

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

YOUR ATTENDANCE IS REQUESTED AT A MEETING TO BE HELD IN  
THE JEFFREY ROOM AT THE GUILDHALL ON TUESDAY, 6 APRIL  
2010 AT 6:00 PM.

**D. KENNEDY  
CHIEF EXECUTIVE**

**AGENDA**

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
- .... 6. LIST OF CURRENT APPEALS AND INQUIRIES  
Report of Head of Planning (copy herewith) A.  
HOLDEN  
X 8466
7. OTHER REPORTS
8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
  - (A) N/2010/0045 - ERECTION OF TEMPORARY HOARDING AT THE JUNCTION OF EASTERN AVENUE SOUTH AND KINGSTHORPE GROVE  
Report of the Head of Planning  
(copy herewith)  
**Ward: St David**
  - (B) N/2010/0046 - ERECTION OF TEMPORARY HOARDING AT THE JUNCTION OF KENMUIR AVENUE AND WALLACE ROAD  
Report of the Head of Planning  
(Copy herewith)  
**Ward: Kingsley**
  - (C) N/2010/0162 - INSTALLATION OF 2NO. 10 METRE HIGH FLOODLIGHTS. MUGA, BONDFIELD AVENUE, NORTHAMPTON  
Report of the Head of Planning  
(Copy herewith)  
**Ward: St David**

10. ITEMS FOR DETERMINATION

An Addendum of further information considered by the Committee is attached.

(A) N/2008/0502 - BOAT RESTAURANT, BAR AND ASSOCIATED ACCESS AT LAND AT MIDSUMMER MEADOW

Report of Head of Planning  
(copy herewith)

**Ward: St Crispin**

11. ENFORCEMENT MATTERS

12. APPLICATIONS FOR CONSULTATION

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

## **SUPPLEMENTARY AGENDA**

**Exempted Under Schedule  
12A of L.Govt Act 1972  
Para No:-**

## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 9 March 2010

**PRESENT:** Councillor Collins (Chair); Councillor Meredith (Deputy Chair);  
Councillors Church, Conroy, Golby, Hoare, Lane, Mason and  
Matthews

#### 1. APOLOGIES

Apologies were received from Councillors Malpas and Woods.

#### 2. MINUTES

The minutes of the meeting of the Committee held on 9 February 2010 were signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

- (1) That Messrs Giddings and Grethe and Councillor Mason be granted leave to address the Committee in respect of Application No N/2009/0894 – Change of Use From Public House to Community Centre With Ancillary Restaurant, Hairdressers and Taxi Office at The Mill Wheel Public House, Billing Brook Road.
- (2) That Messrs White and Kilsby be granted leave to address the Committee in respect of Application No N/2009/0924 – Single Storey and First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road.
- (3) That K Wright, M Bryce and Councillor Crake be granted leave to address the Committee in respect of Application No N/2009/0955 – Variation of Condition 7 of Planning Application 94/0442 Requesting 4 Yearly Social Events Until 24:00 (Midnight) at Collingtree Primary School, Lodge Avenue (as amended by revised plan received on 2 December 2009).
- (4) That Councillor P M Varnsvery and D Howard be granted leave to address the Committee in respect of Application Nos N/2009/0956, N/2009/0957 and N/2009/0958 – Erection of 1no Three Bed End Terrace Dwelling on Land to Rear of 8, 10 and 12 Peverels Way (as amended by revised plans received on 18 January 2010).
- (5) That H Fruish, S Webster, L Carpenter and Councillor B Hoare be granted leave to address the Committee in respect of Application No N/2009/0968 – Conversion into 2no One Bed Flats, 4no New One Bed Flats and 2no New Two Bed Semi Detached Dwellings at 54 Adams Avenue (resubmission of N/2007/1461).
- (6) That Messrs Kilsby, Scarfe and Clarke and Councillor Simpson be granted leave to address the Committee in respect of Application No N/2010/0067 – Part

Retrospective Three Storey Side Extension, Single Storey Extensions, Dormer Window and Velux Windows to Existing Building and Front Boundary Fence Including Rain Water Harvesting Tank to Front of Site at 2 The Drive/3 The Crescent (revision of N/2009/0765).

- (7) That P O'Connell, Mrs Conway and Messrs Nelson and Dooley be granted leave to address the Committee in respect of Application No N/2010/0068 – Erection of 2no Detached Dwellings With Associated Parking and Garages Including the Demolition and Replacement of Garage Serving 31 Greenfield Avenue at Hillcrest Rising 31a Greenfield Avenue (as amended by revised plans received on 5 February 2010).

#### **4. DECLARATIONS OF INTEREST**

Councillor Mason declared a personal and prejudicial interest in Application 10B, N/2009/0894 – Change of Use From Public House to Community Centre With Ancillary Restaurant, Hairdressers and Taxi Office at The Mill Wheel Public House in Billing Brook Road, as having publicly expressed an opinion on this application.

Councillors Church and Simpson declared personal interests in Application 10I, N/2010/0067 – Part Retrospective Three Storey Side Extension, Single Storey Extensions, Dormer Window and Velux Windows to Existing Building and Front Boundary Fence Including Rain Water Harvesting Tank to Front of Site at 2 The Drive/3 The Crescent (revision of N/2009/0765), as knowing one of the objectors.

Councillor Church declared a personal interest in Application 10C, N/2009/0924 – Single Storey and First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road, as knowing the applicant.

#### **5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**

None.

#### **6. LIST OF CURRENT APPEALS AND INQUIRIES**

The Head of Planning submitted a report and noted that in respect of N/2009/0359 an Inspector had dismissed the appeal.

**RESOLVED:** That the report be noted.

#### **7. OTHER REPORTS**

None.

#### **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

## 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

## 10. ITEMS FOR DETERMINATION

### (A) N/2009/0028- PROPOSED DEMOLITION OF INFIRMARY BUILDING AND PROPOSED ALTERATIONS AND EXTENSION TO REMAINING BUILDINGS AT FORMER ST EDMUNDS HOSPITAL SITE, WELLINGBOROUGH ROAD

The Head of Planning submitted a report in respect of Application No N/2009/0028 and referred to the Addendum, which set out an additional Condition 12 to mirror the phasing arrangements as required under the Section 106 Agreement with WNDC; reworded Conditions 3, 8, 9 and 11 to provide more clarity and better protection for the listed buildings; and minor changes to Conditions 4, 5, 6, 7 and 10 to provide more clarity and better protection to the listed buildings.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report and as amended by the Addendum as the proposal would ensure the redevelopment of this prominent semi-derelict site, which would enhance the character of the area and assist in the regeneration of the town overall. The proposal would also ensure the retention of the majority of the listed buildings on the site that are an important part of the town's heritage in accordance with Policy 26 of the Regional Plan and the aims and objectives of PPG15.

### (B) N/2009/0894- CHANGE OF USE FROM PUBLIC HOUSE TO COMMUNITY CENTRE WITH ANCILLARY RESTAURANT, HAIRDRESSER AND TAXI OFFICE AT THE MILL WHEEL PUBLIC HOUSE, BILLING BROOK ROAD

The Head of Planning submitted a report in respect of Application No N/2009/0894 and elaborated thereon.

Councillor Mason commented that as the local Councillor, she was happy to support the application and referred to the loss of the previous community centre, which had been missed by the local community. She noted that there was nowhere else to hold socials and meetings, the local school being too expensive to hire. She also referred to problems associated with the former public house such as noise, litter and anti-social behaviour. She believed that a restaurant would be a much more family friendly facility and that the proposed hairdressers and taxi office would also provide useful facilities for the community.

(Councillor Mason left the meeting in accordance with her declaration of interest.)

C Grethe, the Chair of Brookside Residents' Council, endorsed the proposal and noted that residents had not had the benefits of a community centre for some five years. The Residents' Council and other groups did not currently have money available to hire alternative facilities. He believed that the proposal would provide a welcome facility for a variety of meetings and events and also believed that the other facilities, such as the restaurant, hairdressers and taxi office, would benefit the community. He expressed

the hope that the application would be approved.

Mr Giddings commented that he was pleased that the application had been brought forward and concurred with the views of the previous speakers. He noted that there would also be a new play area on the former community centre site and that the two projects taken together would help to rejuvenate the area.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report as the proposed use would support the vitality and viability of the local centre and provide a community facility without harm to the interests of acknowledged importance. The proposal therefore complied with PPS4 (Planning for Sustainable Economic Growth) and Policy E20 of the Northampton Local Plan.

(Councillor Mason rejoined the meeting.)

**(C) N/2009/0924- SINGLE STOREY AND FIRST FLOOR REAR EXTENSIONS AT KINGSLEY NURSING HOME, 18-20 KINGSLEY ROAD**

The Head of Planning submitted a report in respect of Application No N/2009/0924 and reminded the Committee that previous consideration of this application had been deferred pending inclusion within the presentation of information on the effect of the extant planning permission combined with the current proposal.

Mr White, the next door neighbour, commented that he was pleased that the Committee could now see the effect of the extant planning permission, together with the current proposal. He noted that the separation distance from the proposed extension to his property was some twelve feet and believed that this proposal constituted serial over-development of the site; the proposal would obliterate any sign of the original Victorian building. He noted the requirement for the garage at the bottom of the garden of 18 Kingsley Road had to be retained because of its Victorian origin. He asked the Committee to be consistent in its consideration of the application and noted that the information supplied by the applicant from the County Council did not make 12m<sup>2</sup> per room a future requirement.

Mr Kilsby, the agent, commented that the application constituted minor ground floor and first floor extensions to provide en-suite facilities and that the proposal was to improve existing facilities to meet the new requirements as referred to at the previous meeting. He also noted that there will be no extra residents coming to the nursing home and hoped that the Committee would endorse the report.

The Head of Planning noted that there was no legal or policy definition of "overdevelopment".

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the siting and design of the extensions were acceptable and would not be detrimental to residential amenity or the setting of a

conservation area in accordance with Policies E20 and E26 of the Northampton Local Plan.

**(D) N/2009/0955- VARIATION OF CONDITION 7 OF PLANNING APPLICATION 94/0442 REQUESTING 4 YEARLY SOCIAL EVENTS UNTIL 24.00 (MIDNIGHT) AT COLLINGTREE PRIMARY SCHOOL, LODGE AVENUE (AS AMENDED BY REVISED PLAN RECEIVED ON 2 DECEMBER 2009)**

The Head of Planning submitted a report in respect of Application No N/2009/0955 and referred to the Addendum, which set out comments from the Highways Authority and a copy of correspondence from Collingtree Parish Council to the Bishop of Peterborough. The Head of Planning confirmed that since the last meeting of the Committee, the school had been invited to discuss the situation but had declined to do so, requesting that the application be determined as submitted.

