

Case Officer:	Clare Caldwell	
Applicant:	Churchill Retirement Living	
Proposal:	Demolition of existing buildings and redevelopment to form 44 Retirement Living apartments for older people including communal facilities, guest apartment, access, car parking and landscaping	
Ward:	Towcester Mill	
Councillors:	Cllr Chris Lofts & Cllr Catharine Tarbun	
Reason for Referral:	Major development	
Expiry Date:	30th October 2020	Committee Date: 29 th October 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

Proposal

The application seeks consent to demolish the existing bungalow and outbuildings on the site and construct a three-storey apartment building for older people (aged 60 and above with a partner aged 55 and above).

Consultations

The following consultees have raised **objections** to the application:

- Towcester Town Council

The following consultees have raised **no objections** to the application:

- SNC Strategic Housing (supportive of the application)
- NCC as Lead Local Flood Authority (LLFA)
- SNC Building Control
- SNC Ecology
- Environment Agency
- Anglian Water

The following consultees make **comment** on the application:

- NCC Highways
- NCC Archaeology
- NCC External Funding
- Northants Police CPDA
- SNC Planning Policy
- Northants Clinical Commissioning Group (CCG)

No letters of objection or support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted

Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details (bearing in mind the planning history explained later in this report) are:

- Whether an additional apartment is acceptable as a matter of principle
- Highways and parking considerations
- Whether the associated elevational and design changes are acceptable
- Whether the changes to the S106 obligations in respect of a financial contribution towards off-site affordable housing provision are acceptable

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and a S106 Agreement.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

If approved, this development is liable to pay the Community Infrastructure Levy as set out in the South Northamptonshire Council Charging Schedule. Advice is available here – <https://www.southnorthants.gov.uk/info/174/community-infrastructure-levy-cil>

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site comprises an existing detached bungalow and its curtilage, within which are a collection of associated outbuildings and a static caravan. In addition to the residential occupation of the site, it is also used for commercial vehicle sales with vehicles displayed on the hardstanding to the south east of the bungalow.
- 1.2. The site slopes up gently from the south east to the north west and is predominantly bound by brick walling of varying height. There are no significant trees within the site.
- 1.3. Access to the site is gained from the access road serving Waitrose supermarket which runs along the south eastern edge of the site. On the opposite side of the access road is Waitrose car park, with the superstore lying to the east of the site.
- 1.4. To the north east of the site is a row of two storey terraced houses and a single detached house, whilst to the north of the site is a small group of commercial properties. To the north west of the site is a care home under construction. Beyond the care home site is a long row of terraced houses. To the west of the site, on the opposite side of Water Lane, is a modern residential development comprising two and three storey homes and apartments.
- 1.5. Until recently there was a recycling area abutting the south eastern edge of the site. However, this facility was removed earlier this year (with the exception of the charity textile banks).

2. CONSTRAINTS

- 1.1 The application site lies within Towcester's Settlement Confines and is within an area of archaeological interest and 2km of a Local Wildlife Site. Towcester Conservation Area abuts the north eastern end of the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Planning permission was granted for 43 retirement apartments on this site in June 2020, following the planning committee's resolution to approve the application in January 2020. The permission was subject to a S106 agreement which secured a financial contribution towards the provision of off-site affordable housing of £79,837 as well as contributions of £5,759 towards library services and £5,289 towards public amenity space and maintenance.¹ The development was also liable for payment of CIL amounting to £174,603 and a S106 monitoring fee of £1000.
- 3.2 This application seeks to increase the number of apartments from 43 to 44 by changing the mix of 1- and 2-bedroom units and using an area of non-saleable space in the previously consented scheme (former plant room). There is no change in the overall footprint of the building or in the approved building's scale or massing. The external changes to the approved building consist of the reconfiguration of a small number of doors and windows on the eastern elevation (facing the access road to Waitrose). The unit mix has changed from 27 x 1 bed and 16 x 2 bed to 29 x 1 bed and 15 x 2 bed.
- 3.3 This change is proposed in order to improve the overall viability of the project, but the more substantive change is that the applicant is proposing changes to the payment terms of the agreed financial contribution towards off-site affordable housing previously secured under the S106 Agreement. In support of their position they state;

"... recent economic changes resulting from the Covid-19 pandemic and its implications for a downturn in the housing market which are already being seen means the extant scheme is no longer a viable proposition." And that;

"The change in economic circumstances as a result of the pandemic mean that we are unfortunately unable to sustain the previously agreed affordable housing contribution."

