

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

YOUR ATTENDANCE IS REQUESTED AT A MEETING TO BE HELD AT
THE GUILDHALL ON TUESDAY, 11 JANUARY 2011 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
None.
8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
None.
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
- (A) N/2010/0997- REMOVAL OF EARTH BUND AT DELAPRE PARK, LONDON ROAD, NORTHAMPTON-
RESUBMISSION OF PLANNING PERMISSION B.
CLARKE
X 8916
N/2006/1139
Report of Head of Planning
(copy herewith)
Ward: Delapre
10. ITEMS FOR DETERMINATION
An Addendum of further information considered by the Committee is attached.
(A) N/2005/1141- BRIDLEWAY DIVERSION ORDER,
BRIDLEWAY LB6, UPTON MILL, UPTON LANE
Report of Head of Planning
(copy herewith)
Ward: West Hunsbury

.... (B) N/2010/0946- FIRST FLOOR SIDE AND SINGLE STOREY REAR EXTENSIONS AT 230 BOUGHTON GREEN ROAD, NORTHAMPTON G. WYATT X 8912
Report of Head of Planning
(copy herewith)

Ward: St David

.... (C) N/2010/0971- CONVERSION AND EXTENSION OF EXISTING GARAGE AND STORE TO CREATE NEW 3 BEDROOM TERRACED DWELLING AT LAND ADJACENT TO 65 OLIVER STREET R. SIMPSON X 7848
Report of Head of Planning
(copy herewith)

Ward: Kingsley

.... (D) N/2010/1013- TWO STOREY REAR /SIDE EXTENSION AND DIVISION OF PROPERTY INTO 4NO APARTMENTS AT 2 THORNTON ROAD, NORTHAMPTON- REVISION OF N/2010/0718 G. WYATT X 8912
Report of Head of Planning
(copy herewith)

Ward: Kingsthorpe

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

.... (A) N/2009/0843- ERECTION OF AN EXTENSION TO THE EXISTING SAINSBURY'S FOOD STORE, INCLUDING RECONFIGURATION OF CAR PARK (INCLUDING CAR PARK DECK), RECONFIGURED VEHICULAR ACCESS, NEW PEDESTRIAN RAMP ACCESS, NEW GOODS ON LINE LOADING AREA AND ASSOCIATED WORKS AT SAINSBURY SUPERSTORE, GAMBREL ROAD R. BOYT X 8724
Report of Head of Planning
(copy herewith)

Ward: St James

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:-**

<TRAILER_SECTION>
A6448

Agenda Item 2

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 16 November 2010

PRESENT: Councillor Collins (Chair); Councillor Meredith (Deputy Chair);
Councillors Church, J. Conroy, Davies, Golby, Hill, Lane, Malpas,
Matthews and Woods

1. APOLOGIES

Apologies for absence were received from Councillor Hawkins.

2. MINUTES

The minutes of the meeting held on 19 October 2010 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: (1) That Mr G Warren be granted leave to address the Committee in respect of application N/2010/0839.

4. DECLARATIONS OF INTEREST

None.

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 List of Current Appeals and Inquiries and noted that the appeal in respect of N/2010/0426, 18 Trevor Crescent, had been dismissed.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2010/0910- REMOVAL OF STUD PARTITION WALLS ERECTED SINCE 1948, RE-OPENING OF AN EXISTING DOORWAY, REWIRING AND IMPROVEMENTS TO LIGHTING, THE GUILDHALL, AT GILES SQUARE

The Head of Planning submitted a report in respect of Application no. N/2010/0910

elaborated thereon and in answer to a question noted that the West Entrance was not to be reopened for public use.

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to the referral of the application to the Secretary of State and subject to the conditions set out in the report as the proposed alterations would restore rooms to their former size, and reinstate the former doorway which would not result in the loss of historic fabric and would not have an adverse impact on the historic integrity of the building.

10. ITEMS FOR DETERMINATION

(A) N/2010/0839- ERECTION OF ONE DETACHED AND 2 SEMI DETACHED THREE- BEDROOM DWELLINGS, 14-18 THE WARREN

The Head of Planning submitted a report in respect of Application no N/2010/0839 elaborated thereon and in answer to questions noted that the Council owned 14 The Warren and that vehicle crossovers would be created to each of the proposed properties through the highway verge.

Gavin Warren, the agent, noted that the report detailed the issues raised by Hardingstone Parish Council and that he had worked with the residents for a long time to arrive at a scheme that met their concerns. He commented that there had been no objections from residents. In answer to a question Mr Warren commented that the density of his proposal was less than that immediately opposite the site.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the principle of using existing residential land for a new residential use was acceptable. The siting and design of the dwellings would compliment the locality and would not be detrimental to visual or residential amenity or highway safety in accordance with Policies H6 and E20 of the Northampton Local Plan and the guidelines contained within PPS13.

