recommendations at 2.1 and 2.2 (and repeated at 10.1 and 10.2) allow for this.
- 3.5 There is also now added comfort that an Extra Care provider has been identified and has provided some written assurance regarding their intent to deliver the scheme. Officers consider that previous concerns regarding lack of information about how the Extra Care provision would be secured, have now been satisfactorily addressed.
- 3.6 In terms of the other matter for consideration – whether or not the Extra Care provision is a suitable alternative to standard, policy compliant affordable housing – officers initially sought to compare the cost to Persimmon Homes of gifting the serviced land vs the cost of providing standard 40% affordable housing. Nevertheless, the applicant has made the case – and it is agreed – that this is an overly simplistic approach. This is because:
 - The Extra Care housing and standard affordable housing cannot be compared like for like, as they are inherently different proposals in terms of delivery and financial considerations;
 - A 65 unit affordable Extra Care provision equates to 50% affordable provision as opposed to a 40% requirement for standard affordable dwellings;
 - A developer would expect a return from selling affordable housing units to a registered provider, whereas a return will not be generated from the gifting of the land;
 - The relevant planning policies are not explicit regarding the party that is to provide the affordable provision and the application would satisfactorily enable and secure it;
 - The relative need for Extra Care and standard affordable housing cannot be directly compared as they cater for different needs.
- 3.7 Having regard to all of the above, officers consider that a balanced judgement needs to

be made with regard to whether the proposal for affordable Extra Care provision is a suitable alternative to standard 40% affordable housing provision. Officers consider that it is and that the proposal is policy compliant in this respect.

4 Public Transport / Highways

- 4.1 Various correspondence was received from the Local Highway Authority (LHA) in the lead up to the PMC on 13th November 2019 and this has been further reviewed by officers to ensure the proposals are satisfactory in highway terms. The LHA comments reported on the update report remain valid and confirm that the development could be served by public transport (town mini-bus service), subject to securing the provision of a bus stop with raised boarder and shelter, a contribution of £1,000 per dwelling / Extra Care unit, and funding (by the applicant) of 28 day travel vouchers. These contributions are agreed and are to be secured by condition / S.106 agreement.
- 4.2 A number of detailed points relating to layout were raised by the LHA in their comments reported on 13th November 2019 update report. Whilst officers consider that they are matters for consideration as part of future reserved matters applications, the applicant has nevertheless submitted revised indicative drawings and amended their design and access statement in response to the comments. The changes include:
- Amendments to replace a 'shared surface' on the internal loop road with standard carriageway and footways;
 - Omission of a turning stub;
 - Footpath width increased from 1.8m to 2m.
- 4.3 The amendments provide additional comfort that a suitable, safe layout can be achieved at reserved matters stage and furthermore, officers are satisfied that the proposal is acceptable in terms of it being in a sustainable location, which is serviceable by public transport.

5 Environmental Considerations – Noise and Contamination

Noise

- 5.1 The applicant submitted a response on 27th February 2020 to ENC's Environmental Protection Officer (EPO) challenging certain aspects of their consultation response (detailed on the 13th November 2019 update report) regarding noise. Following that, further discussions have taken place between the EPO and the applicant's noise consultant; some further noise mitigation testing has been carried out by the applicant; and a revised Outline Noise Impact Assessment - Revision 5 (Spectrum, Acoustic Consultants) has been submitted.
- 5.2 The revised Outline Noise Impact Assessment has been considered by the Council's EPO and her revised / additional comments are detailed at paragraphs 8.2 and 8.4 of this report. In summary, the EPO is satisfied the planning application is acceptable in relation to the issue of noise. Two planning conditions are recommended, to secure an acoustic fence and require that reserved matters applications for buildings are accompanied by a noise assessment / noise mitigation. With these conditions imposed (conditions 24 and 25 at section 11 of this report), it is considered that there is sufficient control to ensure future residents of the development have acceptable living conditions with respect to traffic noise.

Contamination

- 5.3 The Council's EPO has considered the application with regard to whether the site may be contaminated land. She recommends a number of planning conditions (see paragraph 8.3 of this report), which officers agree are necessary and they are therefore included in the list of recommended conditions (26-30) at section 11 of this report below. With the recommended conditions imposed, land contamination is satisfactorily addressed.

6 Five Year Housing Land Supply

- 6.1 The Planning Policy Committee met on 17th December 2019 to consider the 2019 Annual Monitoring Report and resolved to note the five year housing land supply calculation of 6.03 years.

- 6.2 Subsequent to this, an appeal decision relating to The Willows, Thrapston has been received (24.01.2020). Based on the evidence presented at the appeal, the Inspector concluded that East Northamptonshire Council was only able to demonstrate a 4.28 year housing land supply.

