

APPENDIX A

REVISED CONDITIONS

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced in respect of that part of the site to which the approval of reserved matters relates and the development shall not be carried out other than as approved.
REASON: In order to secure a satisfactory development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
4. Prior to the commencement of development of each phase (as defined by the phasing programme required by condition 10) details of the existing and proposed site levels and finished floor levels for all buildings within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
REASON: In the interest of visual appearance of the development, residential amenity and to ensure a high quality design in accordance with PPS 1, Policy 2 of the East Midlands Regional Plan and Policy 13 ((h) and (l)) of the CSS for North Northamptonshire.
5. No reserved matters applications shall be submitted for the development until and unless a Design Code for the site has been submitted to and approved in writing by the Local Planning Authority. Any revisions to the approved Design Code shall be submitted to and approved by the Local Planning Authority.
REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire.
6. The Design Code submitted to the Local Planning Authority for approval shall consist of guidance and coding relating to the following matters unless otherwise agreed in writing by the Local Planning Authority: character areas; mixed use area; public realm strategy; movement network including route hierarchy, block typologies; building typologies; boundary treatments; building heights and details; open spaces, landscape and SUDS; environmental standards; implementation. The Design Code shall accord with the principles of

the Development Framework Plan (received 25 February 2009), the Development Framework Statement (received 25 February 2009), the height parameters (received 20 February 2009) and the indicative storey heights plan (MI-BSC-02-03 dated 17 February 2009).

REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire.

7. Each reserved matters application shall conform to the indicative Development Framework Plan (received 25 February 2009) and indicative storey heights plan (MI-BSC-02-03 dated 17 February 2009) in terms of land use deposition, perimeter block layout and storey heights.

REASON: In the interest of visual appearance of the development and residential amenity in accordance with PPS 1, Policy 2 of the East Midlands Regional Plan and Policy 13 ((h) and (l)) of the CSS for North Northamptonshire.

8. Each reserved matters application shall accord with the approved Design Code (required by conditions 5 and 6) and shall be accompanied by a written statement of conformity to the design code which demonstrates how this is the case.

REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire.

9. The development shall be limited to a maximum of 450 dwellings.

REASON: In the interests of the visual appearance and character of the development in its surroundings and because the number of dwellings proposed is the optimum level of development that can be accommodated on the site making both best use of the land and achieving a good design in accordance with PPS 1, PPS 3, Policy 2 of the East Midlands Regional Plan and Policy 13 (h) of the CSS for North Northamptonshire.

10. Prior to the first submission of any reserved matters applications, a comprehensive layout plan and phasing programme shall be submitted to and approved in writing by the Local Planning Authority. The comprehensive layout plan and phasing programme shall include:

- i. Phasing of the dwelling construction and predicted occupation;
- ii. Timing of off-site highway works (identified in condition 23), pedestrian, cycle and emergency vehicle linkages and vehicular access points (primary and secondary) shown on the Development Framework Plan (received 25 February 2009);
- iii. Public Open Space;
- iv. Hydrological Attenuation Feature (HAF);
- v. Sustainable Urban Drainage Systems (SUDS);
- vi. Green corridors; and
- vii. Renewable/low-carbon energy infrastructure.

The development shall not be carried out other than in accordance with the approved comprehensive layout plan and phasing programme.

REASON: In the interests of achieving a well designed and laid out development which provides adequate access and public space phased in such a way to be commensurate with the delivery of housing, in accordance with PPS 1, PPS 3, PPG 13, Policy 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (h), (k) and (n)) of the CSS for North Northamptonshire.

11. No development shall take place within a phase, as detailed in the phasing programme pursuant to condition 10, until samples of the materials to be used in the construction of the external surfaces of all the buildings within the phase to which they relate have been submitted to and approved in writing by the Local Planning Authority. The development shall not take place other than in accordance with the approved details.

REASON: In the interests of the visual appearance of the development in accordance with PPS 1, Policy 2 of the East Midlands Regional Plan and Policy 13(h) of the CSS for North Northamptonshire.

12. A scheme of hard and soft landscaping for each phase (as defined by the phasing programme required by condition 10) shall be submitted to and approved in writing by the Local Planning Authority no later than the first submission of any reserved matters applications relating to land within that phase. The scheme shall include planting plans, written specifications, schedules of plants, noting species, plant sizes, proposed numbers/densities and an implementation programme. The scheme shall also indicate all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. All hard and soft landscaping works shall be carried out in accordance with the approved details and implementation programme. If, within a period of five years from the date of planting, any trees or plants or any replacement planting is removed, uprooted, destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), replacement trees and plants of the same species and size as that originally planted shall be planted in the next planting season, in the same place.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan and Policies 5 and 13 ((h) (i) and (o)) of the CSS for North Northamptonshire.

13. A management plan detailing the long-term management of the Site of Special Scientific Interest (SSSI), Hydrological Attenuation Feature (HAF), Sustainable Urban Drainage Systems (SUDS), and the two site areas identified as 'A' and 'B' on Drawing 434.2/31B HDA 2 - Management Strategy Masterplan shall be submitted to and approved by the Local Planning Authority no later than the first submission of any reserved matters applications. The management plan shall include management regimes, implementation and monitoring programmes (which shall include an Ecological Clerk of Works). The management plan shall accord with the 'Outline Landscape and Wildlife Conservation Management Strategy' (received 9 September 2008) submitted as part of the application. The plan shall be implemented as approved.

REASON: In the interests of the enhancements to biodiversity and to secure a net gain in Green Infrastructure in accordance with PPS 1, PPS 9, Policy 2, 28

and 29 of the East Midlands Regional Plan and Policies 5 and 13 ((g) and (o)) of the CSS for North Northamptonshire.

14. A detailed construction methodology for the Hydrological Attenuation Feature (HAF) and Sustainable Urban Drainage Systems (SUDS) shall be submitted to and approved by the Local Planning Authority no later than the first submission of any reserved matters applications. The HAF and SUDS shall only be constructed in accordance with the approved details.
REASON: In the interests of the protection and enhancement of the SSSI, enhancements to biodiversity and to ensure flood risk does not increase in accordance with PPS1, PPS 9, PPS 25, Policies 29 and 35 of the East Midlands Regional Plan and Policies 5 and 13 ((o) and (q)) of the CSS for North Northamptonshire.
15. Prior to commencement of construction of any dwellings and in accordance with the phasing programme required by condition 10 of this planning permission the Hydrological Attenuation Feature (HAF) and the main Sustainable Urban Drainage System (SUDS) ditch draining into the HAF must be completed.
REASON: In the interests of the protection and enhancement of the SSSI, enhancements to biodiversity and to ensure flood risk does not increase in accordance with PPS1, PPS 9, PPS 25, Policies 29 and 35 of the East Midlands Regional Plan and Policies 5 and 13 ((o) and (q)) of the CSS for North Northamptonshire.
16. There shall be no external illumination on the site other than in accordance with details which shall first have been submitted and approved in writing by the Local Planning Authority.
REASON: In the interests of the amenity of occupants of neighbouring properties and to conserve biodiversity in accordance with PPS 9, Policy 29 of the East Midlands Regional Plan and 13 ((l) and (o)) of the CSS for North Northamptonshire.
17. No dwelling shall be occupied until its designated car parking spaces and in the case of flats, its covered cycle store(s) have been provided and constructed ready for use in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The cycle stores shall thereafter be retained for the storage of cycles only.
REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.
18. No development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the scheme is carried out and operational in accordance with the approved scheme.
REASON: In the interests of the proper drainage of the site and minimising the risk of pollution in accordance with PPS 23 , PPS 25, Policy 2 of the East