They go on to say;

" Whilst the applicant can appreciate it is disappointing that the previous scheme and planning obligations attached to it cannot be fully delivered, it is important both for housing delivery in South Northants, local employment and the economy that a way can be found to deliver a scheme that has been acknowledged as being beneficial to Towcester. The applicant would consider a shorter-term planning consent (e.g. 2 years) to underline its commitment to wanting to bring forward this scheme in Towcester if an agreement can be reached on planning obligations."

- 3.4 Following negotiations with Officers, the applicant's initial proposal not to make any affordable housing contributions has been revised to make the same payment as already secured (£79, 837) but rather than make the full payment prior to occupation it will be paid in 3 stages; 25% on first occupation, 50% on 50% occupation and the remaining 25% on 75% occupation.

¹ All index-linked and payable prior to occupation

- 3.5 They continue to offer the other obligations concerning financial contributions towards library provision and open space. The application is accompanied by a financial viability appraisal.

4. RELEVANT PLANNING HISTORY

- 4.1. Planning permission was granted for 43 retirement apartments on this site in June 2020. This followed a previous application for 45 retirement apartments which was the subject of an appeal against non-determination which was subsequently withdrawn.

S/2019/1723/MAF	43 no. apartments for older people (sixty years of age and/or partner over fifty-five years of age), guest apartment, communal facilities, access, car parking and landscaping.	Approved (June 2020)
S/2018/2546/MAF	45 No. apartments for older people (sixty years of age and/or partner over fifty-five years of age), guest apartment, communal facilities, access, car parking and landscaping.	Appeal against non-determination submitted and subsequently withdrawn (January 2020)

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate). The final date for comments was 24th September 2020 although comments received after this date and before finalising this report have also been taken into account.

- 6.2. No comments have been received.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. TOWCESTER TOWN COUNCIL: Reiterates its previous comments that it considers this development represents an over-intensification of the site which will be detrimental to the street scene. Also, that the car parking provision is inadequate for the number of apartments due to be constructed.

CONSULTEES

- 7.3. NCC HIGHWAYS: **Comments:** Refers to its previous comments on S/2019/1723/MAF concerning the size of car parking spaces abutting a solid structure (5.5m in length with a 6.0m reversing/manoeuvring space); the access radii and design (including a vehicle crossover with footways to both sides and tactile crossing areas with pedestrian visibility splays to be demonstrated on a scaled drawing); the relocation of a gully and need for a Section 278 agreement.
- 7.4. NCC ARCHAEOLOGY: **Comments:** The area is known to contain archaeological remains and a good deal of investigation has taken place in the immediate vicinity; the applicant has commissioned an archaeological evaluation, the results of which have been submitted with this application. The results demonstrate that the site contains remains of archaeological interest, including a metalled surface and part of a stone structure which may relate to the Alchester Road. Ditches and a pit were also identified. All features dated to the Roman period. It is clear the archaeological mitigation will be required before the site is developed. Open area excavation of the remains is recommended to secure proper investigation, recording and dissemination of the information retrieved. This should be secured by use of a suitable condition for a programme of archaeological works. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected.
- 7.5. NCC as LLFA: **No Objections** subject to conditions.
- 7.6. NCC EXTERNAL FUNDING: **Comments:** A libraries contribution of £5,801 is required to contribute towards the improvement, enhancement or expansion of library facilities to serve the development.
- 7.7. NORTHANTS POLICE CPDA: **Comments:** Recommends a number of measures to create a secure environment including appropriate boundary treatments. Requests more information about access control throughout the building and suggests a condition be attached requiring submission of a security statement detailing how the site is to be managed, particularly after hours. Doors and windows should meet a recognised security standard.
- 7.8. SNC BUILDING CONTROL: **No Objections** - Radon protection required, all surface water to soak away, fire brigade access, fire risk assessment and Part M access to be ascertained, employee health and safety assessment required.
- 7.9. SNC PLANNING POLICY: **Comments:** The application site lies within Towcester town confines where new residential development is supported and whilst there would be the loss of an existing commercial use, subject to sufficient benefits outweighing this policy constraint the principle of residential development on the site could be considered acceptable.
- 7.10. SNC ECOLOGY: **No Objections** subject to conditions. The surveys and report show that the development is unlikely to have a significant impact on protected species and habitats so long as the mitigation measures laid out in section 5 of the report are followed.
- 7.11. SNC STRATEGIC HOUSING: **Support** : Agreement in principle has been reached with the applicant to stagger the Affordable Housing Contribution payment across the lifetime of the development, rather than in a lump sum prior to/on first occupation. The Strategic Housing Team is agreeable to this revised payment structure and is therefore supportive of this application.