- 6.3 Where a 5 year housing land supply cannot be demonstrated, paragraph 11d of the NPPF is invoked and requires that planning permission be granted unless:

*'i. the application of policies in this Framework [The NPPF] that protect areas or assets of particular importance [those policies are defined at Footnote 6 of the NPPF] provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

- 6.4 NPPF Footnote 6 states:

'The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.'

- 6.5 East Northamptonshire Council has lodged a S.288 appeal to the High Court challenging the appeal decision. Nevertheless, pending the outcome of the S.288 appeal, The Willows appeal decision currently remains an important material consideration and the application has therefore been considered against the possibility that the district does not have a 5 year supply of deliverable housing sites. It is concluded that the development proposal is acceptable, even without the raised bar for measuring harm as detailed in NPPF paragraph 11d (the 'tilted balance').

- 6.6 Should Members be minded to refuse planning permission however, they are advised to assess the proposal in relation to NPPF paragraph 11d and justify any reasons for refusal in accordance with that criteria. Appropriate weight should be afforded in Members decision to the contribution that the proposal would make towards housing supply (up to 65 dwellings and up to 65 unit Extra Care housing facility).

7 Principle of Development – Policy Background – Emerging Plans Progress and

Status

- 7.1 The adopted Development Plan has not changed since the planning application was considered at the 13th November 2019 PMC. However, there have been significant changes that have taken place which impact on emerging plans relating to Oundle. The implications of more recent events in respect of emerging policy guidance since this planning application was last considered are set out below.

Oundle Neighbourhood Plan

- 7.2 The Oundle Neighbourhood Plan (ONP) has been in progression for a number of years, which concluded with a public hearing in October 2019. Following the hearing, the examiner's report was published on 21st December 2019. The report concluded that the ONP did not meet the 'Basic Conditions' which constitute the legislative requirements to enable a neighbourhood plan to proceed to referendum. Effectively this rendered the plan unlawful in the determination of the examiner and therefore unable to progress in its current state.
- 7.3 In respect of the unlawfulness of the ONP, the examiner identified two major areas of concern, relating to consultation procedures, and, more relevant to this application, the approach to site selection and appraisal. In respect of the latter issue the examiner's report identifies a disregard of national policy and guidance in the identification of sites. In particular, he stated that the process of site selection and rejection of alternatives was not clearly evidenced.
- 7.4 In concluding that the making of the ONP will not meet the Basic Conditions, the examiner reports that the plan should not proceed to Referendum. In effect this leaves the plan with two options; either being withdrawn, or reverting back to an early stage of consultation (Regulation 14), and addressing the unlawful elements of the plan raised in the examiner's report.
- 7.5 Officers consider that the outcome of the report means that the ONP now carries no weight in the determination of applications.

East Northamptonshire Local Plan Part 2 (LP2)

- 7.6 At the meeting of the Planning Policy Committee held on 20th January 2020, the Committee considered the proposed housing allocations for Oundle, as set out in draft policies EN24-27 of the LP2. Draft Policy EN24 seeks to allocate development at St Christopher's Drive, and this allocation, along with proposed allocations at Cotterstock Road and Stoke Doyle Road, was endorsed by the Committee as a draft local plan allocation.
- 7.7 The decision of the Committee to approve the draft housing allocations for Oundle increases the weight that can be applied to planning applications relating to the proposed sites (although the weight is still only limited). In respect of St Christopher's Drive, the LP2 can now be seen as the most advanced emerging plan, which is proposed to be submitted to the Secretary of State in summer of 2020 as the Council's plan.

8 Additional Representations / Consultation Responses

Public Comments

8.1 Three letters of representation have been received since the PMC on 13th November 2019. The letters are supportive of the proposal to provide Extra Care accommodation. Comments include:

- There is a need for affordable Extra Care provision;
- The Extra Care element of the application has support of many in Oundle;
- Too often, people in Oundle were placed in nursing homes due to the shortage of Extra Care (example provided);
- Riverside Maltings complex has a resident warden and offers independent, but supported living, however this is a private scheme, which people in need cannot afford;
- Whilst Oundle has a good deal of bungalows for older people, eventually those residents will need Extra Care;
- One reason for there being a lot of older people requiring affordable housing in East Northamptonshire is because many workers live in tied cottages and so may be without a home after retirement or loss of a spouse.