Midlands Regional Plan and Policy 13 (q) of the CSS for North Northamptonshire.

19. A full Stage 2 Flood Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved Flood Risk Assessments. The approved mitigation measures shall be implemented prior to commencement of development and shall be retained thereafter.

REASON: To ensure that Flood Risk arising from the proposal does not increase in accordance with PPS 25 , Policies 2 and 35 of the East Midlands Regional Plan and Policy 13 (q) of the CSS for North Northamptonshire.

20. A scheme to provide recycling facilities for residents shall be submitted to and approved by the Local Planning Authority no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved scheme. Details shall be acceptable on a phased basis in accordance with the Phasing Programme pursuant to condition 10.

REASON: To minimise waste production and to ensure a satisfactory level of recycling in accordance with PPS1, PPS 10, Policy 38 of the East Midlands Regional Plan, the Northamptonshire Waste Local Plan 2003 - 2016 and Policy 13 (n) and 14 of the CSS for North Northamptonshire.

21. Prior to the commencement of development or other such timescale as may be approved in writing by the Local Planning Authority, full details of the Gotch Road area traffic calming scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include evidence of community engagement and consultation in the generation of the scheme in accordance with the North Northants Statement of Community Involvement. The approved scheme shall be completed prior to the opening of the Denford Road link and in accordance with the Phasing Programme pursuant to condition 10.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

22. Prior to the first submission of any reserved matters applications full engineering, drainage, signal and constructional details of the off-site highway works identified on the approved drawings (the approved drawings are as follows: 1275/HL/13 Rev A, 1275/HL/14 Rev A, 1275/HL/15 Rev B, 1275/HL/17 Rev A, 1275/HL/18 Rev A, 1275/HL/21 Rev A, 1275/HL/23 Rev A, 1275/HL/24, 1275/SK/12 Rev A) shall be submitted to and approved by the Local Planning Authority. The off-site highway works shall be completed in accordance with the approved details and in accordance with the Phasing Programme pursuant to condition 10.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands

Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

23. The site access junction shall be completed in accordance with drawing number 1275/HL/01 Rev E (received 9 April 2009) prior to the commencement of any other works on the site. The junction shall thereafter be retained as constructed.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

24. Prior to the first submission of any reserved matters applications full engineering, drainage, and constructional details of the secondary vehicular access point from Denford Drive shall be submitted to and approved by the Local Planning Authority. The secondary access works shall be completed in accordance with the approved details and in accordance with the Phasing Programme pursuant to condition 10.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

25. Reserved matters applications pursuant to layout shall be accompanied by a Quality Audit which shall consider the function, use and practicality of the proposed layout. The Audit shall include:

- i. Visual quality audit;
- ii. Review of how the streets will be used by the community;
- iii. A road safety audit, including a risk assessment;
- iv. Access audit;
- v. Walking audit;
- vi. Cycle audit;
- vii. Non-motorised audit; and
- viii. Placecheck audit.

REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire and in accordance with Manual for Streets guidance.

26. Prior to occupation of any of the dwellings on the site, the A14 junction 10 mitigation works shown on drawing number 1275/HL/16 Rev D or such alternative scheme as shall have been agreed in writing by the Local Planning Authority shall have been completed.

REASON: In the interests of road safety and the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

27. No development shall take place until plans and specifications have been submitted to and approved in writing for a hard surfaced cycle/footpath linking

Barton Road to Cheyne Walk and the existing footpath to the north via the Ise Valley and additionally a footpath linking the site into Wicksteed Park in accordance with Drawing 434.2/31B HDA 2 - Management Strategy Masterplan. No part of the development shall be occupied until all cycle/footpaths have been completed in accordance with the approved details. Thereafter, the cycle/footpaths shall be retained for public use.

REASON: In the interests of the creating sustainable transport links and to secure the delivery of a net gain in Green Infrastructure in accordance with PPS 1, PPG 13, Policies 2, 28 and 45 of the East Midlands Regional Plan, MKSM Strategic Policy 3 and Policies 5 and 13 ((e), (g) and (k)) of the CSS for North Northamptonshire.

28. Those dwellings completed during the period up to 31 December 2012 shall meet the Code for Sustainable Homes (CSH) code level 3 as a minimum, those dwellings completed 1 January 2013 to 31 December 2015 shall meet CSH code level 4 as a minimum and those completed 1 January 2016 onwards shall meet CSH code level 6 as a minimum (or the equivalent standard which replaces CSH and is to be the assessment in force when the residential units concerned are registered for assessment purposes).

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) (i) of the CSS for North Northamptonshire.

29. Non-residential buildings shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level "very good" (or the equivalent standard which replaces BREEAM and is the assessment in force at the time when the non-residential unit or units concerned are registered for assessment purposes). In the event that the BREEAM standard achieved for the actual building falls short of the "very good" standard (or the equivalent standard which replaces BREEAM and is the assessment in force at the time when the non-residential unit or units concerned are registered for assessment purposes) achieved at design stage, a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) (ii) of the CSS for North Northamptonshire.

30. Reserved matters applications shall be accompanied by a Sustainability Report that demonstrates how environmental sustainability issues have been addressed during the design process and sets out the way in which the credits under the relevant BREEAM Rating and relevant Code for Sustainable Homes level (or the equivalent standards which replace BREEAM or CSH and is to be the assessment in force at the time when the non-residential or residential units concerned are registered for assessment purposes) will be achieved based on the actual design of the non-residential or residential units.

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the

East Midlands Regional Plan and Policy 14 (a) ((i) and (ii)) of the CSS for North Northamptonshire.