(B) N/2010/0693- APPLICATION FOR EXTENSION OF TIME LIMIT TO IMPLEMENT PLANNING PERMISSION N/2007/1301 FOR A FIRST FLOOR EXTENSION, 17 CLAYSTONES

The Head of Planning submitted a report in respect of Application no N/2010/0693 elaborated thereon and referred to the Addendum that set out an objection from the occupiers of 18 Claystones. In answer to questions, the Head of Planning commented that the allegation of business use had been previously investigated and had no effect on the domestic status of the property and that the proposed window to the western elevation would not directly overlook 18 Claystones.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the impacts on the character of the original building, street scene and residential amenity was considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan and the SPG Residential Extensions Design Guide

(C) N/2010/0863- SINGLE STOREY REAR EXTENSION, 106 NURSERY LANE

The Head of Planning submitted a report in respect of Application no N/2010/0863 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as due to the siting, size and design of the extension, its impact on residential amenity was considered acceptable in accordance with Policy H18 of the Northampton Local Plan.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

None.

The meeting concluded at 18.33 hours

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



List of Appeals and Determinations – 11th January 2010			
Written Reps Procedure			
Application	Del/PC	Description	Decision
N/2010/0761 APP/V2825/A/10/2140544/NWF	DEL	Retention of hot food catering van in car park of the public house.	AWAITED
N/2010/0794 APP/V2825/A/10/2141378/NWF	DEL	Single and two storey side and rear extensions to form an off-licence (use class A1) on ground floor and bedrooms on first floor (use class C3) (resubmission of planning application N/2010/0393).	AWAITED
N/2010/0597 APP/V2825/H/10/2138945	DEL	3 x illuminated fascia signs.	START DATE NEVER RECEIVED
N/2010/0647 APP/V2825/D/10/2141359	DEL	Two storey side extension following demolition of existing garage (resubmission of planning application N/2010/0466)	AWAITED
N/2010/0264 APP/V2825/D/10/2133820	DEL	Single storey front extension - resubmission of Planning Permission N/2006/0252.	AWAITED
N/2010/0426 APP/V2825/D/10/2137442	DEL	Single storey front extension - resubmission of Planning Permission N/2006/0252.	DISMISSED
N/2009/0469 APP/V2825/D/10/2135855	DEL	Erection of two storey detached dwelling - 18 Trevor Crescent	AWAITED
N/2009/0566 APP/V2825/A/10/2123568	DEL	Change of Use to 4no. bedsits at 1 Humber Close – Retrospective.	AWAITED
N/2010/0137 & 0138 APP/V2825/E/10/2128341/NWF	DEL	Erection of high level, first floor glazed link corridor to eastern elevation (Newton Block) at Kingsley Park Middle School building, St Georges Avenue.	DISMISSED
N/2010/0171 APP/2825/A/10/2128510/WF	DEL	Erection of two bed detached bungalow and attached garage at 23 Weston Way. (Resubmission of N/2009/1064).	ALLOWED
N/2010/0528 APP/V2825/A/10/2134872	DEL	Erection of detached 3 bed dwelling on land adjacent to 1 Central Avenue (revision of planning permission N/2010/0302)	AWAITED
Local Hearing			
N/2009/0974 APP/V2825/E/10/2131445/NWF	DEL	Replacement windows to front elevation at 155 Harborough Road.	AWAITED

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
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.

Agenda Item 9a



PLANNING COMMITTEE: 11th January 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2010/0997: Removal of earth bund – resubmission of Planning Permission N/2006/1139
Delapre Park, London Road, Northampton

WARD: Delapre

APPLICANT: Northampton Borough Council
AGENT: Mr S. Dougall – Northampton Borough Council

REFERRED BY: Head of Planning
REASON: Northampton Borough Council Application

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 **APPROVAL** subject to conditions and for the following reason:
- 1.2 The proposed development is considered acceptable in visual terms and would not unduly impact upon the historic character of the area. The proposal is in accordance with Policies E1, E9, E11, E20, E26 and E38 of the Northampton Local Plan and PPS5 – Planning for the Historic Environment.

2. THE PROPOSAL

- 2.1 The applicant seeks planning permission to remove an area of bunding located on the western side of Delapre Park adjacent to London Road.

3. SITE DESCRIPTION

- 3.1 The application site comprises part of the public park of Delapre and contains the Grade II* Listed Delapre Abbey amongst other listed buildings. The park is a registered battlefield on account of the 1460 Battle of Northampton taking place within this site. Furthermore, the application site is located within the boundaries of the Delapre Conservation Area. The bunding itself is located adjacent to the

western boundary of the park in close proximity to London Road. A number of mature trees provide some screening of the bunding, however, it is readily visible from this widely used road and from within the park itself.

4. PLANNING HISTORY

- 4.1 In 2005, an application was approved (reference N/2005/0143) for the construction of 2m high bund. At the November 2006 Committee meeting, planning permission (reference N/2006/1139) was granted to remove the bund and reinstate the ground to its former level. This permission was never implemented and has since expired.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPS5 – Planning for the Historic Environment

5.3 Northampton Borough Local Plan

E1 – Landscape and Open Space
E9 – Locally important landscape areas
E11 – Trees and hedgerows
E20 – New Development
E26 – Development within Conservation Areas
E38 – Historic landscapes

5.4 Supplementary Planning Guidance

Planning out Crime in Northamptonshire SPG 2004.