- 7.12. SNC HEALTH AND ENVIRONMENTAL PROTECTION: **No Objections** subject to conditions.
- 7.13. ENVIRONMENT AGENCY: **No Objections**.
- 7.14. ANGLIAN WATER: **No Objections** subject to conditions: The foul drainage from this development is in the catchment of Towcester Water Recycling Centre that will have available capacity for these flows and the sewerage system at present has available capacity for these flows. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable.
- 7.15. NORTHAMPTONSHIRE CCG: **Comments:** there will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposal. Practices in the local area are already at the limit of their capacity and the increase in population could push practices to the point that they are no longer able to accept new patients. If this were to be the case it could result in the population brought to the area by the new housing development experiencing difficulties accessing primary care health services. A contribution of £22,369.80 is requested.

The comments received can be viewed in full on the Council's website, via the online Planning Register.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, and the recently adopted South Northamptonshire Local Plan (Part 2). The relevant planning policies of South Northamptonshire's statutory Development Plan are set out below:

WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY 2014 (JCS 2014)

- SA – Presumption in Favour of Sustainable Development
- Policy S1 – The distribution of development
- Policy S3 – Scale and distribution of housing development
- Policy S10 – Sustainable development principles
- Policy S11 – Low carbon and renewable energy
- Policy C1 – Changing behaviour and achieving modal shift
- Policy C2 – New developments
- Policy E1 – Existing employment areas
- Policy H1 – Housing density and mix and type of dwellings
- Policy H2 – Affordable housing
- Policy H4 – Sustainable housing
- Policy BN2 – Biodiversity
- Policy BN5 – The historic environmental and landscape
- Policy BN7 – Flood risk
- Policy BN7A – Water supply, quality and wastewater infrastructure
- Policy BN9 – Planning for pollution control
- Policy INF2 – Contributions to infrastructure requirements
- Policy T1 – Spatial strategy for Towcester

SOUTH NORTHAMPTONSHIRE PART 2 LOCAL PLAN (Part 2 LP)

- Policy SS1 – The settlement hierarchy
- Policy SS2 – General development and design principles
- Policy LH1 – Development within town and village confines
- Policy LH6 – Specialist housing and accommodation needs
- Policy LH8 – Affordable housing
- Policy LH10 – Housing mix and type
- Policy EMP2 – Existing commercial sites
- Policy INF1 – Infrastructure delivery and funding
- Policy INF4 – Electric vehicle charging points
- Policy HE1 – Significance of heritage assets
- Policy HE2 – Scheduled ancient monuments and archaeology
- Policy HE6 – Conservation Areas
- Policy NE4 – Trees, woodlands and hedgerows
- Policy NE5 – Biodiversity and geodiversity

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)
- SNC Corporate Priorities - to ensure the District is “Protected, Green & Clean”, is a place which supports “Thriving Communities & Wellbeing”, and is a District of “Opportunity & Growth”.
- SPG: Conservation Areas; Light pollution; Planning out crime; Roofscape
- SPD: Developer contributions; Energy and development; Energy efficiency; Parking
- Towcester Conservation Area Appraisal and Management Plan
- Land West of Watling Street, Towcester Planning Brief (Site 10) 2016
- South Northamptonshire Design Guide

9. APPRAISAL

9.1. There is an extant consent for the development of 43 retirement apartments on this site. Therefore, the key issues for consideration in this case are:

- Whether an additional apartment is acceptable as a matter of principle
- Highways and parking considerations
- Whether the associated elevational and design changes are acceptable
- Whether the changes to the payment terms of the financial contribution towards off-site affordable housing provision are acceptable

Whether an additional apartment is acceptable as a matter of principle

Policy Context

- 9.2 The application site lies within Towcester town confines. Policy T1 of the JCS 2014 supports new housing development within the existing urban area of Towcester. Policy E1 resists loss of existing employment generating floor space unless it is no longer viable or there is a clear conflict with adjoining uses. Policy SS1 of the Part 2 LP seeks to steer development towards the most sustainable locations within the district whilst Policy LH1 supports residential development within town and village confines providing it provides an appropriate mix of dwellings in accordance with Policy LH10; would not harm the character of the area; does not require substantial new infrastructure and would not displace an existing viable commercial use. Policy EMP2 seeks to retain employment uses.
- 9.3 The Land West of Watling Street Planning Brief (Site 10) covers the application site along with the care home site to the north, Waitrose and the Richmond Road car park. This explains that the Council will support proposals on the site that retain existing employment uses, make provision for off-road parking and contribute to the improvement of the town's highway network.