31. Within six months of the completion of any residential or non-residential unit(s) a copy of the Post Construction Final Certificate shall be provided to the Local Planning Authority to prove that the unit(s) have been constructed in accordance with the Sustainability Report and that the development has achieved the relevant BREEAM and CSH levels.
REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) ((i) and (ii)) of the CSS for North Northamptonshire.
32. Prior to the submission of the Design Code (required by condition 5) and the Energy Strategy (required by condition 33) a Framework Energy Strategy shall be submitted to and approved by the Local Planning Authority. The Framework Strategy shall include (as a minimum) the proposed methodology for estimating the potential for renewable/low zero carbon energy and details of an overarching strategy for the provision of on site energy generating systems. The Energy Strategy required by condition 34 shall accord with the approved framework document.
REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) (iii) of the CSS for North Northamptonshire.
33. Prior to the submission of the Design Code for the site, an Energy Strategy for energy supply incorporating renewable and/or from decentralised renewable or low carbon sources shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how a target of at least 30% of the demand for energy will be met on site and renewably and/or from decentralised renewable or low carbon energy supply in accordance with the approved Energy Strategy Framework. If the 30% target cannot be met a technical and economic feasibility assessment shall be submitted, together with the energy strategy, for the approval of the Local Planning Authority. The strategy shall include details and a timetable of the physical works on site. The strategy shall be implemented as approved and retained operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) (iii) of the CSS for North Northamptonshire.
34. Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not commence until parts A - D of this condition have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local

Planning Authority in writing until part D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning

Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part C.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors in accordance with PPS 23, Policy 2 of the East Midlands Regional Plan and Policy 13 (I) of the CSS for North Northamptonshire.

35. Any future reserved matters applications shall include a noise assessment together with a detailed scheme for the sound insulation of the proposed residential development to mitigate the impact of noise, including vibration, from the nearby Midland Mainline railway line, A14 and Polwell Lane to be submitted to the Local Planning Authority for approval. The scheme shall include proposals for ensuring that the guideline levels set out in British Standard 8233:1999 for residential accommodation are complied with and that all necessary works are supervised by a competent person. Upon completion of all works, acoustic testing must be carried out and a report submitted to the Local Planning Authority to verify the scheme's compliance with BS 8233:1999. The scheme approved by Local Planning Authority shall be fully implemented in accordance with the approved details before the use, the subject of this consent, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

REASON: To protect residential amenity in accordance with PPG 24, Policy 2 of the East Midlands Regional Plan and Policy 13 (I) of the CSS for North Northamptonshire.

36. As part of any reserved matters applications involving any non-residential buildings and/or any external plant a scheme to acoustically insulate these

buildings or plant shall be submitted to and approved by the Local Planning Authority. The scheme shall ensure that the background noise level at the boundary of the site or the nearest noise sensitive dwelling does not increase. For the avoidance of doubt calculated noise levels at the measurement point should be 10dBA below the existing background level. The development shall not be carried out other than in accordance with the approved details.

REASON: To prevent an increase in background noise levels and protect residential amenity in accordance with PPG 24, Policy 2 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.

37. As part of any reserved matters applications which include A3 and/or A5 uses a scheme for the abatement of any odour from cooking processes undertaken on the premises to prevent the emissions of odour affecting adjoining premises shall be submitted to the Local Planning Authority for approval, this assessment to include emissions of noise that may affect nearby noise sensitive premises. The scheme shall be implemented as approved and shall be maintained and effectively operated during the use of the premises.

REASON: To safeguard the local environment from odours and noise and to protect residential amenity in accordance with PPG 24, Policy 2 and 36 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.

38. Prior to the first submission of any reserved matters applications an air quality assessment shall be undertaken to assess the affect of the development on local air quality and to determine the impact of existing, and projected, air quality levels on the intended use. The nature and scope of the assessment shall be agreed by the Local Planning Authority. The assessment shall be undertaken in accordance with draft technical guidance note LAQM.TG(02) to enable the significance of the development to be assessed against the National Air Quality Standards and Objectives prescribed by the Air Quality (England) Regulations 2000. The suitability of any dispersion model used shall be agreed with the Local Planning Authority and the results of the assessment shall be validated against an agreed monitoring location.

REASON: To protect people's health and the environment from adverse effects of air pollution and in the interests of residential amenity in accordance with PPS 23, Policy 2 and 36 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.

39. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme of investigation approved pursuant to this condition.

REASON: In the interests of ensuring that any archaeological remains affected by the development are suitably dealt with in accordance with advice given in PPG 16 and Policies 27 and 28 of the East Midlands Regional Plan and MKSM: Strategic Policy 3.

40. A mitigation strategy for the protection of bat and red kite habitats will be submitted to the local authority for approval no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved mitigation strategy.
REASON: In the interests of the protection of bats as a protected species and in accordance with PPS 9, Policy 26 of the East Midlands Regional Plan and Policies 5 and 13 (o) of the CSS for North Northamptonshire.
41. A detailed reptile translocation method statement, including identification of receptor site(s), shall be submitted to the Local Planning Authority for approval no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved details.
REASON: In the interests of the protection of reptiles and in accordance with PPS 9, Policy 26 of the East Midlands Regional Plan and Policies 5 and 13 (o) of the CSS for North Northamptonshire.
42. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement Ecology section, Phase I and II bat surveys (dated September 2007), reptile mitigation strategy (dated October 2007), the badger survey (dated March 2009) and the letter dated 05/10/07 from Adrian Meurer (of Hankinson Duckett Associates) to the Wildlife Trust which provides detail regarding hydrology, protect species and green infrastructure.
REASON: In the interests of the enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 29 of the East Midlands Regional Plan and Policies 5 and 13 (o) of the CSS for North Northamptonshire.
43. 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 and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority. The Statement shall detail the following:
- i. the parking and turning 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. details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
 - vi. wheel washing facilities;
 - vii. measures to control the emission of dust and dirt during construction;
 - viii. a scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

REASON: In the interests of highway safety and residential amenity in accordance with Policy 13 ((n) and (l)).

44. No construction work shall take place onsite outside the hours of 07:30 to 18:00 Monday to Friday and 08:30 to 13:30 on Saturday and no time whatsoever on Sundays or Public Bank Holidays, unless otherwise agreed with the Local Planning Authority. This includes deliveries to the site or work undertaken by contractors or sub-contractors.

REASON: In the interests of residential amenity in accordance with Policy 13 (l) of the CSS for North Northamptonshire.

45. The development shall not be carried out other than in accordance with the approved plans, namely those to be submitted as part of the design code and reserved matters.

REASON: To secure a satisfactory development.

NOTES TO APPLICANTS:-

- With regard to condition 19, the applicant is advised to contact the Development Control team based at Kettering on 08708 506506 for further information on the requirements of a Stage 2 FRA.

Notwithstanding the planning permission(s) that may be granted or extant on the site, any proposed works affecting ordinary watercourses, statutory main rivers, within the indicative floodplain or within the byelaw distance requires the prior written consent of the Environment Agency under the relevant statutory legislation and current land drainage byelaws.