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Conservation (NBC)** – No objections as there would be a neutral impact upon the setting of the listed buildings and character and appearance of the conservation area.
- 6.2 **Arboricultural Officer (NBC)** – Recommends tree protection conditions.
- 6.3 **English Heritage** – Would recommend approval of the application, subject to suitable conditions covering archaeological monitoring and ground restoration.
- 6.4 **Northamptonshire Police** – The bund provides a good defence against illegal access apart from by motorbikes, but it provides a screen concealing potential anti-social behaviour. Should the bund be removed, it should be replaced by an alternative boundary treatment in order to deter crime and anti-social behaviour.

- 6.5 **Environment Agency** – No objections, but would wish various informative comments concerning the legislative requirements for the removing of such material to be forwarded to the application.
- 6.6 **Highway Authority (NCC)** – No objections.
- 6.7 **Rambler Association** – No objections, but questioning whether the bunding needs to be removed at this stage.

Neighbours

- 6.8 Observations from the occupiers of **90, 100 246 and 272 London Road**. Comments raised (both for and against the bund) can be summarised as:
- The bunding has stopped the vehicles being vandalised on this site and has discouraged vehicles from being sited on the park
 - The money to be spent on the removal of the bund could be used elsewhere
 - Alterations could be made to the bund, which would improve access and its appearance
 - The bunding is an incongruous addition to one of the main routes into Northampton
 - Use of the park has diminished due to difficult access and lack of security. For example, play areas cannot be seen from the road.
 - Road noise reverberates off of the bund to the detriment of residential amenity.
- 6.9 A letter has also been received from **Cllr P.D. Varnsverry** expressing support for the proposal in his capacity as a member of the public.

7. APPRAISAL

- 7.1 The proposed removal of the bunding would result in a restoration of the appearance of Delapre Park and in particular the historic setting of the park and therefore it is considered that the proposal offers benefits in enhancing the character and appearance of the park. In addition, the removal of the bunding would have a neutral impact upon the setting of London Road on account of the provision of greater views into Delapre Park.
- 7.2 The bunding was originally intended to reduce anti-social behaviour within the Delapre Park; however, it is noted that Northamptonshire Police's consultation response advises that whilst there are some benefits to the bund being installed, motorcycle nuisance has not seen any significant reduction and the bunding does reduce natural surveillance of the park from London Road. For these reasons, it is considered that the development would not represent a departure from the requirements of Local Plan Policy E40.
- 7.3 The consultation response from Northamptonshire Police goes on to requesting that if the bunding were to be removed that it is to be replaced by an alternative boundary treatment. The 2006 planning permission for the same proposal was

granted without any requirement to replace the bund with another form of barrier. There are not considered to be any significant changes in planning circumstances since the 2006 application was determined. The creation of such boundary treatment could also potentially have a negative impact upon the historic character of the park.

- 7.4 In order to secure a satisfactory standard of development and to ensure that there is a full investigation into the possibility of archaeological remains within the confines of the application site, a condition, consistent with the requirements of PPS5 – Planning for the Historic Environment, is proposed that will require the submission of a strategy for archaeological investigation during the implementation of the proposed development.
- 7.5 The mature trees located to the west of the bund play an important role in delineating the boundary of Delapre Conservation Area and make a significant contribution to the quality of the streetscene in London Road. In order to ensure that these trees are not harmed, a condition is proposed that would require the approval by the Local Planning Authority of tree protection measures to be implemented during the development process in accordance with Policy E11 of the Local Plan.
- 7.6 Observations have been submitted commenting on the financial implications of this proposal. Whilst these observations are noted and may be a matter for the Council to consider as applicant, it is not a material land use planning consideration.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the proposal would have a neutral impact upon the setting of the Delapre Conservation Area and would have a positive impact upon the streetscene of London Road. It is considered that the proposed development would not give rise to a significant detrimental impact upon levels of crime and anti-social behaviour.

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. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

3. No development shall take place until a design and method statement to protect archaeological remains has been 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 securing a satisfactory standard of development and to ensure that any archaeological remains are protected in accordance with Policy E38 of the Northampton Local Plan.

4. Unless otherwise agreed in writing by the local planning authority (LPA), no development shall take place until the applicant, or their agents, or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the LPA.

Reason: In order to ensure that any features of archaeological interest are examined and recorded in accordance with the requirements of PPS5.