East Northamptonshire Council – Environmental Protection Officer

8.2 *Comments received 03rd March 2020:*

Further to the meeting of the 2nd of March I can confirm that we have managed to agree a way forward with respect to noise. The acoustic consultant produced some additional modelling outputs inputting alternative fence arrangements. This did not result in any significant reduction in noise levels to the most affected dwellings. Those in the southern corner of the site alongside the A605. It was agreed the majority of houses will have gardens that meet noise guideline criteria with the exception of those mentioned above and a single plot further north.

Further discussion took place about trying to ensure the living conditions of future residents is uppermost and noise levels should be as low as it is reasonably practicable given the local environment. The applicant agreed they will look again at the layout to see if changes could be made to improve the situation notwithstanding other constraints. Including using good acoustic design of the internal layout of the dwellings to reduce internal noise levels.

It was agreed that conditions should be placed on the planning permission as follows to mitigate against traffic noise and agree any layout submitted under reserved matters. I suggest the following.

Noise barriers

Prior to the first occupation of any dwelling hereby permitted a noise barrier shall be installed as detailed in the Spectrum Acoustics report Ref: MM588/17180/Rev.4 dated 16.10.19. No changes shall be made to the hereby approved noise barrier without the written permission of the Local Planning Authority. The approved noise barrier shall be retained thereafter in perpetuity and maintained in a satisfactory state of repair to ensure efficient operation.

Reason: In the interest of residential amenity

Noise assessment for reserved matters application

Any future reserved matters application for buildings hereby permitted shall include a noise assessment together with mitigation measures which shall be implemented in accordance with an agreed programme.

Reason: In the interest of residential amenity

8.3 *Comments received 10.03.2020:*

The applicant has submitted a Phase I contamination assessment which suggests further investigation in particular with relation to ground gas from historic infilled land (possible landfill). This can be dealt with by the following conditions.

Planning Conditions for Potentially Contaminated Sites

1. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed

2. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

3. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

4. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

5. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

8.4 *Comments received 12.03.2020 following receipt of revised noise assessment (version 5):*

Thank you for the revised assessment which concurs with our discussions and agreements.

9 Conclusion / Planning Balance

9.1 Submission of further detailed information regarding the proposed Extra Care provision, (with alternative 40% affordable housing) has addressed previous concerns and now leads officers to conclude that the proposal is acceptable, subject to securing obligations in the S.106 agreement and subject to conditions as recommended in section 11 below.

9.2 Other material changes which have arisen since the application was considered on 13th November 2019, in particular:

- The contents of the Oundle Neighbourhood Plan examiner's report;
- Progress with the emerging East Northamptonshire Local Plan Part 2; and
- The receipt of an appeal decision in which the Planning Inspector concluded ENC cannot demonstrate a 5 year supply of deliverable housing sites;

add weight in favour of granting consent.

10 Recommendation

10.1 Recommendation 1: If a satisfactory S.106 Planning Agreement which secures obligations as set out in the original committee report (as amended by this report) is completed by 27th March 2020 (or other date agreed in writing with the Local Planning Authority): GRANT planning permission subject to conditions.

10.2 Recommendation 2: If a satisfactory S.106 Planning Agreement to secure obligations as set out in the original committee report (as amended by this report) is not completed by 27th March 2020 (or other date agreed in writing with the Local Planning Authority): Delegate to Head of Planning Services to REFUSE planning permission.

11 Conditions

1 Approval of the details of the siting, scale and appearance of the dwellings / Extra Care facility 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 location, design, height and lux, uniformity level and a management and maintenance schedule to be retained in perpetuity.

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

- 5 No development shall take place until a scheme and timetable detailing the provision of four 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.

- 6 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 the 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 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(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.

- 7 Before any above ground works commence a detailed design of 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 should be 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 the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iv) BRE 365 infiltration test results.
- v) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.
- vi) Confirmation of site specific soil conditions.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Joint Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

- 8 All subsequent reserved matters applications for the development plots shall make reference to the original approved Flood Risk Assessment ref AMA752 rev A dated October 2019 prepared by Infrastructure Design Ltd and shall be accompanied by a compliance statement 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.

- 9 No occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment ref AMA752 rev A dated October 2019 prepared by Infrastructure Design Ltd has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report 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 etc.;
- e) Confirmation that the system is free from defects, damage and foreign objects;
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place.

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

- 10 No development shall take place within the area of archaeological interest until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by

the Local Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) Approval of a Written Scheme of Investigation;
- (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
- (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
- (iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 199.

- 11 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.

- 12 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 buildings 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.

- 13 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 / building 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.

- 14 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 buildings 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.

- 15 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 within the site and associated raised boarder and shelter. The details shall include the timing of the provision. The bus stop, raised boarder and shelter shall thereafter be erected in accordance with the approved details and be retained and maintained in perpetuity.