It should not be assumed that such consent will automatically be forthcoming, and the applicant should consult with the Environment Agency at the earliest opportunity in order to determine and secure formal flood defence consent for the proposed works as appropriate.

- Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the applicant will need to ask for the assets to be diverted under Section 185 of the Water Industry Act 1991. Or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- Reinforcements are required in order to supply this development. Anglian Water anticipates that from receipt of the requisition it will take 3 to 6 months to deliver. The developer may submit a formal requisition for a water supply main under Section 41 of the Water Industry Act 1991 or enter into an agreement to lay the water main ready for adoption by Anglian Water under Section 51A of the Act.
- The foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. However, this

will be dependent on the timing of developments elsewhere. If the developer wishes to connect to Anglian Water's sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise on the most suitable point of connection.

- With regard to condition 35 in respect of noise measurement and calculation:

PPG 24, BS 4142, BS 8223 and the World Health Guidelines all give values and design ranges for the measurement of noise. A representative assessment will be required; this will take into account the information provided by the documents above, in addition any special circumstances must be mentioned in any report e.g. tonal values, impact noise, number and loudness of individual events, weather conditions etc. Shortened measurement periods may be acceptable provided they are agreed in advance.

The noise assessment needs to cover the noisiest periods, taking into account the character of the area. It is also important to study the night time noise levels. Account should be taken of shift patterns in commerce and industry and any entertainment noise.

Specific information individual to each site must be recorded, in particular where there are isolated events that would not be represented in an equivalent [Leq] taken over a longer period. e.g. a freight train which passed at 05.00 each morning, or unpredictable impact noise.

Potentially high incident noise levels for short time periods may cause sleep disturbance.

Information required:

"Daytime LAeq [07.00 to 23.00] at representative points around the site or at various facades

" Night time LAeq [23.00 to 07.00] at representative points around the site or at various facades

" LAMAX values for the night time period.

Upon obtaining the appropriate external noise level data for a particular site and taking into account the internal noise standards set out below a suitable noise insulation scheme should be stated.

Glazing in residential property: In some cases standard thermal double glazing units will provide sufficient attenuation, other cases will need a thicker unit with specialist glass. If low frequency noise is an issue secondary units in conjunction with single or double glazed units may be required.

Ventilation: Both trickle and rapid ventilation will need to be considered, this may vary from standard trickle vents to fully mechanical powered ventilation. The ventilation must not compromise the attenuation provided by the glazing.

- With regard to condition 37:

As guidance the kitchen shall be fitted with an extract ventilation system which shall comprise; suitably sealed and fireproof exhaust ducting installed from the point of extraction, to an extractor fan and thence to a suitable point of discharge to atmosphere. The discharge point must be at a height of not less than 1 metre above the ridge level of the premises to which it is attached EXCEPT where there are buildings nearby which are likely to have an effect upon dispersion (i.e. any building within the distance of 15 metres from the final discharge point) when the chimney should be 1 metre above the ridge of that building. The extractor fan shall be appropriately sized and precautions shall be taken to minimise the potential of disamenity from noise or vibration such as including where appropriate acoustic housing, silencing and system design. The system shall have full regards to the guidance contained 'Guidance on the control of noise and odour from commercial kitchen exhaust systems', published in January 2005 by the Department for the Environment Food and Rural Affairs (Defra).

As guidance the provisions of this scheme shall include physical controls, operational restrictions and administrative controls, where appropriate. The survey should be carried out in accordance with BS4142:1997 and should ensure that the rating level of the noise emitted from the proposed kitchen extraction equipment shall be lower than the "night-time" existing background noise level by at least 3 dB (and shall have no significant tonal component within any 1/3 Octave Band Level. Where any 1/3 octave band level is 5 dB or above the adjacent band levels the tone is deemed to be significant) between 23:00 and 07:00 hours daily, and shall not exceed the existing "daytime" background noise level at any time (and shall have no significant tonal component within any 1/3 Octave Band Level. Where any 1/3 octave band level is 5 dB or above the adjacent band levels the tone is deemed to be significant) between 07:00 and 23:00 hours daily, by measurement or calculation. The scheme shall include proposals for ensuring that the guideline levels set out in British Standard 8233:1999 for residential accommodation are complied with. Upon completion of all works, testing shall be carried out and a report submitted to the local planning authority to verify the schemes effectiveness. The scheme approved by local planning authority shall be fully implemented in accordance with the approved details before the use, the subject of this consent, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

- With regard to condition 44:

Contractors and sub contractors must have regard to BS 5228 and the Control of Pollution Act 1974. Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and fines of up to £5000 plus £50 for each

further breach and/or six months imprisonment.

- With respect to construction works to be carried out in close proximity to Public Rights of Way, please note the following standard requirements:
 - i. The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at any time.
 - ii. There must be no interference or damage to the surface of the Right of Way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by the Rights of Way office, Northamptonshire County Council.
 - iii. If as a result of the development a Right of Way needs to be closed a Traffic Regulation Order will be required. An application form for such an order is available from Northamptonshire County Council, a fee is payable for his service and a period of six weeks notice is required.
 - iv. Any new path furniture (e.g. gates preferred over stile) needs to be approved in advance with the Access Development Officer, standard examples can be provided.
- No works may commence upon the existing public highway without the express written consent of the Highway Authority. Such consent would only be forthcoming subject to the completion of an Agreement under Section 278 of the Highways Act 1980. The preparation of the Agreement would require the submission of full engineering, drainage, street lighting, signal, signing, road marking and constructional details etc. Submitted details would be subjected to a full Technical and Safety Audit which may result in changes to layouts and works extents shown indicatively on the approved plans.
- The provision of or conversion of pedestrian crossings requires the processing of a Road Traffic Notice. Such Notices are open to public notification and observation outside the planning process. Any observations made may be considered and where appropriate mitigated prior to the confirmation of the Notice. The determining Authority for such notices is the County Council. It should be noted that changes to details and potentially slight changes to locations may be required, to resolve any observations made during the notification period. As such the details shown on the approved plans should be treated as illustrative.
- After the completion of the Section 278 Agreement, the commencement of any highway works will be subject to suitable Notices required by the New Roads and Streetworks Act 1991 as amended by the Traffic Management Act 2004. This, in practice, means that a three month Notice is required to book the road space necessary to undertake works of this nature on any highway. Separate Notices will be required for each element or phase of the off site Highway Works. The County Council's Traffic Manager may stipulate start and completion dates, duration of works and impose penalties for failure to adhere to conditions that

may be imposed.