5. No development shall take place until a statement detailing the means for protecting the site's trees during the development process has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of preserving the mature trees on site in accordance with Policy E11 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2005/0143
N/2006/1139

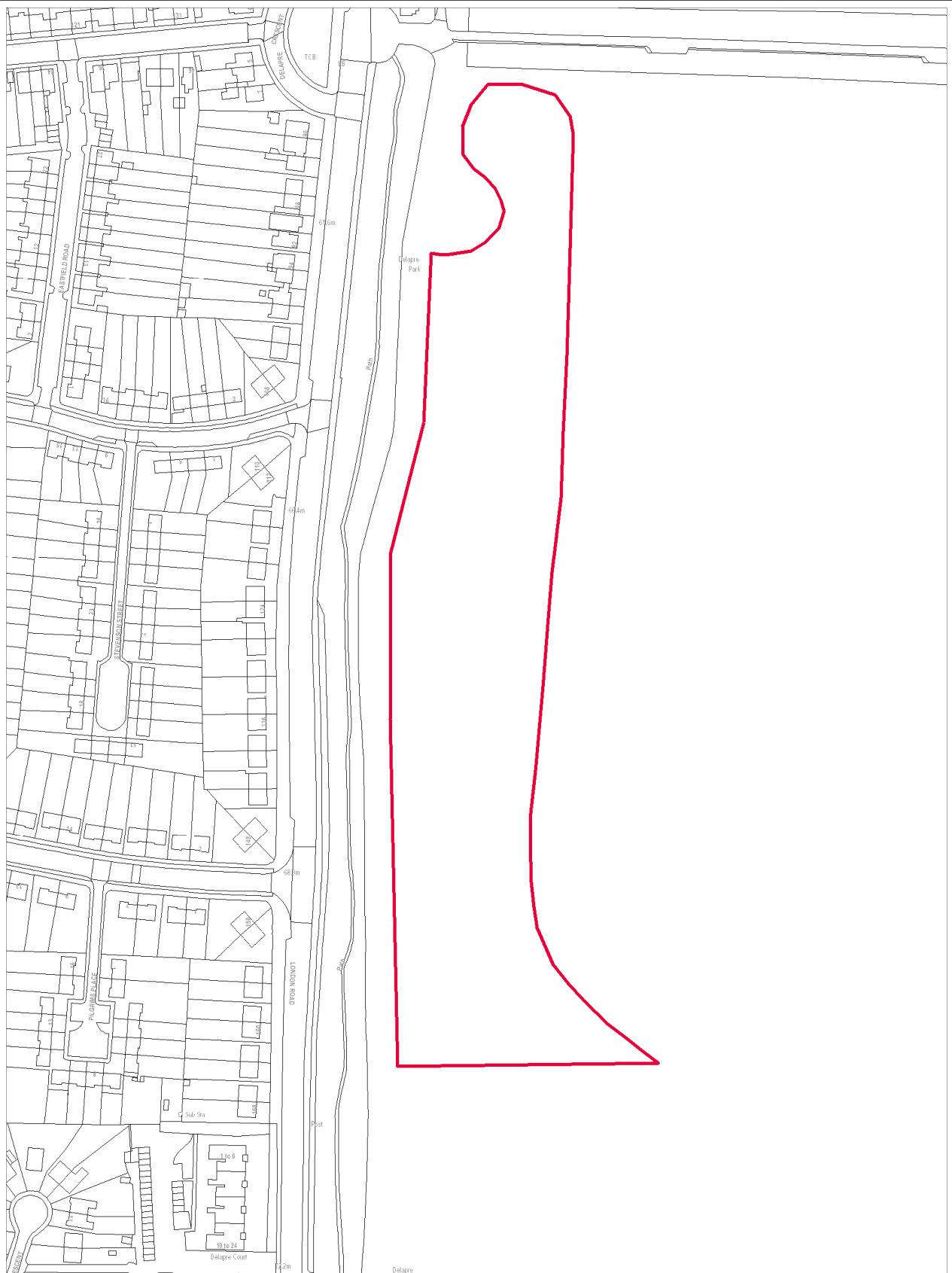
11. LEGAL IMPLICATIONS

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.

Position:	Name/Signature:	Date:
Author:	Ben Clarke	16/10/10
Development Control Manager Agreed:	Gareth Jones	17/12/10



Name: SW
Date: 22nd December 2010
Scale: 1:2000
Dept: Planning
Project: Site Location Plan

Title

Delapre Park, London Road

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Agenda Item 10



Addendum to Agenda Items Tuesday 11th January 2011

Northampton Borough Council Applications

ITEM 9A**N/2010/0997**

Removal of earth bund at Delapre Park, London Road, Northampton - Resubmission of Planning Permission N/2006/1139.

Revision to Condition 3, which should read:

No development shall take place until a detailed design and method statement has been submitted and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development in accordance with PPS1 – Delivering Sustainable Development

Items for Determination

ITEM 10A**N/2005/1141**

Bridleway Diversion Order

Bridleway LB6, Upton Mill, Upton Lane, Northampton.

ITEM 10B**N/2010/0946**

First floor side and single storey rear extensions at 230 Boughton Green Road, Northampton. (as amended by revised plans received on 23rd November 2010).

ITEM 10C**N/2010/0971**

Conversion and extension of existing garage and store to create new 3 bedroom terraced dwelling at Land adjacent to 65 Oliver Street, Northampton.

ITEM 10D
N/2010/1013

Two storey rear/side extension and division of property into 4no apartments at 2 Thornton Road, Northampton - Revision of N/2010/0718.

Additional letter from **2 Branksome** Avenue objects on grounds of increased noise arising from the increased use of the property (i.e. 4 bedrooms could result in 8 occupants), proximity of the proposed waste /recycling storage close to the boundary with no 4, and inadequate on-site parking.