K Wright, a local resident, commented that she understood the needs of the school and the PTA to raise funds and she also accepted the dropping off and picking up of children during the school day and the need to hold Governors' meetings etc. However, she observed that the original planning permission constrained the time to which events could be held to benefit residents and nothing had changed over time to alter this situation. She commented that if midnight was granted then, in reality, this would become much later. She noted that the village hall and the community centre already catered for later events.

Mr Bryce, the Chairman of Collingtree Parish Council, commented that he had been a teacher for many years and that the Parish Council supported residents in objecting to the relaxation of Condition 7. The Parish Council believed that if the condition was needed in 1994, it was certainly applicable now. He believed that seven events had already been held after 10:00 pm and noted that most parents came from out of the village. He believed that there would be an increased danger of drink driving if the application were granted. He noted that the Parish Council had written to the Bishop of Peterborough but had received no reply and he also believed that the application should have been submitted by the governors and not by the Head Teacher. He requested that in the light of a lack of response from the Bishop of Peterborough, and the technicality over the submission of the application, that the Committee should refuse it.

Councillor Crake, speaking as a resident, noted that the original condition had been imposed for a reason; the school had been built on land already surrounded by houses. The condition was intended to preserve the amenity to residents. She expressed concerns that the school were not willing to discuss the situation with the planning officers. She noted that alcohol was served at these events, which had caused difficulties to residents. She believed that the school should not be allowed to ride roughshod over local residents.

The Head of Planning noted that the question of alcohol being served at the events held by the school was not a planning matter. Any disturbance caused by picking up and dropping off children was also not material to the determination of the application.

The Head of Planning noted that the question of alcohol being served at the events held by the school was not a planning matter and that noise issues could be controlled



through Environmental Health. Any disturbance caused by picking up and dropping off children was also not a planning matter.

The Committee discussed the application.

Councillor Mason proposed and Councillor Church seconded "That the application be approved subject to the four social events ending at 23:00 hours, that the permission be temporary for one year and that seven days prior notice of such events to be made to the planning authority plus the condition recommended by the Highway Authority regarding to the provision of on-site parking".

Upon a vote the motion was carried.

**RESOLVED:** That the application be approved subject to the conditions set out in the report and the Addendum and as amended by the Committee so that the finishing time be curtailed to 23:00 hours, the consent be for one year and that the applicant be required to give the Planning Authority seven days prior notice of the events hereby approved by reason of the restricted level of activity, the proposal to operate four social events in any year until 23:00 hours was unlikely to generate a significant undue impact upon the residential amenity of the surrounding properties. The proposal therefore complied with PPG24 (Planning and Noise).

**(E) N/2009/0956- ERECTION OF 1NO THREE BED END TERRACE DWELLING ON LAND TO REAR OF 8 PEVERELS WAY (AS AMENDED BY REVISED PLANS RECEIVED ON 18 JANUARY 2010)**

The Head of Planning submitted a report in respect of Application No N/2009/0956 and referred to the Addendum, which set out further comments from the Highways Authority in respect of the turning head in Ross Road.

Mr Howard, a resident, commented on the separation distance and referred to a previous application for a bungalow, which had been refused. He believed that the proposal taken with the proposals for the adjacent properties would provide a more incongruous development than the bungalow had done. He also noted the Highways requirement for a proper turning circle to be provided for emergency vehicles and refuse vehicles, etc. He noted a problem with the barrier across Ross Road, which was currently broken and was generating more traffic, which could now gain access to further down Ross Road and towards Edgar Mobbs Way. He believed that there was no foul sewer along Ross Road and that this ran through the gardens of the properties in Peveril's Way. He also noted existing parking problems. He believed the proposal would open the door to further garden development of other properties in Peveril's Way. In answer to a question he noted that Ross Road currently had double yellow lines along it. In answer to another question, Mr Howard commented that he believed that the barrier in Ross Road should now be removed.

Councillor P M Varnsberry commented that there had been many objections to the proposal. She noted that the barrier in Ross Road had created a cul-de-sac but in reality it was a route for use on match days by Saints' fans to get to and from Franklins Gardens. Originally the Police had had the key to the gate but she believed that the Saints now had it and was concerned that if the barrier was removed, it would become

a through route for HGVs accessing businesses in Ross Road. Whilst noting that the proposal included off street car parking, she queried where visitors would park. She also commented on further pressure on car parking in Peveril's Way if the existing garages at the rear were removed for this development. In answer to a question, she noted that sat navs directed lorries along Ross Road.

The Head of Planning noted that the proposal comfortably exceeded standards for separation distances and that the refusal of the bungalow proposal had been because it would have been an isolated development of a design that paid no regard to its context. He also noted that there was sufficient space for the turning head to be enlarged.

The Committee discussed the application.

**RESOLVED:** (1) That the application be approved subject to the conditions set out in the report and in respect of enlargement of the existing turning head (up to 2m on each side) as the siting, size and design of the development would not adversely affect the character of the area nor adversely affect the amenity of the neighbouring properties in accordance with Policies E19, E20 and H6 of the Northampton Local Plan and Policy 2 of the East Midlands Regional Plan and Planning Policy Statement 3 (Housing).

(2) That the Head of Planning discuss the situation in respect of the barrier in Ross Road with the Highways Authority.

**(F) N/2009/0957- ERECTION OF 1NO THREE BED END TERRACE DWELLING ON LAND TO REAR OF 10 PEVERELS WAY (AS AMENDED BY REVISED PLANS RECEIVED ON 18 JANUARY 2010)**

The Head of Planning submitted a report in respect of Application No N/2009/0957 and referred to the Addendum, which set out further comments from the Highways Authority in respect of the turning head in Ross Road.

Mr Howard, a resident, commented on the separation distance and referred to a previous application for a bungalow, which had been refused. He believed that the proposal taken with the proposals for the adjacent properties would provide a more incongruous development than the bungalow had done. He also noted the Highways requirement for a proper turning circle to be provided for emergency vehicles and refuse vehicles, etc. He noted a problem with the barrier across Ross Road, which was currently broken and was generating more traffic, which could now gain access to further down Ross Road and towards Edgar Mobbs Way. He believed that there was no foul sewer along Ross Road and that this ran through the gardens of the properties in Peveril's Way. He also noted existing parking problems. He believed the proposal would open the door to further garden development of other properties in Peveril's Way. In answer to a question he noted that Ross Road currently had double yellow lines along it. In answer to another question, Mr Howard commented that he believed that the barrier in Ross Road should now be removed.

Councillor P M Varnsvery commented that there had been many objections to the proposal. She noted that the barrier in Ross Road had created a cul-de-sac but in

reality it was a route for use on match days by Saints' fans to get to and from Franklins Gardens. Originally the Police had had the key to the gate but she believed that the Saints now had it and was concerned that if the barrier was removed, it would become a through route for HGVs accessing businesses in Ross Road. Whilst noting that the proposal included off street car parking, she queried where visitors would park. She also commented on further pressure on car parking in Peveril's Way if the existing garages at the rear were removed for this development. In answer to a question, she noted that sat navs directed lorries along Ross Road.

The Head of Planning noted that the proposal comfortably exceeded standards for separation distances and that the refusal of the bungalow proposal had been because it would have been an isolated development of a design that paid no regard to its context. He also noted that there was sufficient space for the turning head to be enlarged.

The Committee discussed the application.

- RESOLVED:** (1) That the application be approved subject to the conditions set out in the report and in respect of enlargement of the existing turning head (up to 2m on each side) as the siting, size and design of the development would not adversely affect the character of the area nor adversely affect the amenity of the neighbouring properties in accordance with Policies E19, E20 and H6 of the Northampton Local Plan and Policy 2 of the East Midlands Regional Plan and Planning Policy Statement 3 (Housing).
- (2) That the Head of Planning discuss the situation in respect of the barrier in Ross Road with the Highways Authority.

**(G) N/2009/0958- ERECTION OF 1NO THREE BED END TERRACE DWELLING ON LAND AT REAR OF 12 PEVERELS WAY AS AMENDED BY REVISED PLANS RECEIVED ON 18 JANUARY 2010**

The Head of Planning submitted a report in respect of Application No N/2009/0958 and referred to the Addendum, which set out further comments from the Highways Authority in respect of the turning head in Ross Road.

Mr Howard, a resident, commented on the separation distance and referred to a previous application for a bungalow, which had been refused. He believed that the proposal taken with the proposals for the adjacent properties would provide a more incongruous development than the bungalow had done. He also noted the Highways requirement for a proper turning circle to be provided for emergency vehicles and refuse vehicles, etc. He noted a problem with the barrier across Ross Road, which was currently broken and was generating more traffic, which could now gain access to further down Ross Road and towards Edgar Mobbs Way. He believed that there was no foul sewer along Ross Road and that this ran through the gardens of the properties in Peveril's Way. He also noted existing parking problems. He believed the proposal would open the door to further garden development of other properties in Peveril's Way. In answer to a question he noted that Ross Road currently had double yellow lines along it. In answer to another question, Mr Howard commented that he believed that the barrier in Ross Road should now be removed.

Councillor P M Varnsberry commented that there had been many objections to the proposal. She noted that the barrier in Ross Road had created a cul-de-sac but in reality it was a route for use on match days by Saints' fans to get to and from Franklins Gardens. Originally the Police had had the key to the gate but she believed that the Saints now had it and was concerned that if the barrier was removed, it would become a through route for HGVs accessing businesses in Ross Road. Whilst noting that the proposal included off street car parking, she queried where visitors would park. She also commented on further pressure on car parking in Peveril's Way if the existing garages at the rear were removed for this development. In answer to a question, she noted that sat navs directed lorries along Ross Road.

The Head of Planning noted that the proposal comfortably exceeded standards for separation distances and that the refusal of the bungalow proposal had been because it would have been an isolated development of a design that paid no regard to its context. He also noted that there was sufficient space for the turning head to be enlarged.

The Committee discussed the application.

- RESOLVED:** (1) That the application be approved subject to the conditions set out in the report and in respect of enlargement of the existing turning head (up to 2m on each side) as the siting, size and design of the development would not adversely affect the character of the area nor adversely affect the amenity of the neighbouring properties in accordance with Policies E19, E20 and H6 of the Northampton Local Plan and Policy 2 of the East Midlands Regional Plan and Planning Policy Statement 3 (Housing).
- (2) That the Head of Planning discuss the situation in respect of the barrier in Ross Road with the Highways Authority.