Assessment

- 9.4 Planning permission has already been granted for the re-development of this site for retirement apartments. At the time of that decision it was found that the site lay within the town confines of Towcester where the relevant policies of the Development Plan supported the provision of new homes. The proposal was found to be compliant with (the then) saved Policy H3 and the 1997 Local Plan and Policies S1 and T1 of the JCS 2014 along with paragraph 59 of the NPPF; and notwithstanding the loss of the existing van sales business (see committee report S/2019/1723/MAF for full assessment).
- 9.5 Since that resolution the policy context has changed in that the Part 2 LP has now been adopted and the saved policies from 1997 no longer remain in force. However, adopted Policy SS1 still directs development to within settlement boundaries and to the most sustainable locations²; as does Policy LH1 with notable criteria identified in para 9.3 above. Policy LH6 still supports older persons housing on suitable sites within settlement confines. Whilst Policy EMP2 seeks to retain employment uses, exceptions can be made where there are valid reasons including those of economic viability or incompatibility. This matter was considered in January 2020 when the Council concluded that there were significant benefits from the scheme that outweighed the loss of the existing commercial operation on the site.
- 9.6 It is considered that the changed policy context does not affect the acceptability of the principle of development on this site. There remains an extant permission for 43 retirement apartments on this site and the provision of 44 units remains acceptable as a matter of principle.
- 9.7 There is no change to the built form of the development as previously approved other than external alterations. The external site layout, including the access & parking areas remain as per the consented scheme. Highways and parking considerations are addressed elsewhere in this report.

Conclusion

- 9.8 The application site lies within Towcester town confines where new residential development is supported and whilst there would be the loss of an existing

² Towcester being a Rural Service Centre and one of the highest order settlements.

commercial use, this is outweighed by the benefits of the scheme. The principle of residential development on the site has previously been found to be acceptable and is still considered acceptable, albeit with an additional unit.

Highways and Parking considerations

Policy Context

- 9.9 Policy C2 of the JCS 2014 requires development to mitigate its impacts on highway safety. Policy SS2 of the Part 2 LP requires development to include a safe and suitable means of access for all people including pedestrians, cyclists and those using vehicles.
- 9.10 The NPPF also requires provision of a safe and suitable access for all users. Para 109 however makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Assessment

- 9.11 The highways impact of a development of 43 retirement apartments was fully considered in January 2020 and found to be acceptable. There has been no substantive change in the policy context or site circumstances in this respect in the meantime.
- 9.12 This application is accompanied by a Transport Note which re-assesses trip generation. This note finds that the proposed additional unit is expected to have a minimal impact on the operation of the local road network in comparison to the already consented scheme. Across a 12-hour day the additional unit is expected to generate two additional vehicle trips with no increase during either the AM or PM peak.
- 9.13 The revised scheme will continue to provide 21 car parking spaces (including 2 disabled spaces) as per the consented scheme. Previously, this was for 43 units at a ratio of 0.488 spaces per unit, whereas this would now be for 44 units at a ratio of 0.477 spaces per unit. This change is considered to be negligible and will have no practical impact compared to the previous scheme, which was found to be acceptable.
- 9.14 The applicant states that independent data commissioned by Churchill Retirement Living identifies that on average 0.28 parking spaces are required per unit, necessitating 13 spaces to serve the 44 retirement units. They consider the provision of 21 car parking spaces to be sufficient to accommodate all expected levels of demand on-site.
- 9.15 The Highway Authority previously accepted the level of car parking proposed, as did the Council. Conditions were imposed to secure final details of the vehicular access, closure of the existing vehicular access, parking provision and pedestrian visibility splays. These conditions would be imposed on any permission issued pursuant to this application.

Conclusion

- 9.16 In light of the comments from the Highway Authority and having regard to the previous decision to grant permission for 43 apartments, there is no evidence to suggest that an additional apartment would not be provided with a safe and suitable access or that the development would result in significant or severe impacts on the

highway network or an unacceptable impact on highway safety. Therefore, the proposal complies with the above-mentioned policies and national planning policy in the NPPF (paras 108-109).

Whether the associated elevational and design changes are acceptable

- 9.17 The external changes are minimal and consist of minor reconfigurations to windows and doors on one elevation. The design and proportion of these openings reflects those elsewhere on the elevation and wider building and they are considered acceptable. The openings in question face onto the access road to Waitrose and so do not result in any harm to neighbouring residential amenity or privacy. The remainder of the building remains as previously considered and approved. The alterations will have no impact on the character of the area, or on any heritage assets including the setting of the Conservation Area. There is no change proposed to the footprint of the building or the site layout and therefore no additional impact on any archaeological assets. An appropriate condition to secure a programme of archaeological works was attached to the previous permission and would be imposed on any subsequent permission.
- 9.18 Matters concerning the development's impact on ecology and biodiversity, drainage and trees were all considered in January 2020 and found to be acceptable. The amendments proposed will not result in additional impacts to those already considered and there has not been substantive change to the policy context, or site circumstances, in these respects in the meantime. The full assessment can be found in the committee report on application S/2019/1723/MAF.