- No works may commence or affect any existing public Right of Way without the express written permission of the County Council's Rights of Way Officers. Temporary diversion / closure, conversion and extinguishment Orders will be required to facilitate the development. Details should be discussed and agreed with the County Council's Rights of Way Officers.
- Works affecting the A14 Trunk Road would be subject to agreement with the Highways Agency.
- With regards condition 26, the highways proposals associated with this consent involve works within the public highway, which is land over which you have no control. The Highways Agency therefore requires you to enter into a suitable legal agreement to cover the design and construction of the works. Please contact Mr Alan Darby of the Highway Agency's Area 7 Network Delivery and Development Directorate on 0121 687 4165 at an early stage to discuss the details of the highways agreement.

APPENDIX B

ORIGINAL CONDITIONS

Details of the appearance, landscaping, layout, and scale, (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced (or is commenced in respect of that part of the site to which the approval of reserved matters relates) and the development shall not be carried out other than as approved.

REASON: In order to secure a satisfactory development.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

4. Prior to the commencement of development details of the existing and proposed site levels and finished floor levels for all buildings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with those approved details.

REASON: In the interest of visual appearance of the development, residential amenity and to ensure a high quality design in accordance with PPS 1, Policy 2 of the East Midlands Regional Plan and Policy 13 ((h) and (l)) of the CSS for North Northamptonshire.

5. Unless otherwise agreed by the Local Planning Authority, no reserved matters applications shall be submitted for the development until and unless a Development Brief, incorporating Design Codes, for the site has been submitted to and approved in writing by the Local Planning Authority. The Development Brief and Design Codes shall be so approved before the submission of reserved matters applications. Any revisions to the Development Brief or Design Codes shall also be submitted to and approved by the Local Planning Authority. Any agreed revisions shall be implemented as approved.

REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire.

6. Each design code submitted to the Local Planning Authority for approval shall consist of guidance and coding relating to the following matters unless otherwise agreed in writing by the Local Planning Authority: character areas; mixed use area; public realm strategy; movement network including route

hierarchy, block typologies; building typologies; boundary treatments; building heights and details; open spaces, landscape and SUDS; environmental standards; implementation. The Design Code shall accord with the principles of the Development Framework Plan (received 25 February 2009), the Development Framework Statement (received 25 February 2009), the height parameters (received 20 February 2009) and the indicative storey heights plan (MI-BSC-02-03 dated 17 February 2009), unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire.

7. Each reserved matters application shall conform to the indicative Development Framework Plan (received 25 February 2009) and indicative storey heights plan (MI-BSC-02-03 dated 17 February 2009) in terms of land use deposition, perimeter block layout and storey heights.

REASON: In the interest of visual appearance of the development and residential amenity in accordance with PPS 1, Policy 2 of the East Midlands Regional Plan and Policy 13 ((h) and (l)) of the CSS for North Northamptonshire.

8. Each reserved matters applications shall accord with the Development Brief and approved Design Codes unless otherwise agreed by the Local Planning Authority, and shall be accompanied by a written statement of conformity to the design codes which demonstrates how this is the case.

REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire.

9. The development shall be limited to a maximum of 450 dwellings.

REASON: In the interests of the visual appearance and character of the development in its surroundings and because the number of dwellings proposed is the optimum level of development that can be accommodated on the site making both best use of the land and achieving a good design in accordance with PPS 1, PPS 3, Policy 2 of the East Midlands Regional Plan and Policy 13 (h) of the CSS for North Northamptonshire.

10. Prior to the commencement of development and no later than the first submission of any reserved matters applications, a comprehensive layout plan and phasing programme shall be submitted to and approved in writing by the Local Planning Authority. The comprehensive layout plan and phasing programme shall include:

- i. Phasing of the dwelling construction and predicted occupation;
- ii. Timing of off-site highway works, pedestrian, cycle and emergency vehicle linkages and access points shown on the Development Framework Plan (received 25 February 2009);
- v. Public Open Space;
- v. Hydrological Attenuation Feature (HAF);
- vi. Sustainable Urban Drainage Systems (SUDS); and
- vii. Green corridors.

The development shall not be carried out other than in accordance with the approved comprehensive layout plan and phasing programme.

REASON: In the interests of achieving a well designed and laid out development which provides adequate access and public space phased in such a way to be commensurate with the delivery of housing, in accordance with PPS 1, PPS 3, PPG 13, Policy 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (h), (k) and (n)) of the CSS for North Northamptonshire.

11. No development shall take place within each phase, as detailed in the phasing programme pursuant to condition 10, until samples of the materials to be used in the construction of the external surfaces of all the buildings within the phase to which they relate have been submitted to and approved in writing by the Local Planning Authority. The development shall not take place other than in accordance with the approved details.

REASON: In the interests of the visual appearance of the development in accordance with PPS 1, Policy 2 of the East Midlands Regional Plan and Policy 13(h) of the CSS for North Northamptonshire.

12. A scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority no later than the first submission of any reserved matters applications. The scheme shall include planting plans, written specifications, schedules of plants, noting species, plant sizes, proposed numbers/densities and an implementation programme. The scheme shall also indicate all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan and Policies 5 and 13 (h) of the CSS for North Northamptonshire.

13. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the implementation programme to be agreed in writing with the Local Planning Authority pursuant to condition 12. If within a period of five years from the date of planting, any trees or plants or any replacement planting is removed, uprooted, destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), replacement trees and plants of the same species and size as that originally planted shall be planted in the next planting season, in the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan and Policies 5 and 13 ((h) (i) and (o)) of the CSS for North Northamptonshire.

14. A management plan detailing the long-term management of the Site of Special Scientific Interest (SSSI), Hydrological Attenuation Feature (HAF), Sustainable Urban Drainage Systems (SUDS), and the two site areas identified as 'A' and 'B' on Drawing 434.2/31B HDA 2 - Management Strategy Masterplan shall be

submitted to and approved by the Local Planning Authority no later than the first submission of any reserved matters applications. The management plan shall include management regimes, implementation and monitoring programmes (which shall include an Ecological Clerk of Works). The management plan shall accord with the 'Outline Landscape and Wildlife Conservation Management Strategy' (received 9 September 2008) submitted as part of the application. The plan shall be implemented as approved.

REASON: In the interests of the enhancements to biodiversity and to secure a net gain in Green Infrastructure in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan and Policies 5 and 13 ((g) and (o)) of the CSS for North Northamptonshire.

15. A detailed construction methodology for the Hydrological Attenuation Feature (HAF) and Sustainable Urban Drainage Systems (SUDS) shall be submitted to and approved by the Local Planning Authority no later than the first submission of any reserved matters applications. The HAF and SUDS shall only be constructed in accordance with the approved details.