**(H) N/2009/0968- CONVERSION INTO 2NO ONE BED FLATS, 4NO NEW ONE BED FLATS AND 2NO NEW TWO BED SEMI DETACHED DWELLINGS AT 54 ADAMS AVENUE (RESUBMISSION OF N/2007/1461)**

The Head of Planning submitted a report and commented that the Highways Authority had now indicated how the funding agreed in the Section 106 Agreement would be applied and referred to the Addendum, which set out a representation from Councillor B Hoare.

Mr Fruish, a local resident, commented that he still objected to the proposal and referred to the Inspector's appeal decision and, in particular, the paragraphs referring to the fact that highways safety would be compromised and that the letter did not appear to refer to a sum of money to mitigate the highway's effects of the proposal.

Councillor B Hoare commented that he supported the objections raised by the residents on parking and highway safety issues, which had been recognised by the Planning Inspector. He believed that the Committee could only approve the application if it was satisfied that the highways issues could be satisfactorily mitigated. He commented that on-street parking was a major issue throughout Abington, which was

only likely to get worse. This issue was a top priority for the local Joint Action Group. He noted that the report provided no evidence that the Section 106 Agreement would prove to be satisfactory.

S Webster, a local resident, concurred with the views expressed by other speakers and commented that the lack of car parking had led to creative parking solutions. She believed that this proposal would lead to a further eight to sixteen cars using the area. She noted existing problems of double parking and its consequences for emergency vehicles. She also noted several recent collisions in the area. She commented that the report did not specify what measures would be put in place and believed that solutions, such as residents' parking scheme, would not provide an answer.

L Carpenter, on behalf of the applicant, commented on the long history of the application and noted paragraph 16 of the Inspector's decision that if the developer made an appropriate contribution to mitigate the highways issues, then the proposal would be acceptable. This had now been done and the proposed £10,000 contribution was designed to kick start a series of highways solutions. The grounds for refusal had now been met.

The Head of Planning noted that the objection to the scheme could be overcome by agreement and this had now been satisfied.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the proposed development would have no adverse impact on the street scene or the amenities of existing neighbouring residents and would provide a suitable standard of accommodation for future residents. The proposal would thereby comply with Policies H6 and E20 of the Northampton Local Plan and PPS3.

**(I) N/2010/0067- PART RETROSPECTIVE THREE STOREY SIDE EXTENSION, SINGLE STOREY EXTENSIONS, DORMER WINDOW AND VELUX WINDOWS TO EXISTING BUILDING AND FRONT BOUNDARY FENCE INCLUDING RAINWATER HARVESTING TANK TO FRONT OF SITE AT 2 THE DRIVE/ 3 THE CRESCENT (REVISION OF N/2009/0765)**

The Head of Planning submitted a report in respect of Application No N/2010/0067 and referred to the Addendum, which set out additional letters of objection from 6 The Drive and 34 The Crescent and Councillor Larratt. In answer to a question, the Head of Planning noted that the current proposal represented a marginally larger footprint than the original. The Head of Planning also noted that the revisions for the previously refused scheme were satisfactory and reported two further changes; an alteration to use railings for part of the fencing instead of a closed boarded fence and the inclusion of a rainwater harvesting tank.

Mr Scarthe, a resident of The Crescent, commented that this application should be treated as a new application and that it represented a total disregard of the previous planning permission. He noted that car parking was an issue and that The Crescent and The Drive were used as a cut through by drivers, who would otherwise use the Kettering Road. He noted the vets, doctors and bridge club that were all in the same

street. He commented that the applicant had removed two parking spaces and would not be providing any off-street parking. He believed that the Committee needed to assert its authority, as there was land available for car parking. He also believed that the wall should not be rendered but should be brick and he also noted that the planters, in reality, had been positioned differently to what had been shown in the plans. He believed that the extension would provide more bed spaces and requested that the Committee reject the application.

Mr Kilsby commented that he had been instructed by local residents to object to the application and that 5 The Crescent, which was in the ownership of the applicant, had not been included within the site plan. He noted that on-street parking was an issue in the area and that by removing spaces, this constituted an insult to residents. He believed that if the application was allowed, it would set a precedent for on-site car parking in future.

Councillor Simpson noted that this site was subject to a constant flow of planning applications and that the applicant was constantly pushing the boundaries; applications were often retrospective as in this case. He believed that the application represented a new proposal and therefore it should be looked at afresh. He noted that the drawings did not show how the proposal related to neighbouring properties and that if the additional rooms were to be used as offices, this would most likely lead to an increase in car movements. He commented that the proposed rendering would be out of keeping with other parts of the building. He referred to a previous car parking condition in 1984, which he believed was still appropriate today. He requested that the Committee reject the application.

Mr Clarke, the agent, commented that the applicant had listened to the Committee's previous comments and discussions had taken place with the Planners. The grounds of refusal had now been met and new proposals showed a reduction in roof height to marginally higher than the original approval. He noted that there would be no increase in the number of residents at the care home as a result of this proposal. He requested that the Committee concentrate on the reasons for the previous refusal. In answer to a question, Mr Clarke commented that render had been included in the scheme as it was part of the original building, as displayed to the Committee.

The Head of Planning noted that the current proposal before Committee did constitute a new application but the October decision of the Committee was a material consideration; there had been only one reason for refusal, which this application now addressed. The other issues raised had been considered by the Committee in October and no objection had been raised. The Head of Planning noted that 5 The Crescent was not part of the application site but was in the applicant's ownership and displayed a revised drawing, which showed this.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the proposed development would not have an undue detrimental impact on the appearance and character of the host building, wider street scene and would not have an adverse effect on the amenity or living conditions of neighbours to comply with Policy E20 of the Northampton Local Plan, Policy 2 of the East Midlands Regional

Plan and advice in PPS1 and PPG13.

**(J) N/2010/0068- ERECTION OF 2NO DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARAGES INCLUDING THE DEMOLITION AND REPLACEMENT OF GARAGE SERVING 31 GREENFIELD AVENUE AT HILLCREST RISING, 31A GREENFIELD AVENUE (AS AMENDED BY REVISED PLANS RECEIVED ON 5 FEBRUARY 2010)**

The Head of Planning submitted a report in respect of Application No N/2010/0067 and referred to the Addendum, which set out amendments to paragraphs 7.15 and 7.25 of the report and additional representations from the occupiers of 27 and 29 Greenfield Avenue. The Head of Planning also referred to a Planning Inspector's appeal decision letter dated 24 August 2009, which had been circulated. He noted that there was no objection from the Highways Authority to the proposal. In answer to a question, he commented that the drive would be of a permeable construction and water run off would be a condition for the preservation of the existing trees on the site.

Mrs O'Connell, a neighbour to the proposal, commented that the proposed adjustments to 31 Greenfield Avenue in respect of car parking could lead to light intrusion from headlights into their front room. She believed that the garage for plot 1 of the proposal seemed bizarre and that the garden at 31 Greenfield Avenue would be greatly reduced. She also expressed concern over the use of the access road, which she believed would become a nuisance. She believed that the application represented an over intensive use of the site and that the proposal did not fit in with the area. She urged the Committee to reject the application.

Mr Nelson, a local resident, commented on the access and highways issues believing that the access was unacceptably close to a fast junction. He noted that the Highways Authority had originally objected to the proposal but following representation from the applicant that traffic would be moving slowly at this point, withdrawn their objection. A resident had carried out their own survey, which showed that traffic often came through this junction in excess of 25mph and he noted that visibility from the access would not be good. He believed that the application should be refused on these grounds.

Mrs Conway, the applicant, commented that her family had lived in the property for some thirty years and the large grounds of approximately an acre were difficult for her family to manage. She commented that she was not trying to exploit any development potential but wanted a sympathetic development, which would reduce their gardening responsibilities. She said that there had been numerous instances of people wandering up their drive and that other properties in the area had been burgled with access being gained from their drive and grounds. She noted that since the previous refusal, she and her architect had taken the Planner's advice and had taken the inspector's decision into account.

Mr Dooley, the agent, commented that the Planning Inspector had previously refused a proposal for three dwellings and the current proposal now reflected discussions with the Planning Officers and the concerns raised by the Inspector previously. Discussions had also taken place with the Council's Tree Officer in respect of the trees on the site. He noted that the Highways Authority had no objections to the proposal and the Inspector had not previously raised concerns about the highways. He noted

that in respect of the comment made about 31 Greenfield Avenue, that these works could be carried out under Permitted Development Rights in any case.

The Head of Planning commented that the planning proposals in respect of 31 Greenfield Avenue were well within current standards and that the garden to 31 Greenfield Avenue would remain a generous size. He noted that the Inspector had not raised any issues over the concept of development but just in relation to its density. The proposed design types were sympathetic to the local vernacular.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the proposed development would have a neutral impact upon the character of the site and its surroundings would not adversely impact upon residential amenity or highways safety. The proposal therefore complied with PPS1, PPS3 and Policies H6, H13 and E20 of the Northampton Local Plan.

## **11. ENFORCEMENT MATTERS**

### **(A) E/2010/28- UNTIDY LAND AT 32 HAMMERSTONE LANE**

The Head of Planning submitted a report and elaborated thereon.

The Committee discussed the report.

**RESOLVED:** That the Borough Solicitor be authorised to issue a notice pursuant to Section 215 of the Town and Country Planning Act 1990 (as amended) requiring steps to be taken to remedy the condition of the land with a compliance period of 28 days and in the event of non-compliance to take any other necessary appropriate proportionate enforcement action pursuant to this provision within the Act in order to bring about the proper planning control of the land.

## **12. APPLICATIONS FOR CONSULTATION**

None.

The meeting concluded at 21.20 hours.



**Directorate:** Planning and Regeneration  
**Head of Planning:** Susan Bridge



The Address for Planning Appeals is  
 Mr K Pitchers, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at -  
[www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)  
 Local Government (Access to Information) Act 1985  
 Background Papers  
 The Appeal Papers for the appeals listed.

Author and Contact Officer  
 Mr Gareth Jones, Development Control Manager  
 Telephone 01604 838999  
 Planning and Regeneration  
 Cliftonville House, Bedford Road,  
 Northampton, NN4 7NR.