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

- 16 Notwithstanding the submitted details, no occupation of buildings 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;
- d) Sustainability measures to be implemented for the Extra Care accommodation.

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.

- 17 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.

- 18 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.

- 19 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:

- a. overall strategy for managing environmental impacts which arise;
- b. measures to control the emission of dust and dirt;
- c. control of noise emanating from the site;
- d. hours of construction work;
- e. construction traffic daily timetable, confirming no construction traffic will arrive on site before 8.00am and after 6.00pm Monday to Friday, before 8.00am and after 1.00pm on a Saturday and with no construction vehicles to attend the site on a Sunday or Bank Holiday;
- f. contractors compounds, material storage and other storage arrangements, cranes, and plant, equipment and related temporary infrastructure;
- g. designation, layout and design of construction access and egress points to

minimise disruption or access for existing residents and new residents of the development;

- h. internal site circulation routes;
- i. directional signage (on and off site);
- j. provision for emergency vehicles;
- k. provision for all site operatives, visitors and construction vehicles loading and unloading plant and material;
- l. provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- m. details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- n. routing agreement for construction traffic;
- o. storage of plant and materials used in construction;
- p. enclosure of phase or development parcel sites and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- q. waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works;
- r. 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 only 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.

- 20 No drainage works shall commence until a foul water management strategy has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the agreed details.

Reason: To prevent environmental and amenity problems arising from flooding.

- 21 The details required to be submitted for approval in writing in connection with condition 1 (above) shall include:
- i) Details of provision for cyclists;
 - ii) Connections to the right of way network;
 - iii) Improvements to the right of way UF6; and
 - iv) A pedestrian link to Prince William School. The details of the school link shall include appropriate safety measures with evidence that these have been informed by discussions with the school.

Reason: In the interests of connectivity and encouraging sustainable modes of travel.

- 22 No development shall commence until full engineering and construction details of the continuation of St Christopher's Drive into 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 / Extra Care unit hereby approved.

Reason: In the interests of highway safety.

- 23 Prior to the commencement of the development hereby permitted, the following details shall be submitted to the Local Planning Authority for approval in writing:

- i) Details of the proposed treatment of the 'Extra Care land' in the event that

the Extra Care facility does not come forward;

ii) Details of the timescale / triggers in relation to i) above.

Thereafter the agreed details shall be implemented and maintained / retained.

Reason: In the interests of visual amenity and safety.

- 24 Prior to the first occupation of any dwelling / Extra Care unit hereby permitted, a noise barrier shall be installed as detailed in the Spectrum Acoustics report Ref: MM588/17180/Rev.5 dated 10.03.2020. No changes shall be made to the hereby approved noise barrier without the written permission of the Local Planning Authority. The approved noise barrier shall be retained thereafter in perpetuity and maintained in a satisfactory state of repair to ensure efficient operation.

Reason: In the interest of residential amenity.

- 25 Any future reserved matters application for buildings hereby permitted shall include a noise assessment together with mitigation measures which shall be implemented in accordance with an agreed programme.

Reason: In the interest of residential amenity.

- 26 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed.

- 27 Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

- 28 Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.
Reason: To ensure site remediation is carried out to the agreed protocol.
- 29 On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.
Reason: To provide verification that the required remediation has been carried out to the required standards.
- 30 If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.
Reason: To ensure all contamination within the site is dealt with.

12 Informatives

1 The Lead Local Flood Authority advises (with respect to condition 7):

Details will be required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space, play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The maintenance scheme shall include:

- A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used;
- A site plan including 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;
- Details of expected design life of all assets with a schedule of when replacement assets may be required.

2 The applicant's attention is drawn to the comments received 10.09.2019 from Northamptonshire Police (please refer to the Council's website) regarding detailed layout requirements.

3 Anglian Water advises:

- i. 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 6066087.
- ii. 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.

- iii. 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.
 - iv. 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.
- 4 With respect to conditions 4 (Lighting) 6 (Landscape and Environmental Management Plan) and 17 (Landscaping), the applicant is advised that the details submitted will be expected to include (but not be limited) to the following (as may be relevant to the condition):
- The development should incorporate native tree and shrub planting, including fruit and nut bearing species within areas of public open space or perimeter vegetation;
 - New hedgerow planting should be incorporated where possible;
 - Any grassland areas should consider native seed mixes;
 - The creation of a continuous buffer of 10-15 metres wide along the retained woodland on the eastern and southern boundaries, to comprise native species shrub and tree planting;
 - Ivy clearance from mature sycamore trees;
 - Provision of a range of bat boxes;
 - Implementation of controlled lighting to maintain dark corridors.