REASON: In the interests of the protection and enhancement of the SSSI, enhancements to biodiversity and to ensure flood risk does not increase in accordance with PPS1, PPS 9, PPS 25, Policies 29 and 35 of the East Midlands Regional Plan and Policies 5 and 13 ((o) and (q)) of the CSS for North Northamptonshire.

16. Prior to commencement of development the Hydrological Attenuation Feature (HAF) and the main Sustainable Urban Drainage System (SUDS) ditch draining into the HAF must be completed.

REASON: In the interests of the protection and enhancement of the SSSI, enhancements to biodiversity and to ensure flood risk does not increase in accordance with PPS1, PPS 9, PPS 25, Policies 29 and 35 of the East Midlands Regional Plan and Policies 5 and 13 ((o) and (q)) of the CSS for North Northamptonshire.

17. There shall be no external illumination on the site other than in accordance with details which shall first have been submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity of occupants of neighbouring properties and to conserve biodiversity in accordance with PPS 9, Policy 29 of the East Midlands Regional Plan and 13 ((l) and (o)) of the CSS for North Northamptonshire.

18. No dwelling shall be occupied until its designated car parking spaces and in the case of flats, its covered cycle store(s) have been provided and constructed ready for use in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The cycle stores shall thereafter be retained for the storage of cycles only.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

19. No development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the scheme is carried out and operational in accordance with the approved scheme.

REASON: In the interests of the proper drainage of the site and minimising the risk of pollution in accordance with PPS 23 , PPS 25, Policy 2 of the East Midlands Regional Plan and Policy 13 (q) of the CSS for North Northamptonshire.
20. A full Stage 2 Flood Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved Flood Risk Assessments. The approved mitigation measures shall be implemented prior to commencement of development and shall be retained thereafter.

REASON: To ensure that Flood Risk arising from the proposal does not increase in accordance with PPS 25 , Policies 2 and 35 of the East Midlands Regional Plan and Policy 13 (q) of the CSS for North Northamptonshire.
21. A scheme to provide recycling facilities for residents shall be submitted to and approved by the Local Planning Authority no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved scheme. Details shall be acceptable on a phased basis in accordance with the Phasing Programme pursuant to condition 10.

REASON: To minimise waste production and to ensure a satisfactory level of recycling in accordance with PPS1, PPS 10, Policy 38 of the East Midlands Regional Plan, the Northamptonshire Waste Local Plan 2003 - 2016 and Policy 13 (n) and 14 of the CSS for North Northamptonshire.
22. Prior to the commencement of development or other such timescale as may be approved in writing by the Local Planning Authority, full details of the Gotch Road area traffic calming scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include evidence of community engagement and consultation in the generation of the scheme in accordance with the North Northants Statement of Community Involvement. The approved scheme shall be completed prior to the opening of the Denford Road link and in accordance with the Phasing Programme pursuant to condition 10.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.
23. Prior to the commencement of development hereby permitted full engineering, drainage, signal and constructional details of the off-site highway works identified on the approved drawings shall be submitted to and approved by the Local Planning Authority. The off-site highway works shall be completed in

accordance with the approved details and in accordance with the Phasing Programme pursuant to condition 10.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

24. Prior to the commencement of development the proposed site access junction shall be completed in accordance with drawing number 1275/HL/01 Rev E (received 9 April 2009). The junction shall thereafter be retained as constructed.

REASON: In the interests of the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

25. Reserved matters applications pursuant to layout shall be accompanied by a Quality Audit which shall consider the function, use and practicality of the proposed layout. The Audit shall include:

- i. Visual quality audit;
- ii. Review of how the streets will be used by the community;
- iii. A road safety audit, including a risk assessment;
- iv. Access audit;
- v. Walking audit;
- vi. Cycle audit;
- vii. Non-motorised audit; and
- viii. Placecheck audit.

REASON: To ensure a high quality design in accordance with the principles of PPS 1, PPS 3 and Policy 13 (h) of the CSS for North Northamptonshire and in accordance with Manual for Streets guidance.

26. Prior to commencement of any of the dwellings on the site, the A14 junction 10 mitigation works shown on drawing number 1275/HL/16 Rev D or such alternative scheme as shall have been agreed in writing by the Local Planning Authority shall have been completed.

REASON: In the interests of road safety and the transport requirements of the development in accordance with PPS 1, PPG 13, Policies 2 and 45 of the East Midlands Regional Plan and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

27. No development shall take place until plans and specifications have been submitted to and approved in writing for a hard surfaced cycle/footpath linking Barton Road to Cheyne Walk and the existing footpath to the north via the Ise Valley and additionally a footpath linking the site into Wicksteed Park in accordance with Drawing 434.2/31B HDA 2 - Management Strategy Masterplan. No part of the development shall be occupied until all cycle/footpaths have been completed in accordance with the approved details. Thereafter, the cycle/footpaths shall be retained for public use.

REASON: In the interests of the creating sustainable transport links and to secure the delivery of a net gain in Green Infrastructure in accordance with PPS

1, PPG 13, Policies 2, 28 and 45 of the East Midlands Regional Plan, MKSM Strategic Policy 3 and Policies 5 and 13 ((e), (g) and (k)) of the CSS for North Northamptonshire.

28. Those dwellings completed during the period up to 31 December 2012 shall meet the Code for Sustainable Homes (CSH) code level 3 as a minimum, those dwellings completed 1 January 2013 to 31 December 2015 shall meet CSH code level 4 as a minimum and those completed 1 January 2016 onwards shall meet CSH code level 6 as a minimum (or the equivalent standard which replaces CSH and is to be the assessment in force when the residential units concerned are registered for assessment purposes).

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) (i) of the CSS for North Northamptonshire.

29. Non-domestic buildings shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level "very good" (or the equivalent standard which replaces BREEAM and is to be the assessment in force when the Commercial Unit or Units concerned are registered for assessment purposes). In the event that the BREEAM standard achieved for the actual building falls short of the "very good" standard achieved at design stage, a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) (ii) of the CSS for North Northamptonshire.

30. Reserved matters applications shall be accompanied by a Sustainability Report that demonstrates how environmental sustainability issues have been addressed during the design process and sets out the way in which the credits under the relevant BREEAM Rating and relevant CSH level (or the equivalent standards which replace BREEAM or CSH and is to be the assessment in force when the non-residential or residential units concerned are registered for assessment purposes) will be achieved based on the actual design of the non-residential or residential units.

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) ((i) and (ii)) of the CSS for North Northamptonshire.

31. Prior to occupation of any units a copy of the Final Certificate shall be provided to the Local Planning Authority to prove that the units have been constructed in accordance with the Sustainability Report and that the development has achieved the relevant BREEAM and CSH levels.

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the

East Midlands Regional Plan and Policy 14 (a) ((i) and (ii) of the CSS for North Northamptonshire.