### List of Appeals and Determinations – 6<sup>th</sup> April 2010

#### Written Reps Procedure

Application	Del/PC	Description	Decision
<b>N/2009/0156</b> APP/V2825/A/09/2115516/NWF	DEL	Variation of condition number 5 of Planning Permission N/2002/0530 to allow use as Hot Food Takeaway at 38A Main Road.	
<b>N/2009/0202</b> APP/V2825/A/09/2111538/WF	DEL	Proposed extension & conversion of existing garage to create new 1 bed dwelling with associated parking at Land to the rear of 115 Fairway.	<b>ALLOWED</b>
<b>N/2009/0230</b> APP/V2825/A/09/2117846/NWF	DEL	Proposed change of use from storage/distribution (B8) to general industry (B2) at Unit D, 409 Harlestone Road.	
<b>N/2009/0290</b> APP/V2825/A/09/2113034/NWF	DEL	Proposed two-storey side and rear extensions and change of use to 4no. individual flats at 48 Greenfield Avenue.	<b>DISMISSED</b>

<b>N/2009/0359</b> APP/V2825/A/09/2117950/NWF	DEL	Variation of condition no18 of planning permission N/2000/0404 to allow continued removal of part of existing hedge & tree at 22 St Lukes Close.	<b>DISMISSED</b>
<b>N/2009/0468</b> APP/V2825/A/09/2115868/NWF	DEL	Proposed erection of 2no. 1 bed apartments on land rear of 80 Hastings Road.	
<b>NEW IN</b> <b>N/2009/0566</b> APP/V2825/A/10/2123568	DEL	Change of Use to 4no. bedsits at 1 Humber Close – Retrospective.	
<b>N/2009/0644</b> APP/V2825/D/10/2120231	PC	First floor extension above existing annex at 21 Huntsmead. (as amended by revised plans received on 11 September 2009).	
<b>N/2009/0650</b> APP/V2825/D/10/2119550	DEL	Retrospective application for the erection of rear conservatory 62 High Street, Upton.	
<b>N/2009/0791</b> APP/V2825/A/10/2121154/NWF	DEL	Change of use from Retail (Class A1) to Hot Food Take-away (Class A5) and installation of extraction flue to rear at 1B - 1C Sunnyside.	
<b>N/2009/0855</b> APP/V2825/D/10/2120245	DEL	Proposed installation of 2no velux windows at Denecroft, 30 Abington Park Crescent.	<b>DISSMISED</b>
<b>NEW IN</b> <b>N/2009/1036</b> APP/V2825/H/10/2124588	DEL	Externally illuminated hoarding at Oddbins Wine Warehouse, St Peters Way.	



**PLANNING COMMITTEE:** 6<sup>th</sup> April 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2010/0045**                      **Erection of temporary hoarding at the junction of Eastern Avenue South and Kingsthorpe Grove**

**WARD:** St David

**APPLICANT:** Northampton Borough Council  
**AGENT:** Thomas Vale Construction Ltd

**REFERRED BY:** Head of Planning  
**REASON:** NBC Application

**DEPARTURE:** No

---

## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

**1.1 APPROVAL** of Advertisement Consent subject to the conditions below and for the following reason:

The proposed sign would not have a significant adverse impact on amenity or public safety in accordance with Policy E20 of the Northampton Local Plan and advice contained in PPG19 (Outdoor Advertisement Control).

### **2. THE PROPOSAL**

**2.1** The proposal is to erect a temporary signboard to advertise the “Decent Homes” project where work is taking place to improve the standard of Council housing in the area. The period of time sought for the erection of the board is 8 months.

### **3. SITE DESCRIPTION**

**3.1** The site is situated on the north side of Kingsthorpe Grove at the junction with Eastern Avenue in a primarily residential area. The site consists of an open grassed area adjacent to Kingsthorpe Grove flats.

### **4. PLANNING HISTORY**

4.1 None relevant

## **5. PLANNING POLICY**

### **5.1 National Policies**

PPS1 – Delivering Sustainable Development

PPG19 – Control of Advertisements

Circular 03/2007 - Control of Advertisements

### **5.2 Northampton Borough Local Plan**

E20 – New Development

## **6. CONSULTATIONS / REPRESENTATIONS**

**NCC Highways** – No observations

## **7. APPRAISAL**

### Policy

7.1 The Advertisement Regulations require that decisions be made only in the interests of amenity and public safety. Guidance on these two issues is given in Planning Policy Guidance (PPG) 19: Outdoor Advertisement Control and this is a material consideration in determining applications for advertisement consent. Additional guidance is provided in Circular 03/2007 Control of Advertisements.

### Visual Amenity

7.2 The site consists of an open grassed area situated between two storey flats and the public footpath. The proposal is to erect a 3.2 metre high sign for a temporary period of 8 months. The sign will be non-illuminated and consist of a wooden signboard (2.4m x 1.2m) situated on 2 wooden posts 2m in height. The sign element will consist of white text and “Thomas Vale” and “Northampton Borough Council” logos on a green background and will advertise the “decent homes” project to improve the quality of council housing in the area. It is considered that as a temporary measure the size and appearance of the sign is appropriate to the scale and setting of surrounding buildings and would not be detrimental to the visual amenity of the area.

### Public Safety

7.3 The Highway Authority has been consulted on the application and no objections have been raised. The sign will be set back from the highway junction and it is not considered that it will have any adverse effects on public or highway safety.

## **8. CONCLUSION**

8.1 It is considered that the proposed advert would not compromise amenity or public safety and complies with development plan and

national planning policy and is therefore recommended for approval subject to the conditions set out below.

## 9. CONDITIONS

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:
  - a) Endanger persons using any highway
  - b) Obscure or hinder the ready interpretation of any traffic sign
  - c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle
3. Any advertisement displayed and any site used for the display of advertisements shall be maintained in a condition that does not impair the visual amenity of the site
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not the public or impair visual amenity.
6. The signage hereby granted consent shall be removed and the land restored to its former condition on or before 31<sup>st</sup> December 2010.

Reason: In the interests of amenity as the Local Planning Authority consider the sign is only acceptable as a temporary expedient in accordance with advice in PPG19.

## 10. BACKGROUND PAPERS

10. None.

## 11. LEGAL IMPLICATIONS

- 11.1 None.

## 12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Rowena Simpson	16/03/10
<b>Development Control Manager Agreed:</b>	Gareth Jones	22/03/10



Proposed Sign



Name: COMMITTEE APRIL 6TH  
 Date: 22nd March 2010  
 Scale: 1:1250  
 Dept: Planning  
 Project: Location Plan

Title  
**Kingsthorpe Grove**

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**PLANNING COMMITTEE:** 6<sup>th</sup> April 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2010/0046**                      **Erection of temporary hoarding at the junction of Kenmuir Avenue and Wallace Road**

**WARD:** St David

**APPLICANT:** Northampton Borough Council  
**AGENT:** Thomas Vale Construction Ltd

**REFERRED BY:** Head of Planning  
**REASON:** NBC Application

**DEPARTURE:** No

---

## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

**1.1 APPROVAL** of Advertisement Consent subject to the conditions below and for the following reason:

The proposed sign would not have a significant adverse impact on amenity or public safety in accordance with Policy E20 of the Northampton Local Plan and advice contained in PPG19 (Outdoor Advertisement Control).

### **1. THE PROPOSAL**

2.1 The proposal is to erect a temporary signboard to advertise the “Decent Homes” project where work is taking place to improve the standard of Council housing in the area. The period of time sought for the erection of the board is 8 months.

### **2. SITE DESCRIPTION**

3.1 The site is situated on the south side of Kenmuir Avenue at the junction with Wallace Road in a primarily residential area. The site consists of

an open grassed area adjacent to 27 Kenmuir Avenue and 11 Wallace Road.

### **3. PLANNING HISTORY**

- 4.1 None relevant

### **5. PLANNING POLICY**

#### **5.1 National Policies**

PPS1 – Delivering Sustainable Development

PPG19 – Control of Advertisements

Circular 03/2007 - Control of Advertisements

#### **5.2 Northampton Borough Local Plan**

E20 – New Development

### **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 **NCC Highways** – No observations

### **7. APPRAISAL**

#### Policy

- 7.1 The Advertisement Regulations require that decisions be made only in the interests of amenity and public safety. Guidance on these two issues is given in Planning Policy Guidance (PPG) 19: Outdoor Advertisement Control and this is a material consideration in determining applications for advertisement consent. Additional guidance is provided in Circular 03/2007 Control of Advertisements.

#### Visual Amenity

- 7.2 The site consists of an open grassed area situated to the side of two residential dwellings and adjacent to the public footpath. The proposal is to erect a 3.2 metre high sign for a temporary period of 8 months. The sign will be non-illuminated and consist of a freestanding wooden signboard (2.4m x 1.2m) situated on 2 wooden posts 2m in height. The sign element will consist of white text and “Thomas Vale” and “Northampton Borough Council” logos on a green background. It will advertise the “decent homes” project to improve the quality of council housing in the area. It is considered that as a temporary measure the size and appearance of the sign is appropriate to the scale and setting of surrounding buildings and would not be detrimental to the visual amenity of the street scene.



## Public Safety

- 7.3 The Highway Authority has been consulted on the application and no objections have been raised. The sign will be set back from the highway junction and it is not considered that it will have any adverse affects on public or highway safety.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed advert would not compromise amenity or public safety and complies with development plan and national planning policy and is therefore recommended for approval subject to the conditions set out below.

## **9. CONDITIONS**

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:
  - a) Endanger persons using any highway
  - b) Obscure or hinder the ready interpretation of any traffic sign
  - c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle
3. Any advertisement displayed and any site used for the display of advertisements shall be maintained in a condition that does not impair the visual amenity of the site
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not the public or impair visual amenity.
6. The signage hereby granted consent shall be removed and the land restored to its former condition on or before 31<sup>st</sup> December 2010.  
Reason: In the interests of amenity as the Local Planning Authority consider the sign is only acceptable as a temporary expedient in accordance with advice in PPG19.