Conclusion

- 9.19 The external alterations that would result from the application are minor in nature and acceptable in terms of impact. The development would comply with the following Part 2 LP policies; SS2, LH1, LH6, HE1, HE2, HE6 and NE5, as well as the relevant policies of the JCS 2014 and national planning policy.

Whether the changes to the payment terms of the financial contribution towards off-site affordable housing provision are acceptable

Policy Context

- 9.20 Paragraph 34 of the NPPF explains that plans should set out the contributions expected from development, including affordable housing provision, along with other infrastructure needs. Paragraph 63 of the NPPF states that provision of affordable housing should not be sought for developments that are not major developments whilst paragraph 62 explains that where a need for affordable housing is identified, planning policies should identify the type of housing required and expect it to be met on-site unless an off-site provision or contribution can be robustly justified.
- 9.21 Policy LH8 of the Part 2 LP states that new developments of 10 or more dwellings should achieve 40% affordable housing in Towcester. The policy continues to explain that off-site provision and/or commuted payments will be permitted in exceptional circumstances.
- 9.22 Policy INF 1 states that if infrastructure requirements or other policy obligations such as affordable housing render a development financially unviable, proposals should be supported by an independent viability assessment undertaken on terms agreed by the council and funded by the developer.

9.23 The above policies are supported by the Council's SPD on Developer Contributions which explains that applicants with development proposals consisting of 10 or more residential units, including sheltered housing, will be expected to enter into a S106 agreement to fund necessary infrastructure. The SPD continues to explain that viability will be taken into account where abnormal development costs exist.

Assessment

9.24 The previous application was subject to a S106 Agreement for a financial contribution towards off-site provision of affordable housing rather than on site provision. This was considered an appropriate way forward given the nature of the scheme and had the support of the Council's Housing Team. That application was also subject to a viability appraisal and the Council accepted its assumptions overall and agreed a contribution of £79,837 (index linked).³

9.25 The applicant does not suggest that this request and agreement was not necessary or indeed not policy compliant. What the applicant suggests is that the pandemic in conjunction with other changes in the marketplace has had an adverse effect on viability to the extent that the development will no longer be viable with the previously agreed financial obligations terms of payment. They are therefore asking the Council to consider approving the development with changes to these terms; all other obligations remain the same.

9.26 Whilst the applicant's initial proposal was not to make any affordable housing contributions at all, following negotiations with Officers this has been revised to make the same payment as already secured (£79, 837) but rather than make the full payment prior to occupation it will be paid in 3 stages; 25% on first occupation, 50% on 50% occupation and the remaining 25% on 75% occupation.

9.27 Policy INF1 of the adopted Part 2 LP is clear that if infrastructure requirements or other policy obligations such as affordable housing render a development financially unviable, proposals should be supported by an independent viability assessment undertaken on terms agreed by the council and funded by the developer. This will involve an open book approach. Where viability constraints are demonstrated by evidence, the council may: a) prioritise developer contributions for essential infrastructure, affordable housing and then other infrastructure; or b) use an appropriate mechanism to defer part of the developer contributions requirement to a later date; or c) refuse planning permission if the development would be unsustainable without inclusion of the unfunded infrastructure requirements or affordable housing taking into account reasonable contributions from elsewhere including CIL.

9.28 In this case the application is supported by the applicant's own appraisal which represents the evidence previously submitted; in an updated form. This viability appraisal and its evidence base and findings have previously been accepted by the Council.

9.29 The applicant's case is effectively that there are some key elements which have changed since permission was granted which affect the market position. The key differences are primarily around sales profile and ground rents; both of which impact the gross development value and finance costs.

9.30 Whilst sales values and build costs are retained broadly similar to that previously agreed (as are other cost assumptions in terms of external costs, contingency, abnormal costs, sales, marketing and empty property costs) the income from ground

³ In addition to contributions towards off-site open space and library provision.

rents has had to be significantly reduced thereby reducing capital value⁴. In addition, the applicant advises that whilst sales rates were previously assumed at an average of 1.3 per month, and this has been maintained within the updated appraisal, recent circumstances and the current market position mean that the amount of sales made in the first 6 months will fall from 43% to 30% based on comparable information. The applicant's 2 most recently completed schemes in the Eastern region for example are stated as having an average 1- 6 month sales completions of 17-30%. The average sales rate across all of the applicant's Eastern region sites at present is said to be just 0.75 sales per month. The applicant states that this revision in the profile of sales rates has impacted, i.e. increased, the finance costs as seen in the updated appraisal. The applicant adds that;

“the retirement sector has been disproportionately impacted by lockdown and in particular post lockdown when many older people are still shielding. Sales activity is considerably depressed as a result...”