32. Prior to the submission of any reserved matters or a Development Brief/Design Codes for the site an energy strategy, including timetable of works, for the site providing a proportion of the energy supply of the site through renewable sources shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how a target of at least 30% of the demand for energy will be met on site and renewably and/or from decentralised renewable or low carbon energy supply. If the 30% target cannot be met a technical and economic feasibility assessment shall be submitted, together with the energy strategy, for the approval of the Local Planning Authority. The strategy shall include details and a timetable of the physical works on site. The strategy shall be implemented as approved and retained operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, PPS 22, Policy 2 of the East Midlands Regional Plan and Policy 14 (a) (iii) of the CSS for North Northamptonshire.
33. Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not commence until parts A - D of this condition have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,

- archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part C.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors in accordance with PPS 23, Policy 2 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.

34. Any future reserved matters applications shall include a noise assessment together with a detailed scheme for the sound insulation of the proposed residential development to mitigate the impact of noise, including vibration, from the nearby Midland Mainline railway line, A14 and Polwell Lane to be submitted to the Local Planning Authority for approval. The scheme shall include proposals for ensuring that the guideline levels set out in British Standard 8233:1999 for residential accommodation are complied with and that all necessary works are supervised by a competent person. Upon completion of all works, acoustic testing must be carried out and a report submitted to the Local Planning Authority to verify the scheme's compliance with BS 8233:1999. The scheme approved by Local Planning Authority shall be fully implemented in accordance with the approved details before the use, the subject of this consent, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

REASON: To protect residential amenity in accordance with PPG 24, Policy 2 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.

35. As part of any reserved matters applications involving any non-residential buildings and/or any external plant a scheme to acoustically insulate these buildings or plant shall be submitted to and approved by the Local Planning Authority. The scheme shall ensure that the background noise level at the boundary of the site or the nearest noise sensitive dwelling does not increase. For the avoidance of doubt calculated noise levels at the measurement point should be 10dBA below the existing background level. The development shall not be carried out other than in accordance with the approved details.

REASON: To prevent an increase in background noise levels and protect residential amenity in accordance with PPG 24, Policy 2 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.

36. As part of any reserved matters applications which include A3 and/or A5 uses a scheme for the abatement of any odour from cooking processes undertaken on the premises to prevent the emissions of odour affecting adjoining premises shall be submitted to the Local Planning Authority for approval, this assessment to include emissions of noise that may affect nearby noise sensitive premises. The scheme shall be implemented as approved and shall be maintained and effectively operated during the use of the premises.

REASON: To safeguard the local environment from odours and noise and to protect residential amenity in accordance with PPG 24, Policy 2 and 36 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.

37. Prior to the commencement of development and no later than the first submission of any reserved matters applications an air quality assessment shall be undertaken to assess the affect of the development on local air quality and to determine the impact of existing, and projected, air quality levels on the intended use. The nature and scope of the assessment shall be agreed by the Local Planning Authority. The assessment shall be undertaken in accordance with draft technical guidance note LAQM.TG(02) to enable the significance of the development to be assessed against the National Air Quality Standards and Objectives prescribed by the Air Quality (England) Regulations 2000. The suitability of any dispersion model used shall be agreed with the Local Planning Authority and the results of the assessment shall be validated against an agreed monitoring location.
REASON: To protect people's health and the environment from adverse effects of air pollution and in the interests of residential amenity in accordance with PPS 23, Policy 2 and 36 of the East Midlands Regional Plan and Policy 13 (l) of the CSS for North Northamptonshire.
38. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme of investigation approved pursuant to this condition.
REASON: In the interests of ensuring that any archaeological remains affected by the development are suitably dealt with in accordance with advice given in PPG 16 and Policies 27 and 28 of the East Midlands Regional Plan and MKSM: Strategic Policy 3.
39. A mitigation strategy for the protection of bat and red kite habitats will be submitted to the local authority for approval no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved mitigation strategy.
REASON: In the interests of the protection of bats as a protected species and in accordance with PPS 9, Policy 26 of the East Midlands Regional Plan and Policies 5 and 13 (o) of the CSS for North Northamptonshire.
40. A detailed reptile translocation method statement, including identification of receptor site(s), shall be submitted to the Local Planning Authority for approval no later than the first submission of any reserved matters applications. The development shall not be carried out other than in accordance with the approved details.
REASON: In the interests of the protection of reptiles and in accordance with PPS 9, Policy 26 of the East Midlands Regional Plan and Policies 5 and 13 (o) of the CSS for North Northamptonshire.
41. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement Ecology section, Phase I and II bat surveys (dated September 2007), reptile mitigation strategy (dated October 2007), the badger survey (dated March 2009) and the letter dated

05/10/07 from Adrian Meurer (of Hankinson Duckett Associates) to the Wildlife Trust which provides detail regarding hydrology, protect species and green infrastructure.

REASON: In the interests of the enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 29 of the East Midlands Regional Plan and Policies 5 and 13 (o) of the CSS for North Northamptonshire.

42. 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 and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority. The Statement shall detail the following:
- i. the parking and turning 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. details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
 - vi. wheel washing facilities;
 - vii. measures to control the emission of dust and dirt during construction;
 - viii. a scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

REASON: In the interests of highway safety and residential amenity in accordance with Policy 13 ((n) and (l)).

43. No construction work shall take place onsite outside the hours of 08:00 to 18:00 Monday to Friday and 08:30 to 13:30 on Saturday and no time whatsoever on Sundays or Public Bank Holidays, unless otherwise agreed with the Local Planning Authority. This includes deliveries to the site or work undertaken by contractors or sub-contractors.

REASON: In the interests of residential amenity in accordance with Policy 13 (l) of the CSS for North Northamptonshire.

44. The development shall not be carried out other than in accordance with the approved plans, namely those to be submitted as part of the development brief and reserved matters.

REASON: To secure a satisfactory development.

NOTES TO APPLICANTS:-

- With regard to condition 20, the applicant is advised to contact the Development Control team based at Kettering on 08708 506506 for further information on the requirements of a Stage 2 FRA.