## **10. BACKGROUND PAPERS**

10. None.

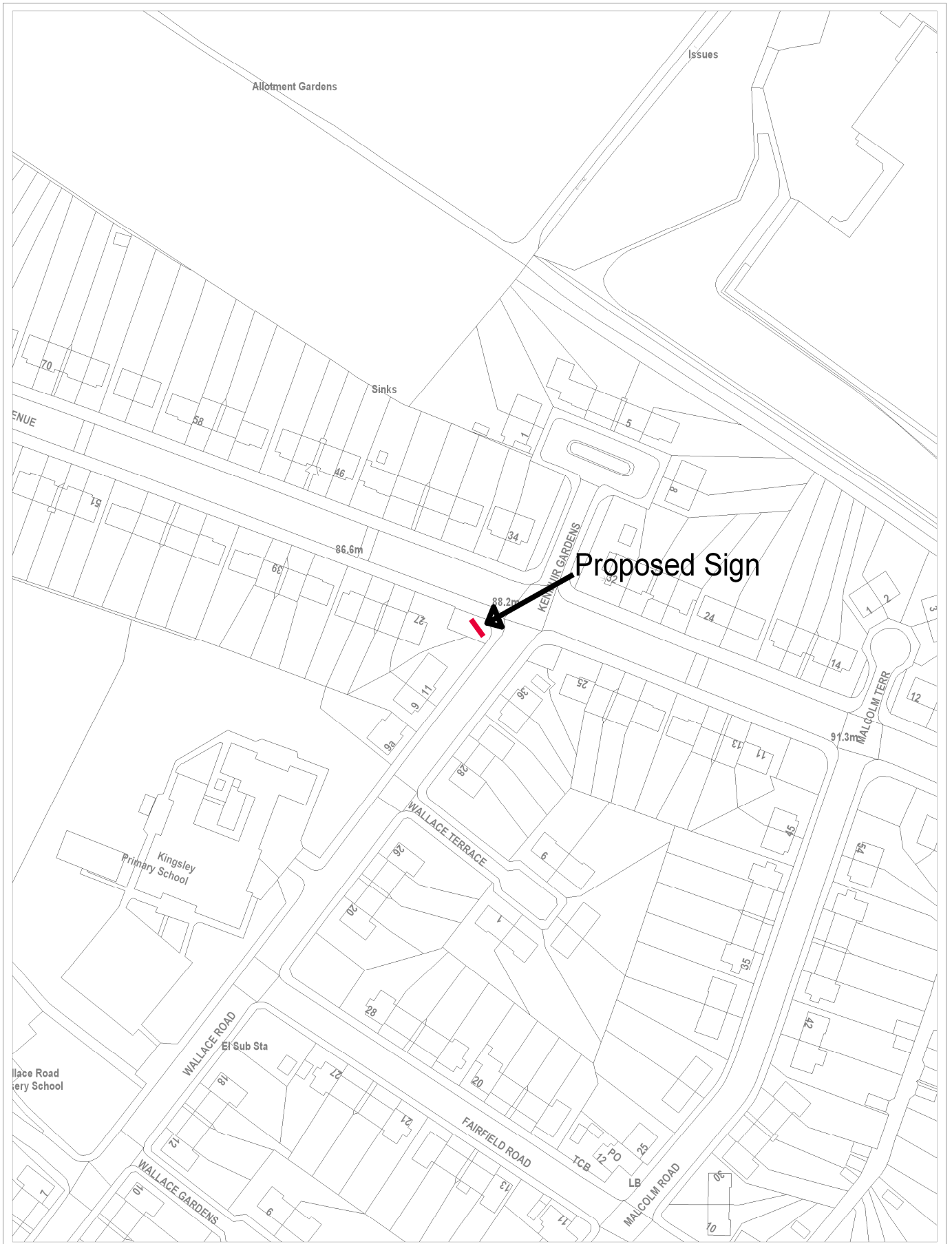
## **11. LEGAL IMPLICATIONS**

- 11.1 None.

## 12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Rowena Simpson	16/03/10
<b>Development Control Manager Agreed:</b>	Gareth Jones	22/03/10



Name: COMMITTEE APRIL 6TH  
 Date: 22nd March 2010  
 Scale: 1:1250  
 Dept: Planning  
 Project: Location Plan

Title  
**Kenmuir Avenue**

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**PLANNING COMMITTEE:** 6<sup>th</sup> April 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2010/0162** Installation of 2no. 10 metre high floodlights.  
MUGA, Bondfield Avenue, Northampton

**WARD:** St David

**APPLICANT:** Mrs Jeanette Pidgen (NBC)  
**AGENT:** None

**REASON:** Borough Council development

**DEPARTURE:** No

---

## **APPLICATION FOR DETERMINATION BY NBC:**

### **1. RECOMMENDATION**

1.1 **APPROVAL** subject to conditions and for the following reason:

The proposed floodlights are considered to be of acceptable appearance, they will not unduly harm the living conditions of nearby residents and will provide a valuable leisure facility for the local community, particularly young people during evening hours in the winter months. For these reasons the proposals are considered to accord saved Local Plan policies L1, E20 and E40 and the Planning Out Crime SPD and no other material considerations indicate otherwise.

### **2. THE PROPOSAL**

2.1 The application is by Northampton Borough Council for two 10 metre high steel columns topped with two 250-watt floodlights, positioned north of the existing multi-use games area (MUGA). The proposed lighting would be directed down and southward to illuminate the MUGA.

### **3. SITE DESCRIPTION**

3.1 The application site is on Council-owned St David's open space, southeast of public and private housing near Eastern Avenue South on

Bondfield Avenue and Newnham Road. The wider open space is largely grass with occasional trees and hedges.

- 3.2 The site is presently a metal fenced multi-use games area (MUGA) with football goals and basketball hoops measuring 28 metres long and 17 metres wide. It is nearest to lock-up units 15 to 20 metres to the north that are accessed off of Bondfield Avenue. 30 metres to the west are the garden boundaries of semi-detached houses on Bondfield Avenue and 50-60 metres to the northeast are blocks of flats that directly front onto the open space area without private outdoor areas.

#### **4. PLANNING HISTORY**

- 4.1 None relevant.

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

##### **5.2 National Policies:**

Planning Policy Statement 1 – Delivering Sustainable Development

##### **5.3 East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design

Encourages highway access and parking that improves both safety and the quality of public space, whilst seeking design that reduces crime and the fear of crime.

##### **5.4 Northampton Borough Local Plan**

E20 New Development - seeks contextual design and protects the amenity of neighbours who may be affected by development

E40 Crime - seeks to prevent crime and vandalism and is embellished in the Planning Out Crime SPG.

L1 Existing Recreation Facilities - protects identified spaces such as this from inappropriate degradation or loss by development of other uses.

##### **5.5 Supplementary Planning Guidance**

Planning out Crime in Northamptonshire SPG 2004

#### **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 **Public Protection (NBC)** - No objections providing the lights are not on after 10.00pm.

6.2 **Police** - No objections and comments that this is a good site in an area where local young people have complained of little to do in the evenings. Concur that lights should be turned off at 10.00pm

6.3 **One objection from a nearby resident of the flats on Newnham Road** stating:

- There is no fence or defensible space next to their flats to stop intrusion.
- Users of the MUGA are already causing nuisance when passing these flats in the summer months and this will extend to the winter if the lights are installed.
- Makes suggestions for stopping youths getting past flats or diverting them on the journey from Newnham Road shops and the MUGA.

## 7. APPRAISAL

7.1 The main planning issues that arise with this proposal are the visual impact, the effect on living conditions of nearby residents, the crime and disorder impact and community benefits (or otherwise) this might provide. These issues must be considered in the light of saved Policies E20, E40 and L1 of the Local Plan and the Planning Out Crime SPG.

### **Appearance**

7.2 The proposed lights are proposed to be mounted on two 10 metre columns and would be visible over longer distances, particularly to the south over Kingsthorpe Golf Course. Similarly, the lights will be tall enough to be prominent, especially in the evening, when viewed from positions such as Bondfield Avenue. Nonetheless, the proposed columns would be little higher than normal street lamps on surrounding main roads and as such they will be no more than normal suburban lighting features in keeping with the general appearance of the area.

7.3 Use of the lights would only be required during the winter months thereby further diminishing their visual impact and if suitable hours of operation are applied, they will not be apparent late at night.

### **Residential amenity**

7.4 The lights point away from the nearest houses and flats. The applicant has submitted estimated light levels in nearby areas and only five metres behind the columns (well short of neighbouring houses and flats), the light levels are lower than 2 lux, which is beneath the maximum standards recommended by the Institute of Lighting Engineers for light spill to residential properties in this type of area. The Council's environmental health service, Public Protection, has no objections to the proposals in terms of light, but recommend that the lights be switched off no later than 10.00pm. In view of their visual

impact and disturbance that can be caused later in the evening in the wider area, a 10.00pm curfew is considered an acceptable measure to be applied by planning condition (see recommended condition 2 in section 9 below).

### **Crime and disturbance**

- 7.5 Clearly, having the MUGA lit on winter evenings is intended to attract young people to this space to congregate, play sport and socialise. The objecting neighbour has highlighted nuisance issues. Nonetheless, it should be bourn in mind that these concerns relate to young people making their way to the MUGA rather than to use of the MUGA itself. It should also be noted that the antisocial activity cited by the neighbour might not necessarily be caused by users of the MUGA but by other passing youths. Indeed the applicant states that the MUGA lighting project is intended to tackle identified anti-social behaviour elsewhere and concentrate youth activity in a relatively remote but still overlooked location.
- 7.6 It is considered that there are clear social benefits of having a play space available all year for local young people that will encourage activity and divert nuisance congregation from more sensitive areas, such as outside shops and in residential streets. The additional problems created of youths in transit to the MUGA are relatively modest when compared with the gains that may be achieved, and whilst this will be of little comfort to residents such as the objector to this application, solutions such as creating defensible areas around the flats can be considered separate to the deliberation of this application.
- 7.7 It is also material that the MUGA can currently be widely used in the evenings in any event, particularly in the light 6 months of the spring and summer. The more intensive use of the MUGA arising from the proposal is therefore likely in the winter months only. Ensuring the lights are switched off after 10pm will minimise the risk of late night use and disturbance at particularly anti-social hours of the night. The Police are happy with this approach and do not object.

## **8. CONCLUSION**

- 8.1 In summary, the visual impact and effect on living conditions of those nearby to the MUGA is considered acceptable, especially when balanced against the important social benefits of lighting this space in the winter months giving local young people a place to congregate, diverting people away from residential areas and giving youngsters a place to exercise should address crime, disorder and loitering. Overall, crime and the fear of crime should be reduced by these proposals and this accords with saved Policy E40 and the Planning Out Crime SPG.

## 9. CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The lighting shall not be operated between the hours of 2200 and 0800 on any day unless otherwise agreed in writing in advance by the Local Planning Authority.

Reason: In the interests of local residential amenity and to minimise disorder in accordance with saved Policies E20 and E40 of the Northampton Local Plan.