Applications for Consultation

ITEM 12A
N/2009/0843

Erection of an extension to the existing Sainsbury's food store, including reconfiguration of car park (including car park deck), reconfigured vehicular access, new pedestrian ramp access, new goods on line loading area as associated works at Sainsburys Superstore, 20 Gambrel Road, Northampton.

1. Indigo (consultants) on behalf of Sainsbury's submitted trade diversion figures in December 2010 that include comparison goods turnover dropping between schemes from £9m to £5m and the diversion in comparison trade reducing to 0.3% from around 1%. Convenience trade diversion increases from 3.9% to 5% from Far Cotton centre.

- NBC's retail planning consultant has advised that the trade diversion impact does not any longer amount to a reason to object. WNDC are still asked to be satisfied that they are sure that no harm in retail impact terms occurs.

2. Developer update – Indigo on behalf of Sainsbury's have submitted comments on the committee report and these are appended.
Their points include:

A building engineer report is shortly expected demonstrating the carbon impact implications of having an oversized store.

Noting that the trade diversion analysis is now submitted (see 1. above)

Noting that they have already submitted information on bulk and scale.

Confirming that 25% comparison goods are already agreed as a condition with WNDC.

Reiteration that Sainsbury's are committed to the town centre subject to the control and Legal and General possess as operator of the Grosvenor Centre.

Indigo make detailed comments on the committee report, including comments on site description and the appraisal (please refer to the appendix)

3. Members should be reminded that NBC are presently considering a circa 700 square metre extension to Netto, in and on the edge of Far Cotton centre, and WNDC applications for a circa 2,700 square metre extension to Tesco Mereway, a circa 5,000 square metre new store in the former sorting office of Barrack Road and a variation of condition at Nene Valley Retail Park that would allow potentially a 5,000 square metre superstore or considerably larger.

4. No public objections have been received by NBC regarding the revised smaller extensions to the Sainsbury's store.

5. The agents for Tesco Mereway (Robesons) have suggested considering their proposals alongside Sainsbury's in a cumulative manner. The Tesco scheme is presently being revised since its submission in September 2010 and is a considerable time behind the Sainsbury's proposal. There are no near-term commitments that should be considered consecutively and cumulatively with Sainsbury's.

6. The proposed store extension projects approximately 27 metres to the front and 35 metres to the side.

7. Para 7.40 – CORRECTION Line 7 – 'Nene Valley' should read 'Sixfields'

Mr R Boyt
Northampton Borough Council
Cliftonville House
Bedford Road
Northampton
NN4 7NR

Northampton Borough Council Planning	
Date	07 JAN 2011
File Number	232811

indigo

6 January 2011

By email only
rboyt@northampton.gov.uk
Our ref. RF/KN/482211

Dear Mr Boyt

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION ON BEHALF OF SAINSBURY'S SUPERMARKETS LTD
(NBC REF: N/2009/0843)
SAINSBURY'S STORE, WEEDON ROAD, NORTHAMPTON**

We refer to our telephone conversation regarding the report prepared in respect of the above application for next Tuesday's (11 January) planning committee meeting, and as agreed have set out below some points of clarification which we understand will be presented to Members in advance of the meeting.

As a general point, we are disappointed that the recommendation could not be presented in a slightly more positive light, but recognise the reasons behind the 'holding objection' and cautiously welcome the overall conclusions contained within the report, subject to the matters raised below.

We deal first with the specific points raised within the recommendation itself, before considering further more general matters in chronological order as they are raised through the report.

The Recommendation

It is recommended that the Council raises a holding objection unless and until:

"WNDC are fully satisfied that such an over-sized structure is not unsustainable, that adverse trade diversion from other centres does not occur resulting in a significantly adverse impact on town centre vitality and viability and town centre investment and that the overall bulk of the design and car decking is acceptable in this location."

Taking these points in turn:

- We have explained previously why the double height (e.g. 'over-sized') structure is necessary to accommodate the extension which largely renders the question regarding its relative sustainability (compared to a single storey extension) superfluous. Nevertheless, Sainsbury's energy consultants have prepared an updated assessment of the energy efficiency of the store

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Tim Waring
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Doug Hann
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John Spain
BBS MRUP MRICS MRTPI MIPi

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extension which will be submitted to WNDC under separate cover. This assessment demonstrates that when new efficiency measures are taken into account the increase in energy consumption between the existing store and the proposed store extension is less than 2%. Even if it was practical and feasible to promote a single storey extension, it is evident that any energy savings to arise would be marginal (i.e. somewhere between 0-2%).

Any (immaterial) benefit which could be gained from a single storey extension would be off-set by the unsustainable need to redevelop the structure should a future extension be permitted at the store; i.e. the difference in energy consumption between a double height and single height extension is relatively marginal and the benefits of 'future proofing' the store to accommodate future expansion outweigh any benefits to be gained from promoting an alternative single storey building (even if this was a realistic alternative).