- 9.31 Having regard to the evidence provided the applicant is agreeable to making the previously agreed contribution; but on different terms as set out above. In the circumstances, Officers are satisfied that the suggestion put forward is a reasonable one which still secures the contribution towards off site affordable housing, but which recognises current uncertainties whilst facilitating the delivery of housing in the town. There is a risk that were this application to be refused, the development may not proceed at all.
- 9.32 It is noted that the CCG have commented to the effect that a contribution of £22,369.80 is required towards the improvement of primary healthcare facilities in the town. Whilst the CCG was consulted on the previous application, no response was received. Accordingly, the extant permission does NOT include payment of such a contribution to the CCG. However, and despite the viability challenges facing the development, the applicant has been asked to consider this request.
- 9.33 The applicant has responded to the effect that given the challenges there is no room in the scheme for such a contribution to be made in addition to those contributions currently proposed/agreed; unless the contribution is deducted from the already agreed contributions i.e the affordable housing contribution. They have also pointed out that the CCG has not identified a specific project or practice to which the contribution would be put and that they do not consider the request to be fully compliant with the CIL Regulations⁵. In support of this they also point to a 2019 report⁶ which found that retirement housing can offer significant benefits which help reduce demands on Health and Social Services suggesting that each person in a home for later living enjoys a reduced risk of health challenges, contributing fiscal savings to the NHS and social care services of approximately £3,500 per year.
- 9.34 In respect of the amount of the contribution and whether it is fairly and reasonably related in scale and kind to the development, the contribution requested is based on an average occupancy of 2.43 per apartment. In the case of these retirement apartments, maximum occupancy would amount to 2 persons per unit (88 rather than 107 persons) which using the CCGs calculations would amount to a contribution of £18,411.36. However, the applicant suggests the average occupancy

⁴ Due to the Law Commission recommendations announced in July which seek to restrict charging of ground rents at more than peppercorn rates

⁵ In particular the three statutory tests a) necessary to make the development acceptable in planning terms, b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

⁶ Healthier and Happier – An analysis of the fiscal and wellbeing benefits of building more homes for later living – A report by WPI Strategy for Homes for Later Living September 2019.

rate for this type of accommodation is 1.3 persons (57.2 persons). Using the CCGs calculations this would equate to a contribution of circa £11,897.384.

- 9.35 It is regrettable that this issue was not raised by the CCG when the previous application was considered. However, the position now is that there remains an extant permission which does not include payment of a contribution towards primary healthcare. Should this application be refused on this basis the fall-back position is that the previous permission could be implemented. The need for affordable housing in the District is acknowledged and recognised and, on balance, Officers are of the opinion that given the extant permission and the need for affordable housing in the District, as well as the accepted viability issues affecting this particular development, that the S106 Agreement should, regrettably, not include a contribution to primary healthcare.
- 9.36 For the avoidance of doubt, if the planning committee were to consider such a contribution should be payable, the affordable housing contribution proposed by the applicant would be reduced to £67,939.616 (in the event that the appellant's average occupancy rates are accepted) or £61,425.64 (in the event that an occupancy rate of 2 persons per dwelling is accepted) - on the same payment terms as currently proposed (25:50:25).

HUMAN RIGHTS AND EQUALITIES

- 9.37 Due regard has been taken to South Northamptonshire Council's equality duty as contained within the Equalities Act 2010.
- 9.38 There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act 1998 regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

10. COMMUNITY INFRASTRUCTURE LEVY

- 10.1 The CIL is a set charge that must be paid if planning permission is granted for a new house (or houses) or for a home extension or retail development of over 100 sqm. The CIL helps to fund a range of infrastructure that is needed as a result of new development (e.g. road schemes, schools and community facilities). Reliefs and exemptions are available.
- 10.2 This development, if approved, is liable to pay the Community Infrastructure Levy as set out in the South Northamptonshire Council Charging Schedule.
- 10.3 For further information relating to CIL please visit:
<http://www.southnorthants.gov.uk/7143.htm>).

11. PLANNING BALANCE AND CONCLUSION

- 11.1. The principle of residential development on the site has previously been found to be acceptable and is still considered acceptable. There is no evidence to suggest that an additional apartment would not be provided with a safe and suitable access or that the development would result in significant or severe impacts on the highway network or an unacceptable impact on highway safety and the external alterations that would result from the application are minor in nature and acceptable in terms of impact. The proposal will retain the financial obligations previously approved as recently as June 2020, albeit the full payment of the affordable housing contribution

will be staggered such that 75% will be paid post occupation of 50% and 75% of the units rather than all prior to first occupation. The policies of the LP Part 2 allow flexibility where planning obligations render a development financially unviable, including deferring payments to a later date.