## 10. BACKGROUND PAPERS

10.1 None.

## 11. LEGAL IMPLICATIONS

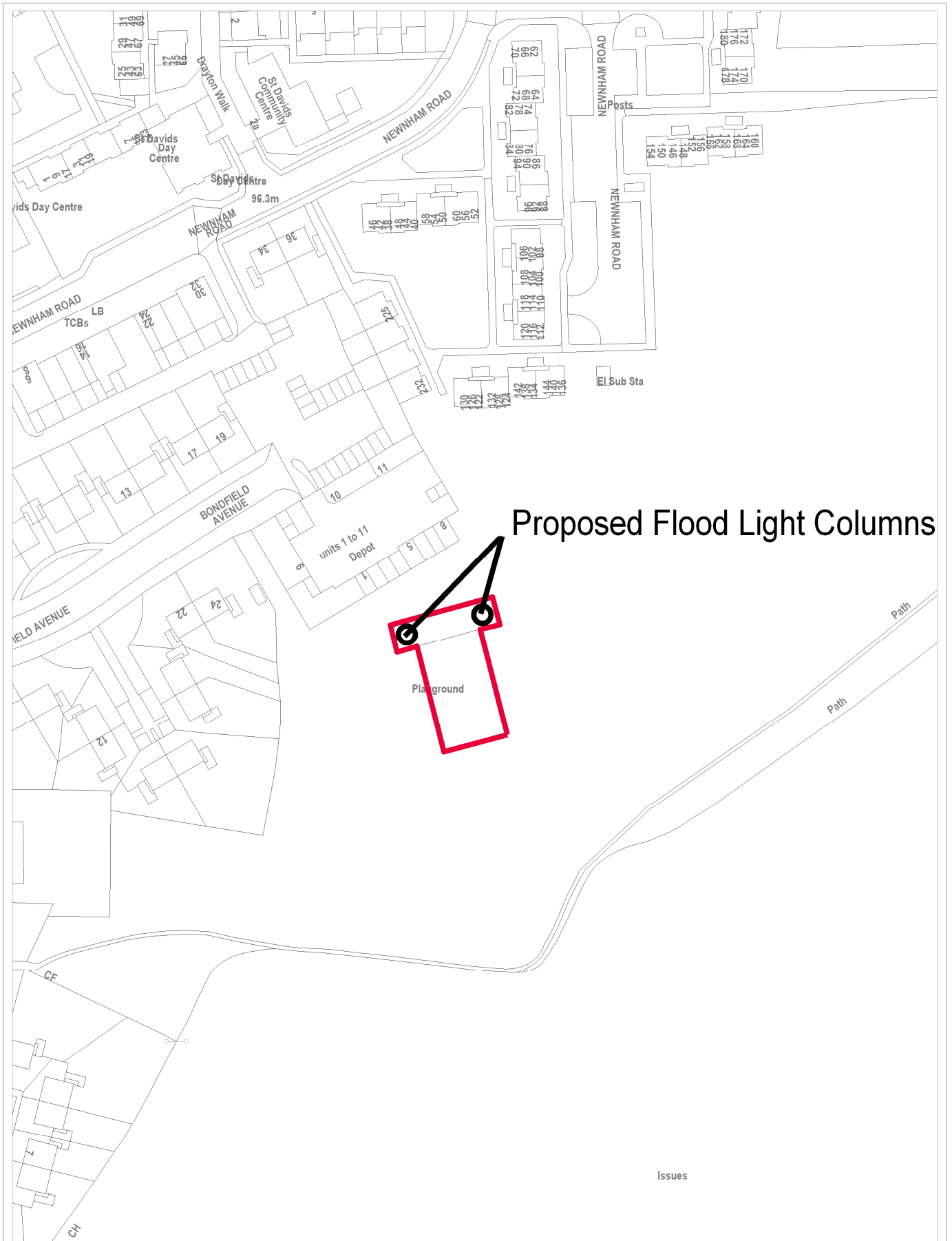
11.1 None.

## 12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Richard Boyt	18/03/10
<b>Development Control Manager Agreed:</b>	Gareth Jones	22/03/10





Proposed Flood Light Columns

Playground

Issues



Name: COMMITTEE APRIL 6TH  
 Date: 22nd March 2010  
 Scale: 1:1250  
 Dept: Planning  
 Project: Location Plan

Title  
**MUGA Bondfield Avenue**

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**NORTHAMPTON**  
BOROUGH COUNCIL  
Planning Committee

**Tuesday 6<sup>th</sup> April 2010**  
**Addendum to Agenda Items**

ITEM NO		Northampton Borough Council Applications
9	A	<p>N/2010/0045 - Erection of temporary hoarding at the junction of Eastern Avenue South and Kingsthorpe Grove.</p> <p>Further consultation with neighbouring residents has been undertaken since the Committee report was drafted. As this further consultation has not yet been completed it is recommended that the determination of the application be delegated to the Head of Planning subject to there being no objections received on land-use planning grounds. In the event that such objections are received the application would be reported back to Planning Committee for determination.</p>
	B	<p>N/2010/0046 - Erection of temporary hoarding at the junction of Kenmuir Avenue and Wallace Road.</p> <p>Further consultation with neighbouring residents has been undertaken since the Committee report was drafted. As this further consultation has not yet been completed it is recommended that the determination of the application be delegated to the Head of Planning subject to there being no objections received on land-use planning grounds. In the event that such objections are received the application would be reported back to Planning Committee for determination.</p>
	C	<p>N/2010/0162 - Installation of 2no. 10 metre high floodlights at MUGA, Bondfield Avenue.</p> <p>A further letter of objection from the original single objector has been received. The correspondence outlines a series of disorder and nuisance issues with the use of the open space and youths in transit to and from this area. Many of the issues raised are crime and disorder matters that relate to the management of the area and indeed involvement of the police in monitoring the space.</p> <p>The residential amenity issues that the objector highlights are most pertinent about the increased attractiveness of the MUGA to local youths who will inevitably pass by the objector's and other people's dwellings in greater numbers, occasionally causing noise,</p>



		disturbance or vandalism problems.  The objector also states that they have been promised enclosure around their flats to prevent these problems. Notwithstanding these additional representations it is still recommended that having an enhanced MUGA by lighting in the evenings is the preferred approach of the operator (NBC) and the Police in terms of minimising local crime and disturbance and the installation of enclosure around nearby flats should be taken up through alternative channels.
<b>ITEM NO</b>		<b>Items for Determination</b>
10	A	<p>The Wildlife Trust has submitted further correspondence reiterating their objections to the scheme if no financial contributions for wildlife mitigation are made. The Trust's justification for the contributions are as follows:</p> <p>£2700 for willow pollarding to enhance the habitats in the dead arm once it has been blocked off (blocking off was insisted upon by the Trust).</p> <p>£600 for interpretive leaflets to raise public awareness of the nearby Nature Reserve between the dead arm and main course of the river. The Trust considers the leaflets will help inform the increased numbers of visitors to the reserve and mitigate the impact of additional footfall.</p> <p>£1350 (plus commuted maintenance sum) for interpretation board close to the boat restaurant. This would be intended to help future users understand the natural surroundings.</p> <p>Officers' advice remains that the scale of development is a mooring and boat stationed upon the dead arm of the river. The requests of the Trust and their argument for providing these works are fully understood, but the proposal is not on the reserve site itself but nearby and attached to an area of managed public open space. It is considered that the pollarding works proposed along the dead arm are no doubt beneficial, but not necessary due to the impact of the boat development. The board and leaflets again will enhance the attractiveness of the area, but requiring the boat restaurant operator to provide and maintain these is considered neither reasonable nor necessary in relation to the scale, location and nature of the impact proposed.</p>
		N/2008/0502 - Boat restaurant and bar and associated access at <b>Midsummer Meadow, Bedford Road.</b>





**PLANNING COMMITTEE:** 6<sup>th</sup> April 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2008/0502**                      **Boat restaurant, bar and associated access at  
Land at Midsummer Meadow**

**WARD:**                              **St Crispin**

**APPLICANT:**                      **Mr Nagarbhai Patel**  
**AGENT:**                              **Ron Sheffield, Architect**

**REFERRED BY:**                      **Head of Planning**  
**REASON:**                              **Borough Council owned land**

**DEPARTURE:**                      **No**

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

1.1 **APPROVAL** subject to conditions and for the following reason:

The proposed boat restaurant will enhance the River Nene valley environment with a leisure destination that is in keeping with its surroundings and poses little or no threat to the vitality and viability of the town centre. The ecological and flood risk impacts can be suitably managed to avoid any harm to users, the local or wider environment complying with PPS25 – Development and Flood Risk, saved Northampton Local Plan Policies L16, L17 and L29.

The proposal is in a sustainable location and not unduly dependent on car borne trips in accordance with PPG13 – Transport. The proposals accord with national policy and guidance, the Development Plan and emerging local policy documents.

### **2. THE PROPOSAL**

2.1 The proposal is for a boat restaurant on a dead arm of the River Nene at Midsummer Meadow. The vessel would be unpowered and

therefore technically a barge, purpose-built for use as a restaurant. It would measure approximately 23 metres long, 6 metres wide and 6 metres tall. There would be three decks, the lowest being a service deck with kitchens, storage and office, a middle deck with inside dining and toilets, and an upper deck mainly open with a small inside dining area.

### **3. SITE DESCRIPTION**

- 3.1 Midsummer Meadows are the flood meadows of the River Nene as it passes east out of the centre of Northampton. Whilst the areas to the north of the proposed mooring site closest to Bedford Road are managed as public open space, the land between the Nene and the dead arm to the south of the main course of the river are wilder and semi-natural with significant ecological value.
- 3.2 The boat restaurant would be moored on the north bank of the dead arm close to an informal Council owned car park accessed directly from Bedford Road. The site is south of the old substation on Bedford Road and not far from the Council's Cliftonville House offices.
- 3.3 A new footbridge, replacing a previous unsafe bridge, linking the extensive footpaths on the north side of the river with the natural areas on Midsummer Meadows, has recently been installed directly east of the proposed mooring.