- We have provided updated trade diversion calculations (7 December 2010) equating with the smaller store extension now under consideration. These clearly demonstrate that there will be no significant adverse impact on town centre vitality and viability, and town centre investment.
- We have previously provided additional justification for the scale and massing of the proposed development in our correspondence to Matthew Berry (WNDC dated 28 September 2010 – extract attached for ease of reference). These same considerations continue to apply; e.g. extending into the car park necessitates the car park deck which, in turn, requires a double height atrium to transfer customers to the shop floor.

It is key to note that the immediate surrounding environment at Sixfields is characterised by large scale commercial buildings, many of which are far larger than the proposed extension to the store, and that the increases in height of the building are relatively modest (see para 2.6 of the report).

The recommendation also seeks to ensure that no more than 25% of the net sales area of the extended store is used for the sale of comparison goods. We have already agreed the basic wording of a condition with WNDC which would provide adequate control on this matter.

Finally, Sainsbury's have consistently stated their commitment to maintain a presence in the town centre (currently within the Grosvenor Centre) and are negotiating an appropriate obligation with WNDC as part of the S106 Agreement to secure such occupation for a reasonable period (subject to the intentions of their landlords, Legal & General).

The Proposal

- Paragraph 2.7 – Refers to "...a small sales area for comparison goods and concession space" remaining at mezzanine level. This is not the case. There is a single concession proposed at first floor level (within the atrium area adjoining the car park deck), and it is currently proposed that this be

occupied by an 'Explore Learning' (maths and English tuition centres) centre.

- Paragraph 2.9 – For clarification, it is not proposed to refurbish the petrol filling station as part of the current planning application. The proposals for refurbishment will be progressed via a separate, detailed planning application.

Site Description

- Paragraph 3.3 – Refers to the Sainsbury's store at Sixfields as being a 'slightly dated' store. We would argue that it is in fact an extremely dated, being a 'first generation' out of centre foodstore constructed in the 1980s with no material expansion or improvement since this time. This is a key driving factor for the application, and officers are aware that Sainsbury's have been actively seeking to extend the store in some form since the late 1990s.

Appraisal

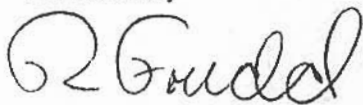
- Paragraph 7.6 – States that "...expansion of retail floorspace which would impact on the town centre... would be contrary to national and local policy". This should refer to retail floorspace which would have a 'significant adverse impact' on the town centre; it has been demonstrated that the extension will not have such an impact.
- Paragraph 7.11 – Refers to the fact that "...car parking can be difficult". We would argue that car parking provision at the store is adequate (this has been confirmed by the local highways authority), but that the issues experienced in terms of car parking accessibility are largely related to the existing vehicular access arrangements which are to be improved as part of the proposals.
- Paragraph 7.18 – We do not agree that "...Sainsbury's could build a successful additional store... in the town instead of extending at Sixfields". This would not be commercially realistic or viable, and would not address the compelling need to extend the store.
- Paragraph 7.19 – There are outstanding representations to the emerging Core Strategy promoting the benefits of Sixfields as forming part of the shopping centre hierarchy of Northampton, and it is therefore premature to conclude that such a centre is not justified as part of any emerging planning policy.
- Paragraph 7.29 – Refers to the relationship between the Sainsbury's store at Sixfields and that within the Grosvenor Centre, stating that "...opening new floorspace out of centre at Sixfields may provide a more commercially viable option for trading in the wider town for Sainsbury's that leads to them pulling out of the town centre to minimise trade diversion from Sixfields". We have previously explained, and the independent household survey commissioned

by the Council confirms this to be the case, that the two stores cater for almost entirely different markets and forms of trade. The Grosvenor Centre store does not exert any trading influence over Sixfields that would lead to commercial pressure to close their town centre store. The store's trade in a complimentary manner and will continue to do so.

- Paragraph 7.39, 7.41 and 8.7 – As outlined above, we have submitted a detailed assessment of trade diversion from other centres based on the reduced floorspace now proposed, demonstrating that impact on the town centre is negligible.
- Paragraph 7.45 – Although it is acknowledged that this store does not immediately adjoin residential areas, it has been accepted by the local highways authority that it is easily accessible by various means of transport to a significant (and expanding) local residential population. In terms of the improvements to pedestrian access, these are as extensive as could be reasonably expected given established pedestrian desire lines to the store; this is a store extension, rather than a new store proposal.
- Paragraph 7.48 – We wish to clarify that there is no presumption that planning permission would be granted for future expansion (at first floor level) of the store; this would be the subject of a separate planning application. We have already explained above, through reference to the correspondence of September last year, that there is little realistic alternative but to promote a double height structure as part of the extension, and that this in turn delivers genuine sustainability benefits should future expansion of the store be permitted.
- Paragraph 7.51 – The statement that jobs would be created via retail floorspace expansion in Northampton in any event is misleading. Sainsbury's are seeking to invest in their Sixfields store now, creating new jobs in the immediate future when they are most acutely needed. It has been demonstrated, and accepted within the report, that the proposals will not have a material detrimental effect on retail investment in the town centre and therefore these new immediate jobs created by Sainsbury's will be additional to the others envisaged by officers – the effect is therefore a positive one.