- 11.2. The proposal is considered to comply with the relevant Development Plan policies and guidance listed at section 8 of this report, and so is considered to be sustainable development. There are no other material considerations that dictate otherwise, and so in accordance with Paragraph 11 of the NPPF, permission should therefore be granted

12. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO:

- 1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 2. THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**

a) Payment of a financial contribution towards off-site affordable housing of £79,837 (index linked) paid in 3 stages; 25% (£19,959.25 index linked) prior to first occupation; 50% (£39,918.50 index linked) prior to occupation of 50% i.e the 22nd dwelling and 25% (£19,959.25 index linked) prior to occupation of 75% i.e the 33rd dwelling.

b) Payment of a financial contribution towards library infrastructure of £5,801 (index linked)

c) Payment of a financial contribution towards provision and maintenance of off-site public amenity space of £5,289 (index linked)

d) Payment of the Council's monitoring costs of £1000

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure)

(England) Order 2015 (as amended). The approved plans and details are:

- Site Location Plan – Drg No 40032TC/PL/51 dated July 2020
- Site Plan - Drg No 40032TC/PL/52 dated July 2020
- Ground Floor Plan – Drg No 40032TC/PL/53 dated July 2020
- First Floor Plan – Drg No 40032TC/PL/54 dated July 2020
- Second Floor Plan – Drg No 40032TC/PL/55 dated July 2020
- Roof Plan – Drg No 40032TC/PL/56 dated July 2020
- Elevations Sheet 1 – Drg No 40032TC/PL/57 dated July 2020
- Elevations Sheet 2 – Drg No 40032TC/PL/58 dated July 2020
- Elevations Sheet 3 – Drg No 40032TC/PL/59 dated July 2020
- Tree Protection Plan Ref 18261-BT1
- Arboricultural Assessment and Method Statement ref 18261-AA-CA dated 7th August 2018

Reason : To clarify the permission and for the avoidance of doubt.

Accord with Ecological Assessment

3. The development hereby permitted shall be carried out in accordance with the recommendations set out in section 5 of the Ecological Impact Assessment by Ecological Survey and Assessment (ECOSA), dated October 2018, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

Programme of Archaeological Work

4. No development shall take place 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.

Construction Method Statement

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i) the parking of vehicles of site operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v) wheel washing facilities vi) measures to control the emission of dust and dirt during construction vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason : To protect the amenities of nearby residents and to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2.

Land Contamination Investigation

6. Prior to the commencement of the development hereby permitted a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Remediation Scheme

7. If contamination is found by undertaking the work carried out under condition 6 then prior to the commencement of the development hereby permitted a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance

with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Pre-Commencement Protected Species Check

8. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

Fire Hydrants

9. No above ground works shall take place until a scheme and timetable detailing the provision of fire hydrants and/or sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and/or sprinkler systems 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.

Unexpected Contamination

10. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected

contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

Foul Drainage Scheme

11. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development hereby permitted, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding and to accord with Sections 14 and 15 of the National Planning Policy Framework.

Surface Water Scheme

12. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the Drainage Impact Assessment ref 30481/4079 dated August 2019 prepared by PBA will 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;
 - a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
 - b) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings.
 - c) Full details of Permeable paving
 - d) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.

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

Surface Water Scheme Maintenance

13. No above ground development 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 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 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 and details of expected design life of all assets with a schedule of when replacement assets may be required

Reason - In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system.

Landscaping Scheme

14. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:
- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps,
 - (d) details of all boundary treatments.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance contained within the National Planning Policy Framework.

Landscaping Maintenance

15. 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 on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five 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 similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance contained within the National Planning Policy Framework.

Material Samples and Details

16. Samples of the tiles (including ridge tiles) to be used in the covering of the roof of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Policy and Government guidance contained within the National Planning Policy Framework.

17. Samples of the bricks to be used in the construction of the walls of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance contained within the National Planning Policy Framework.

18. A schedule of materials and finishes to be used in the external surfaces of the building hereby approved, except those covered by conditions 16 and 17, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

Architectural detailing

19. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the development, including the windows and doors and their colour, surrounds, reveals, lintels and cills; the porches and canopies; chimneys and rainwater goods; together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the area and to ensure a high-quality design which is compatible and integrated with its surroundings and the distinctive local character of the area in accordance with the National Planning Policy Framework, Policy SS2 of the South Northamptonshire Local Plan (Part 2) and the Council's adopted Design Guide.

20. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details

Reason : In order to safeguard the visual amenities of the area and to ensure a high-quality design which is compatible and integrated with its surroundings and the distinctive local character of the area in accordance with the National Planning Policy Framework, Policy SS2 of the South Northamptonshire Local Plan (Part 2) and the Council's adopted Design Guide.