### **4. PLANNING HISTORY**

- 4.1 N/2007/0569 – Boat restaurant and bar and associated access at Midsummer Meadow (closer to town centre on the main course of the River Nene) – Withdrawn

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

#### **5.2 National Policies:**

PPS1 – Delivering Sustainable Development  
PPG4 - Planning for Sustainable Economic Growth  
PPS9 - Biodiversity and Geological Conservation  
PPG13 – Transport  
PPS23 - Planning and Pollution Control  
PPS25 – Development and Flood Risk

- 5.3 **East Midlands Regional Plan 2009**  
Policy 2 – Promoting Better Design  
Encourages highway access and parking that improves both safety and the quality of public space, whilst seeking design that reduces crime and the fear of crime.
- 5.4 **Northampton Borough Local Plan**  
E1 – Landscape and open space  
E2 – Riverside landscape  
E17 – Nature conservation  
E18 – Sites of acknowledged nature conservation value  
E20 – New Development  
E40 – Crime  
L1 – Existing recreational facilities  
L16 – River Valley Policy Area  
L17 – Use of river and canal  
L29 – River valley policy area: provision of new facilities  
T12 – Development requiring servicing  
T22 – Provision for people with a disability
- 5.5 **Supplementary Planning Guidance**  
Planning out Crime in Northamptonshire SPG 2004

## 6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Town Centre Manager (NBC)** – supports the principle of a restaurant in this location but seeks car park improvements nearby.
- 6.2 **Parks and Open Space (NBC)** – concern about the additional use of the free car park close to the proposal.
- 6.3 **Regeneration (NBC)** – private land issues raised and safety concerns
- 6.4 **Public Protection (NBC)** – no objections, but consider waste condition should be applied.
- 6.5 **Environment Agency** – a series of correspondence concluding with conditional support for the proposals including comments on the following issues:
- River connections, ditches and culverts
  - End of life plan
  - Mooring
  - Safe access and egress
  - Dredging
  - Overland flood flows
- 6.6 **British Waterways** – No comments
- 6.7 **Highway Authority (NCC)** – No objections but need a solution for the

height barrier that would prevent large delivery vehicles safely entering from Bedford Road.

- 6.8 **Northants Police** – no objections but notes the potential clash with “cruisers and cottagers” who frequent nearby areas, although they state that this can be addressed by other means.
- 6.9 **Northants Wildlife Trust** – original concerns about pollution and waste risk have been addressed by the applicant. The river connections between the dead arm and the main course of the river require a scheme to mitigate the impact of major pollution incidents. The nature reserve land in the centre of the two water bodies is managed by the Wildlife Trust, thus it needs consultation with them. The Trust also seek finance for biodiversity enhancements on the reserve.
- 6.10 **Two letters of representation have been received both objecting** to the proposals.
- 6.11 The first states that the floodplain should not be for development, the impact of silt on spawning fish at the installation would be harmful and there would a loss of habitat on the riverbank on which birds nest.
- 6.12 The second objection is from the Northants Lesbian, Gay and Bisexual Alliance stating that a commercial activity will harm the openness, the semi-natural character of the meadows, and the freedom of the area. Further they state that if the ‘post dusk social networking’ is displaced elsewhere this may be an area of concern.

## **7. APPRAISAL**

- 7.1 The current application followed a 2007 application by the same applicant for an identical business closer to town on the main river. This was withdrawn after discussions about the location and the present site was identified.
- 7.2 Since the application has been submitted in May 2007, there have been protracted discussions about the technical requirements of such a development. During early and mid 2009, the Environment Agency (EA) made detailed requests for further information about the scheme and these details have been submitted and effectively approved by the EA in recent months.

### Principle of Development

- 7.3 Northampton Borough Council is promoting a planning policy approach where town centre land uses are encouraged in the town centre first before other less central locations are considered. This approach is backed up by national planning policy statements in PPS4 Planning for Sustainable Economic Growth and the Regional Plan for the East



Midlands, the top tier of the Development Plan. Both documents strongly support uses such as restaurants being directed to Northampton town centre as part of regenerating and revitalising the central economy.

- 7.4 Nonetheless, the boat restaurant and bar proposed is of a relatively small scale and has particularly distinct characteristics far different from most other restaurants. Firstly, the location, although out of centre, is within easy walking distance of Becketts Park and thus the town centre beyond and makes an ideal destination for those enjoying the green corridor that follows the Nene east out of the town. The Riverside area through the town is the subject of high ambitions from both the emerging Northampton Central Area Action Plan and the planning work being carried out by WNDC. It is considered that having a sustainable 'destination' along the course of the river will encourage greater use of the riverside generally and assist regeneration of the wider area. The impact of such a small restaurant on the viability and vitality of Northampton town centre is considered to be minimal and may conversely attract more people to the town centre overall, who in turn, may patronise other town centre businesses.
- 7.5 Saved Policy L29 of the Northampton Local Plan is framed as an approach that promotes a programme of waterside improvements and the provision of new facilities where appropriate, which benefit tourism. It is apparent that the proposed boat restaurant will be a positive attraction that meets the thrust of this policy.
- 7.6 For these reasons, the proposed development is considered to be a sustainable proposal in accordance with the aims of local and national planning policy.

#### Appearance and the River Nene

- 7.7 A number of policies in the Development Plan, particularly the saved Policies of the Local Plan, pay direct attention to protecting and enhancing the character and appearance of the River Nene valley. The application site is largely a mooring within part of the river system and the 'built form' is effectively a boat. As a starting point in considering the physical impact of the proposal, it is considered that a boat on the Nene is a normal and encouraged scenario by local planning policy. The boat itself, at 6 metres from keel to top deck is tall in comparison to other riverboats (it would be about as tall as a bungalow from ground level), but it is not considered out of keeping with its surroundings as one might expect to encounter such craft as a matter of course in this environment.
- 7.8 Where saved Local Plan policies such as E1 and E20 provide guidelines on general good design in the Borough, Policies L16 and L17 pay specific regard to the prospect of development in and around the River Nene. For example, L16 states that only agricultural, leisure

and recreational uses will be permitted in Valley Policy Area where they avoid harming the character of the area. It is considered that the size of boat and restaurant proposed (a leisure / recreational use) is in keeping with the relatively low-key character of the River at this stage in its course. The proposal will not dominate the river nor will it be abnormally large in the landscape. The number of patrons will not be of a scale that they become the dominant users of this area, but would hopefully bring activity and with it safety to a relatively remote part of the public open space. For all these reasons, the proposal is supported, as it would positively enhance the character of the area in line with development plan policy.

- 7.9 Boats are distinct from permanent buildings in that they can significantly degrade over relatively short periods of time. End of life plans for the vessel have been raised by the Environment Agency and may be an issue for the Borough Council as adjoining landowner. In short, it is considered that for a number of reasons, including preserving the long term appearance of the river, it is pragmatic to review the boat restaurant and its physical appearance five years after first commencing operations. Therefore, a condition giving temporary consent for 5 years is recommended for this use.

#### Crime and Safety

- 7.10 The installation of a boat restaurant in this location will enhance overlooking and surveillance of the surrounding public open space in compliance with saved Policy E40 of the Local Plan and the Designing Out Crime SPG. The Police have no objections to the proposal, but note that near to the proposed mooring is an area frequented for what they term "cruising". The objections regarding commercial activity in an open area and the displacement of current activities from the Northants Lesbian, Gay and Bisexual Alliance (see para 6.12 above) are understood and noted, but do not outweigh the importance and benefit of the improvements to public safety that introducing activity to this public open space will bring.

#### Ecology

- 7.11 The proposal not only forms a mooring on a relatively natural and unmanaged area of riverbank, but is also close to the Midsummer Meadow nature reserve on the opposite bank. The protection of ecology and riparian habitats is inherent in a range of Northampton Local Plan policies including E2, E17, E18, L16 and L17.
- 7.12 The loss of a stretch of semi natural bank side ecology is not considered to be so substantial as to warrant objection and most of this habitat will go unchanged due to the large amounts of similar vegetation that will remain and will be able to re-establish after the mooring is created.

- 7.13 Whilst the physical impact of the boat's mooring will be minimal, the Wildlife Trust, who manage the adjacent nature reserve, are particularly concerned about the potential for significant pollution spills into the dead arm of the river reaching the present channels that pass through the reserve and back to the main river. To summarise a lengthy process that has been negotiated between applicant and the Trust, a scheme of culverts involving two connections to the main river with a silt pond in between will be created and the existing connection to the dead arm of the river, where the boat restaurant is located, will be permanently closed to stop any chance of pollution entering the reserve via the ditches. This should be in place before first operation of the business and can be controlled by condition.
- 7.14 The Trust has also made a series of financial requests for the enhancement of the reserve, but on balance it is considered that the sums proposed are not reasonable or necessary in relation to the impact of the proposals.

#### Flooding and the Water Environment

- 7.15 In terms of the flood risk elements of this proposal, it is clear that any boat on the river will be at particular risk at times of flood. The applicant has submitted a flood risk assessment and schemes for water-based recreation are exempt from the flooding sequential test laid out in PPS25. It should be borne in mind that the EA suggested this location as preferable after considering the 2007 application which proposed its siting on the main course of the river.
- 7.16 At times of flood, it is the EA's opinion that the boat must be secure and the users of the boat must have early warning of flooding and able to safely access and egress the boat. Details of moorings have been submitted but these details need to be to a higher standard all round. It is therefore recommended that further mooring details be submitted pursuant of a planning condition for agreement before installation.
- 7.17 The EA recommend two conditions to secure safe egress and access routes from the boat to safe areas and these are considered reasonable requests alongside the early warning system that is in place for users of the river.
- 7.18 The EA is also concerned about the possibility of the boat being abandoned on the river with potential flooding and pollution implications in such an event. It is the officers' understanding that the EA as custodians of the river have the right to seek removal of vessels that have been abandoned and the Borough Council is the local landowner who will be controlling this area. The Council as landowner would be able to seek an end of life plan as part of contractual arrangements with the developer / operator. This combined with a temporary planning consent would offer reasonable safeguards to ensure an abandoned vessel is not left in the river.

- 7.19 In terms of pollution, oils, chemicals and waste must be stored securely and safely extracted from site. Appropriate schemes for storage and movement of these materials can be secured by planning condition. Furthermore, the realignment of the channels and closure of the culvert into the nature reserve has satisfied the Wildlife Trust that any significant pollution incident could be controlled in the dead arm of the river without exceptional harm to valuable habitats. The EA are content for the Trust to deem whether or not the new culvert system is acceptable or not.
- 7.20 The introduction of a boat in this position will result in additional silting issues and the EA recommend a de-silting programme to overcome this issue that may threaten the wider alluvial environment. A scheme for dredging around the boat is therefore necessary, which can be secured by planning condition.