We trust that the above is self explanatory and look forward receiving confirmation that these matters will be reported to Members in advance of the meeting. In the meantime, should you have any queries on the matters raised then please do not hesitate to contact me.

Yours sincerely



Richard Frudd

Enc: As noted
cc: Mr M Berry – WNDC
Mr C Wakelin – Sainsbury's Supermarkets Ltd
Mr M Nicholson – Sainsbury's Supermarkets Ltd
Mr D Lazenby – Sainsbury's Supermarkets Ltd
Mr J Leach – Riley Consulting
Mr B Keys – Robert Keys
Mr J Partridge - HCD
Mr S Checketts – Mayer Brown

Scale and Massing

The floorplate of the extended store cannot be reduced. The only means of doing so, whilst delivering the proposed uplift in floorspace (necessary to deliver the qualitative improvements required at the store), would be to introduce new mezzanine floorspace above the existing shop floor.

To introduce a new mezzanine within the existing store, in conjunction with any store extension works, would require extensive modifications to the structure of the existing building as it does not have sufficient roof height. This would be extremely disruptive and likely to require a cessation of trade within the store for a prolonged period of time. This is not acceptable to Sainsbury's linked to both the direct loss of trade and income (undermining the viability of the extension), and also the longer term consequences of lost customers who had first become disillusioned with a qualitatively inferior store, and secondly a closed store, and consequently defect to an alternative supermarket operator.

Furthermore, a mezzanine without sufficient critical mass to accommodate related ranges of goods, associated circulation space and customer amenities would not meet the need which has been identified at the store; i.e. to provide significant improvements to the qualitative shopping experience and offer.

Within this context, larger scale mezzanines only become viable where there is a certain critical mass of ground floor sales area on which to base the stores'

trade; we have consistently made the point that new floorspace at mezzanine level would turnover at a much reduced density to that at ground floor. This was clearly the case with the original proposal, but would not make commercial sense for Sainsbury's were the ground floor area to be significantly reduced.

This being the case, there is a consequent need to maintain the car park deck; this has already been reduced in scale as part of the revised proposals, as outlined above.

In conjunction with the car park deck there is a requirement for a double height atrium along the entire frontage of the extended store to ensure that customers can enter and exit the store in comfort from both car park levels. The proposals seek to retain this double height structure across the entirety of the extended floorspace.

The implications of this are not as great as may be envisaged. A new single storey extension built to modern standards would have a height falling somewhere in between that now proposed and the existing store in any event. A partial reduction in height of the extension (excluding the atrium) would not result in any material reduction in the overall scale and massing of the building.

Irrespective of the theoretical scope to revise the scheme in this manner, it is our view that this is not necessary. The scheme reflects its large scale commercial surrounds, and the site is subject to extensive landscape screening to the main highway frontages. The increased use of glazing to the extension further reduces the perceived scale and mass of the building.

The partial reduction in height of the extension would also affect the quality of the shopper environment in the store. The aim has always been to create a high quality, naturally well-lit, open shopping environment. To reduce the height of the building would not only reduce the effectiveness of the roof lights adopted for the extension on the shop floor, but would more fundamentally create an oppressive, enclosed environment for customers at the mezzanine level café; the aspiration is always to try and deliver well lit, open views across the shop floor as part of the drive to enhance the shopper experience.

LIST OF APPEALS AND DETERMINATIONS

Application	Del/PC	Description	Decision
N/2010/0761 APP/V2825/A/10/2140544/NWF	DEL	Retention of hot food catering van in car park of the public house at The Romany Public House, Kingsley Road, Northampton.	AWAITED
N/2010/0794 APP/V2825/A/10/2141378/NWF	DEL	Single and two storey side and rear extensions to form an off-licence (use class A1) on ground floor and bedrooms on first floor (use class C3) (resubmission of planning application N/2010/0393) at 25 Pleydell Road, Northampton.	AWAITED
N/2010/0597 APP/V2825/H/10/2138945	DEL	3 x illuminated fascia signs at Plot 2 Zone A, Pineham Barns Area, Northampton.	AWAITED
N/2010/0647 APP/V2825/D/10/2141359	DEL	Two-storey side extension following demolition of existing garage (resubmission of planning application N/2010/0466) at 12 Aviemore Gardens, Northampton.	DISMISSED
N/2010/0264 APP/V2825/D/10/2133820	DEL	Single storey front extension at 56 Friars Avenue, Northampton. Resubmission of Planning Permission N/2006/0252.	DISMISSED
N/2010/0426 APP/V2825/D/10/2137442	DEL	Single storey front extension - resubmission of Planning Permission N/2006/0252 at 18 Trevor Crescent, Northampton.	DISMISSED
N/2009/0469 APP/V2825/D/10/2135855	DEL	Erection of two storey detached dwelling at land adjacent to 1 Heather Lane, Northampton.	AWAITED
N/2009/0566 APP/V2825/A/10/2123568	DEL	Change of Use to 4no. bedsits at 1 Humber Close, Northampton – Retrospective.	AWAITED
N/2010/0137 & 0138 APP/V2825/E/10/2128341/NWF	DEL	Erection of high level, first floor glazed link corridor to eastern elevation (Newton Block) at Kingsley Park Middle School building, St Georges Avenue, Northampton.	DISMISSED
N/2010/0171 APP/2825/A/10/2128510/WF	DEL	Erection of two bed detached bungalow and attached garage at 23 Weston Way, Northampton. (Resubmission of N/2009/1064).	ALLOWED
N/2010/0528 APP/V2825/A/10/2134872	DEL	Erection of detached 3 bed dwelling on land adjacent to 1 Central Avenue, Northampton. (revision of planning permission N/2010/0302)	AWAITED