- Notwithstanding the planning permission(s) that may be granted or extant on the site, any proposed works affecting ordinary watercourses, statutory main rivers, within the indicative floodplain or within the byelaw distance requires the prior written consent of the Environment Agency under the relevant statutory legislation and current land drainage byelaws.
- It should not be assumed that such consent will automatically be forthcoming, and the applicant should consult with the Environment Agency at the earliest opportunity in order to determine and secure formal flood defence consent for the proposed works as appropriate.
- Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the applicant will need to ask for the assets to be diverted under Section 185 of the Water Industry Act 1991. Or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- Reinforcements are required in order to supply this development. Anglian Water anticipates that from receipt of the requisition it will take 3 to 6 months to deliver. The developer may submit a formal requisition for a water supply main under Section 41 of the Water Industry Act 1991 or enter into an agreement to lay the water main ready for adoption by Anglian Water under Section 51A of the Act.
- The foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. However, this will be dependent on the timing of developments elsewhere. If the developer wishes to connect to Anglian Water's sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise on the most suitable point of connection.
- With regard to condition 34 in respect of noise measurement and calculation:
- PPG 24, BS 4142, BS 8223 and the World Health Guidelines all give values and design ranges for the measurement of noise. A representative assessment will be required; this will take into account the information provided by the documents above, in addition any special circumstances must be mentioned in any report e.g. tonal values, impact noise, number and loudness of individual events, weather conditions etc. Shortened measurement periods may be acceptable provided they are agreed in advance.
- The noise assessment needs to cover the noisiest periods, taking into account the character of the area. It is also important to study the night time noise levels.

Account should be taken of shift patterns in commerce and industry and any entertainment noise.

- Specific information individual to each site must be recorded, in particular where there are isolated events that would not be represented in an equivalent [Leq] taken over a longer period. e.g. a freight train which passed at 05.00 each morning, or unpredictable impact noise.
- Potentially high incident noise levels for short time periods may cause sleep disturbance.
- Information required:

"Daytime LAeq [07.00 to 23.00] at representative points around the site or at various facades

" Night time LAeq [23.00 to 07.00] at representative points around the site or at various facades

" LAMAX values for the night time period.

Upon obtaining the appropriate external noise level data for a particular site and taking into account the internal noise standards set out below a suitable noise insulation scheme should be stated.

Glazing in residential property: In some cases standard thermal double glazing units will provide sufficient attenuation, other cases will need a thicker unit with specialist glass. If low frequency noise is an issue secondary units in conjunction with single or double glazed units may be required.

Ventilation: Both trickle and rapid ventilation will need to be considered, this may vary from standard trickle vents to fully mechanical powered ventilation. The ventilation must not compromise the attenuation provided by the glazing.

- With regard to condition 36:

As guidance the kitchen shall be fitted with an extract ventilation system which shall comprise; suitably sealed and fireproof exhaust ducting installed from the point of extraction, to an extractor fan and thence to a suitable point of discharge to atmosphere. The discharge point must be at a height of not less than 1 metre above the ridge level of the premises to which it is attached EXCEPT where there are buildings nearby which are likely to have an effect upon dispersion (i.e. any building within the distance of 15 metres from the final discharge point) when the chimney should be 1 metre above the ridge of that building. The extractor fan shall be appropriately sized and precautions shall be taken to minimise the potential of disamenity from noise or vibration such as including where appropriate acoustic housing, silencing and system design. The system shall have full regards to the guidance contained 'Guidance on the control of noise and odour from commercial kitchen exhaust systems, published in January 2005 by the Department for the Environment Food and Rural Affairs (Defra).

As guidance the provisions of this scheme shall include physical controls, operational restrictions and administrative controls, where appropriate. The survey should be carried out in accordance with BS4142:1997 and should ensure that the rating level of the noise emitted from the proposed kitchen extraction equipment shall be lower than the "night-time" existing background noise level by at least 3 dB (and shall have no significant tonal component within any 1/3 Octave Band Level. Where any 1/3 octave band level is 5 dB or above the adjacent band levels the tone is deemed to be significant) between 23:00 and 07:00 hours daily, and shall not exceed the existing "daytime" background noise level at any time (and shall have no significant tonal component within any 1/3 Octave Band Level. Where any 1/3 octave band level is 5 dB or above the adjacent band levels the tone is deemed to be significant) between 07:00 and 23:00 hours daily, by measurement or calculation. The scheme shall include proposals for ensuring that the guideline levels set out in British Standard 8233:1999 for residential accommodation are complied with. Upon completion of all works, testing shall be carried out and a report submitted to the local planning authority to verify the schemes effectiveness. The scheme approved by local planning authority shall be fully implemented in accordance with the approved details before the use, the subject of this consent, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

- With regard to condition 43:

Contractors and sub contractors must have regard to BS 5228 and the Control of Pollution Act 1974. Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and fines of up to £5000 plus £50 for each further breach and/or six months imprisonment.

- With respect to construction works to be carried out in close proximity to Public Rights of Way, please note the following standard requirements:
 - i. The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at any time.
 - ii. There must be no interference or damage to the surface of the Right of Way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by the Rights of Way office, Northamptonshire County Council.
 - iii. If as a result of the development a Right of Way needs to be closed a Traffic Regulation Order will be required. An application form for such an order is available from Northamptonshire County Council, a fee is payable for his service and a period of six weeks notice is required.
 - iv. Any new path furniture (e.g. gates preferred over stile) needs to be approved in advance with the Access Development Officer, standard examples can be provided.

- No works may commence upon the existing public highway without the express written consent of the Highway Authority. Such consent would only be forthcoming subject to the completion of an Agreement Section 278 of the Highways Act 1980. The preparation of the Agreement would require the submission of full engineering, drainage, street lighting, signal, signing, road marking and constructional details etc. Submitted details would be subjected to a full Technical and Safety Audit which may result in changes to layouts and works extents shown indicatively on the approved plans.
- The provision of or conversion of pedestrian crossings requires the processing of a Road Traffic Notice. Such Notices are open to public notification and observation outside the planning process. Any observations made may be considered and where appropriate mitigated prior to the confirmation of the Notice. The determining Authority for such notices is the County Council. It should be noted that changes to details and potentially slight changes to locations may be required, to resolve any observations made during the notification period. As such the details shown on the approved plans should be treated as illustrative.
- After the completion of the Section 278 Agreement, the commencement of any highway works will be subject to suitable Notices required by the New Roads and Streetworks Act 1991 as amended by the Traffic Management Act 2004. This, in practice, means that a three month Notice is required to book the road space necessary to undertake works of this nature on any highway. Separate Notices will be required for each element or phase of the off site Highway Works. The County Council's Traffic Manager may stipulate start and completion dates, duration of works and impose penalties for failure to adhere to conditions that may be imposed.
- No works may commence or affect any existing public Right of Way without the express written permission of the County Council's Rights of Way Officers. Temporary diversion / closure, conversion and extinguishment Orders will be required to facilitate the development. Details should be discussed and agreed with the County Council's Rights of Way Officers.
- Works affecting the A14 Trunk Road would be subject to agreement with the Highways Agency.
- With regards condition 26, the highways proposals associated with this consent involve works within the public highway, which is land over which you have no control. The Highways Agency therefore requires you to enter into a suitable legal agreement to cover the design and construction of the works. Please contact Mr Jamie Endersby of the Highway Agency's Area 8 Network Operations Directorate on 01234 796260 at an early stage to discuss the details of the highways agreement.