#### Parking and Access

- 7.21 Initial concerns were raised that the site for the moored boat relied heavily on the nearby Borough Council car park accessed from Bedford Road. The County Council as Highway Authority raise no objection to this method of access, but it is apparent that the applicant will have to seek right of access along this roadway from the Borough Council as landowner.
- 7.22 The Borough Town Centre Manager has laid out a scheme of works for improvement of the car park including surfacing, lighting, pay and display machines and laying out works, suggesting the possibility of the applicant contributing to this. On balance it is considered that these works, although desirable, are not required from a land-use planning perspective from the development proposed.
- 7.23 In simple terms, the boat restaurant would function adequately making use of the pedestrian access from the larger Midsummer Meadows pay and display car park further away and it is very unlikely that any patrons would try to park on Bedford Road itself given that it is fully parking restricted and well trafficked. The Borough Council in negotiating may wish to seek an arrangement for parking improvements as part of a deal that allows access to the site, but these agreements can take place outside of the planning system and do not significantly alter the acceptability of the scheme.
- 7.24 A high vehicle barrier that prevents commercial deliveries being made to the site marks the access from Bedford Road. The restaurant will require service access including waste collection and deliveries and standing vehicles on Bedford Road unable to get past the barrier pose a threat to other vehicles coming into Northampton on this road. The County highway engineer has highlighted this concern and this could be resolved by setting the barrier back so a large vehicle could get out

of the carriageway before the barrier is opened. The repositioning of this gateway can be controlled by condition.

### Environmental Health Issues

- 7.25 The Council's environmental health service, Public Protection, has noted that there are no nearby residents to the application site. They have recommended a waste condition to control potential pollution and pest issues.
- 7.26 The location is in a naturally dark area with established natural habitats and all associated lighting should be controlled to minimise landscape and wildlife impact. This can be applied by requiring low-level lighting through a scheme to be approved by planning condition.

## **8. CONCLUSION**

- 8.1 In summary, what is a relatively small development proposal creates a number of technical issues due to its isolated location on a sensitive part of the River Nene. Although outside of the town centre, the restaurant use is considered acceptable with potentially positive regenerative effects on the vitality and viability of the town centre in accordance with PPS4 and the East Midlands Regional Plan. The boat restaurant will provide natural surveillance and reduce the fear of crime in this part of the wider public open space of Midsummer Meadows, making it more attractive and useable for a cross-section of the community.
- 8.2 A number of potential ecology impacts have been identified but can be mitigated. The numerous issues around flood events can be managed to alleviate risk to people and the wider environment providing suitable schemes are adopted. It is proposed to allow a 5 year initial period for the development at which time the progress and degradation of the development can be re-evaluated.
- 8.3 The proposed location of the boat should encourage sustainable foot trips from the town centre and elsewhere and with plentiful public car parking available nearby there are no substantial threats to the highway network. The adjacent car park and service access through the Bedford Road entrance must be addressed through negotiation with the Borough Council as wider landowner.
- 8.4 The overall scheme accords with the saved River Nene Valley policies in the Northampton Local Plan and the generic development policies in the remainder of the Plan. The proposals amount to a sustainable and positive tourism and recreation development, that if managed well, can help enhance the wider viability and vitality of the town.

## **9. CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The use hereby permitted shall be discontinued and the land restored to its former condition (including full removal of the vessel and mooring) on or before 5 years from first installation of the vessel hereby approved.  
Reason: To enable the Local Planning Authority to assess the effect of the development during the said period in accordance with Policy E20 of the Northampton Local Plan.
3. Details and/or samples of all proposed external facing materials of the approved boat structure shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.
4. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site, implemented concurrently with the development and retained thereafter.  
Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.
5. The premises shall not be used for the sale of hot-food for consumption off the premises.  
Reason: In the interests of the amenity of the surrounding locality and / or in the interests of highway safety in accordance with PPG13 Transport.
6. Prior to the boat restaurant's first use, a scheme shall be submitted and approved by the Local Planning Authority which specifies the refuse arrangements to be provided for the approved use. Details of the storage area and number of bins provided, and pest control measures shall be included in the scheme.  
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with PPG23.
7. Unless agreed in writing by the Local Planning Authority full details of facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained thereafter.  
Reason: To ensure the provision of adequate facilities in accordance

with Policy E20 of the Northampton Local Plan.

8. No development shall commence until a scheme for recessing the large vehicle control barrier on the junction point from Bedford Road to the access road that leads to the restaurant's adjacent car park has the prior written approval of the Local Planning Authority (LPA). The approved scheme shall be fully implemented before first use of the boat and retained as approved thereafter unless otherwise agreed in writing by the LPA.  
Reason: In order that large vehicles do not obstruct the Bedford Road when entering the site to the detriment of highway safety in accordance with PPG13.
9. Full details of the storage and handling of all oils, chemicals and waste and an emergency pollution containment strategy shall be submitted for the prior written approval of the Local Planning Authority before first occupation of the boat restaurant. All resultant equipment, methods and procedures shall be retained for the lifetime of the development and used in accordance with the approved details.  
Reason: To protect the river environment from pollution incidents in accordance with PPS23.
10. A scheme for emergency vehicle access to the boat restaurant location shall be submitted for the prior written approval of the Local Planning Authority and all approved routes made available at all times for the life of the development.  
Reason: To ensure emergency vehicle access.
11. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Fenland Hydrotech April 2008 Revision 0 and Addendum (yet to be dated) and the following mitigation measures detailed within the FRA:
  - The safe access and egress route set at 57.57m AOD
  - The business will sign up to the Environment Agency's Flood Warning system.
  - The business will close, and the boat will not be occupied, on receipt of an Environment Agency flood warnings Direct Flood Watch.Reason: To ensure the safe access and egress route is dry and to ensure that the site users are safely evacuated in dry conditions in accordance with PPS25.
12. The development hereby permitted shall not be commenced until such time as the full design of the safe access and egress route has been submitted to, and approved in writing by, the local planning authority to:
  1. Ensure no raising of ground levels; and
  2. Ensure no impedance of overland flood flows.The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within

the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the impact of flooding on the proposed development and future occupants and to reduce the risk of flooding to the proposed development and future occupants in accordance with PPS25.

13. No development shall commence until a scheme for closing the dead arm outlet to the River Nene's main course and the creation of a culvert system utilising new inlets and outlets from the River Nene is submitted for the prior written approval of the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to first use of the boat restaurant and maintained thereafter.

Reason To protect the habitats on the nearby nature reserve in accordance with PPS9.

14. Full details of the mooring attachments shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved mooring details shall be fully implemented concurrent to the development and completed prior to the first use of the restaurant and maintained thereafter.

Reasons To ensure the boat is securely held in position particularly during flood events in accordance with PPS25.

15. A programme for dredging the river in direct proximity to the proposed boat for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority to first occupation of the boat restaurant and shall be implemented thereafter.

Reason To ensure proper management of the watercourse and prevent flooding in accordance with PPS25.

## **10. BACKGROUND PAPERS**

- 10.1 None.

## **11. LEGAL IMPLICATIONS**

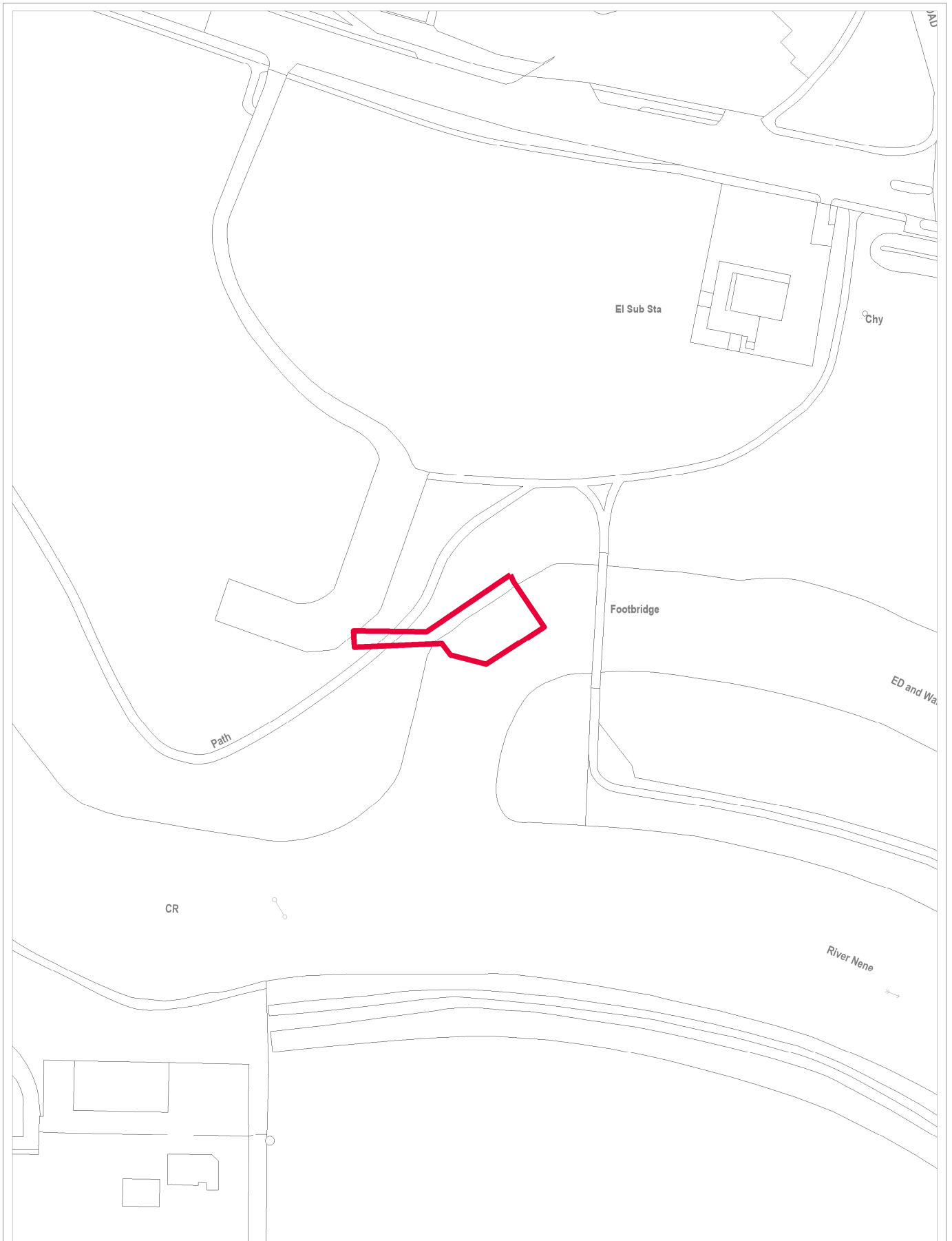
- 11.1 None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Richard Boyt	22/03/10
<b>Development Control Manager Agreed:</b>	Gareth Jones	22/03/10





Name: COMMITTEE APRIL 6TH  
 Date: 22nd March 2010  
 Scale: 1:1250  
 Dept: Planning  
 Project: Location Plan

**Title**  
**Midsummer Meadow - Bedford Road**

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