Lighting

21. No external lighting shall be installed until details including the design, position, orientation and any screening of the lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: To protect the amenities of nearby residents and to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2.

Access

22. Details of the proposed levels, gradient, construction, materials, surfacing and drainage of the new vehicle access and its junction with the public highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the approved details before first occupation of the building and thereafter permanently maintained as such.

Reason: In the interests of highway safety, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance in Section 12 of the National Planning Policy Framework.

23. No gate(s), barriers or means of enclosure across the vehicle access shall be erected within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards only. The gates shall be retained as such thereafter.

Reason: In the interests of road safety to accord with Government guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan Part 2 and to enable a vehicle to stop clear of the highway whilst the driver opens the gate.

Noise

24. A scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the plant and machinery and the measures implemented in accordance with the approved scheme at all times whilst the building is in use for the purposes hereby permitted.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2.

25. Prior to the construction of the building hereby permitted above slab level, a scheme for the glazing of the external elevations (to include full specification details) and a scheme for the method of mechanical ventilation of the proposed apartment building where/if necessary shall be submitted to and approved in writing by the Local Planning Authority. The approved glazing and ventilation scheme shall be installed and operated in accordance with the approved scheme at all times the building is in use for the purposes hereby permitted.

Reason: In order to safeguard the amenities of the residents of the development and to minimise the impact of noise to comply with the aims of paragraph 182 of the National Planning Policy Framework 2019 to ensure that the new development can be integrated effectively with existing businesses and community facilities, and Policy SS2 of the South Northamptonshire Local Plan Part 2.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

Ecological Mitigation

26. Full details of a scheme for the location of bat, bird, owl and invertebrate boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of the building the bat, bird,

owl and invertebrate boxes shall be installed on the site in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

Security Measures

27. Prior to first occupation of the development further details of the security measures to be taken and site management to be employed shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include information about the levels of access control throughout the building, how external patio areas and circulation space will be defined and secured, how the entrance door operates after hours, how the site is managed particularly after hours and how all doors and windows will meet the requirements of a recognised security standard such as BS PAS24:2016 and be 3rd party accredited.

Reason: In order to provide a secure environment where there is limited potential for anti-social behaviour and nuisance as well as limited opportunities for 'walk in' theft in accordance with section 8 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan Part 2.

EV Charging

28. Prior to occupation of the development hereby approved 2no. electric vehicle charging points shall be provided on the site.

Reason: To comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy INF4 of the South Northamptonshire Local Plan Part 2 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

Stop Up Existing Access

29. Prior to occupation of the development hereby approved, the existing access onto the Waitrose Access Road shall be permanently stopped up in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority and shall not thereafter be used by any vehicular traffic whatsoever.

Reason: In the interests of highway safety, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance in Section 12 of the National Planning Policy Framework.

Pedestrian Visibility Splays

30. Prior to the first occupation of the development hereby permitted pedestrian visibility splays of at least 2m x 2m shall be provided on each side of the

vehicular access. These measurements are taken from and along the highway boundary. Any features within or affecting the resultant triangular areas shall not exceed 0.6m above the access/footway level.

Reason: To provide adequate visibility of pedestrians for drivers in the interests of safety in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2 and Government guidance in Section 12 of the National Planning Policy Framework.

Remediation

31. If remedial works have been identified in condition 7, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

Parking

32. The vehicle parking hereby approved shall be provided prior to first occupation of the development hereby approved and shall be permanently set aside and reserved for that purpose and no other purpose whatsoever.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

Boundary treatment

33. Notwithstanding the approved plans full details of all enclosures (including any gates) along all boundaries and within the site shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Such approved means of enclosure shall be erected prior to the first occupation of the apartments.

Reason : To ensure the satisfactory appearance of the completed development, to safeguard the privacy and security of the occupants of the apartments and to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Travel Plan

34. A residential Travel Plan shall be submitted to and approved in writing by the

Local Planning Authority prior to the first occupation of the development hereby permitted. The approved Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

Reason : In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government advice in the National Planning Policy Framework.

Surface Water Verification

35. Prior to first occupation of the development hereby permitted a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Impact Assessment, ref 30481/4079 dated 16th August 2019 prepared by Peter Brett Associates shall be submitted in writing by a suitably qualified drainage engineer to, 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) CCTV 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.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

Occupancy

36. The development hereby approved shall be occupied only by person(s) over the age of 60 (with or without a partner over 55 years of age).

Reason: To ensure adequate parking is provided on site in accordance with policy SS2 of the South Northamptonshire Local Plan Part 2.

Working Hours

37. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy SS2 of the South Northamptonshire Local Plan Part 2.



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