Local Hearing

N/2009/0974 APP/V2825/E/10/2131445/NWF	DEL	Replacement windows to front elevation at 155 Harborough Road, Northampton.	AWAITED
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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
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 <u>Cliftonville House, Bedford Road,</u> Northampton, NN4 7NR.

Agenda Item 10a



PLANNING COMMITTEE: 11th January 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

PROPOSAL: Bridleway Diversion Order (related to Application N/2005/1141)

WARD: West Hunsbury

APPLICANT: English Partnerships now Homes and Communities Agency
AGENT: Halcrow Group Limited

REFERRED BY: Head of Planning
REASON: To enable a public bridleway diversion Order to be made in respect of the proposed diversion of Bridleway LB6

DEPARTURE: None

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 That an order be made pursuant to Section 119 of the Highways Act 1980 in respect of the proposed diversion of Bridleway LB6 at Upton Mill, Upton Lane, as shown for identification purposes on the attached plan.

2. THE PROPOSAL

2.1 Within the Upton Country Park site, Upton Mill is a Grade II Listed Building and private residence. Part of Bridleway LB6 extends south from Upton Mill for some 130 metres to the River Nene. Proposals for the Upton Country Park and subsequent flood attenuation works on the park area both included the proposed diversion of Bridleway LB6 to a riverside alignment eastwards from the Mill, in order to create a more attractive route for an increased number of users and to respect the privacy and boundaries of Upton Mill.

3. PLANNING HISTORY

- 3.1 3.1 The application proposals for the flood attenuation works between Upton Mill and Upton Way by English Partnerships (now Homes and Communities Agency) were approved at Planning Committee on 2nd November 2005 (Application N/2005/1141). The report included a recommendation 'that an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 in respect of the proposed diversion of Bridleway LB6.' The minutes of the meeting, whilst referring to the diversion of Bridleway LB6, did not specifically incorporate the recommendation to make an order. The resolution did approve Application N/2005/1141. Both the Planning Committee report and minutes for 2nd November 2005 are background reports.
- 3.2 Section 257 of the Town and Country Planning Act 1990 can be used to initiate diversion orders when the associated works are not yet started or not fully implemented.
- 3.3 Following consultation with the applicant's agents – Halcrow Group Limited – it has been confirmed that the flood attenuation works proposed in Application N/2005/1141 have been fully implemented. These works include the provision of a new bridleway route and new bridge across the mill stream (east of the Mill), which enable the diversion to take place.
- 3.4 In the case of completed works, provided that it appears to the Council to be expedient to make an order in the interests of the public or of the owner, lessee or occupier of the land crossed by the path, the appropriate legislation for the making of the diversion order is Section 119 of the Highways Act 1980 and the recommendation on this report reflects this changed circumstance.

4. PLANNING POLICY

4.1 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 the Regional Plan and saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

4.2 National Policies:

PPS1 – Delivering Sustainable Development

4.3 Northampton Borough Local Plan

L20 – Upton Mill Country Park

L26 – Proposed recreation/leisure sites

4.4 **Supplementary Planning Guidance**

Planning out Crime in Northamptonshire SPG 2004

The Council's 'Upper Nene Valley Country Park Design Brief' is also relevant.

5. **CONSULTATIONS / REPRESENTATIONS**

6.1 5.1 NBC Borough Solicitor.

5.2 Consultation on the associated planning application (N/2005/1141) included NCC Rights of Way, Environment Agency, Upton Parish Council and the Ramblers Association.

6. **APPRAISAL**

6.1 Both the Country Park and flood mitigation works have been completed as described in Section 3 above and the making of a diversion order for Bridleway LB6 will complete the proposals. Due to the nature of the flood attenuation works, which resulted in significant topographical alterations to the landform affecting the footpath the footpath diversion it is considered expedient to make the order in the public interest.

7. **CONCLUSION**

7.1 Within the design and implementation of Upton Country Park, the proposed diversion of Bridleway LB6 has been a key proposal in relation to both protecting the privacy and security of Upton Mill and enhancing leisure routes within the Park. The making of the order will enable this proposal to be formally established in the public interest.

8. **BACKGROUND PAPERS**

8.1 Report of the Planning Committee 2 November 2005

8.2 Minutes of the Planning Committee 2 November 2005.

9. **LEGAL IMPLICATIONS**

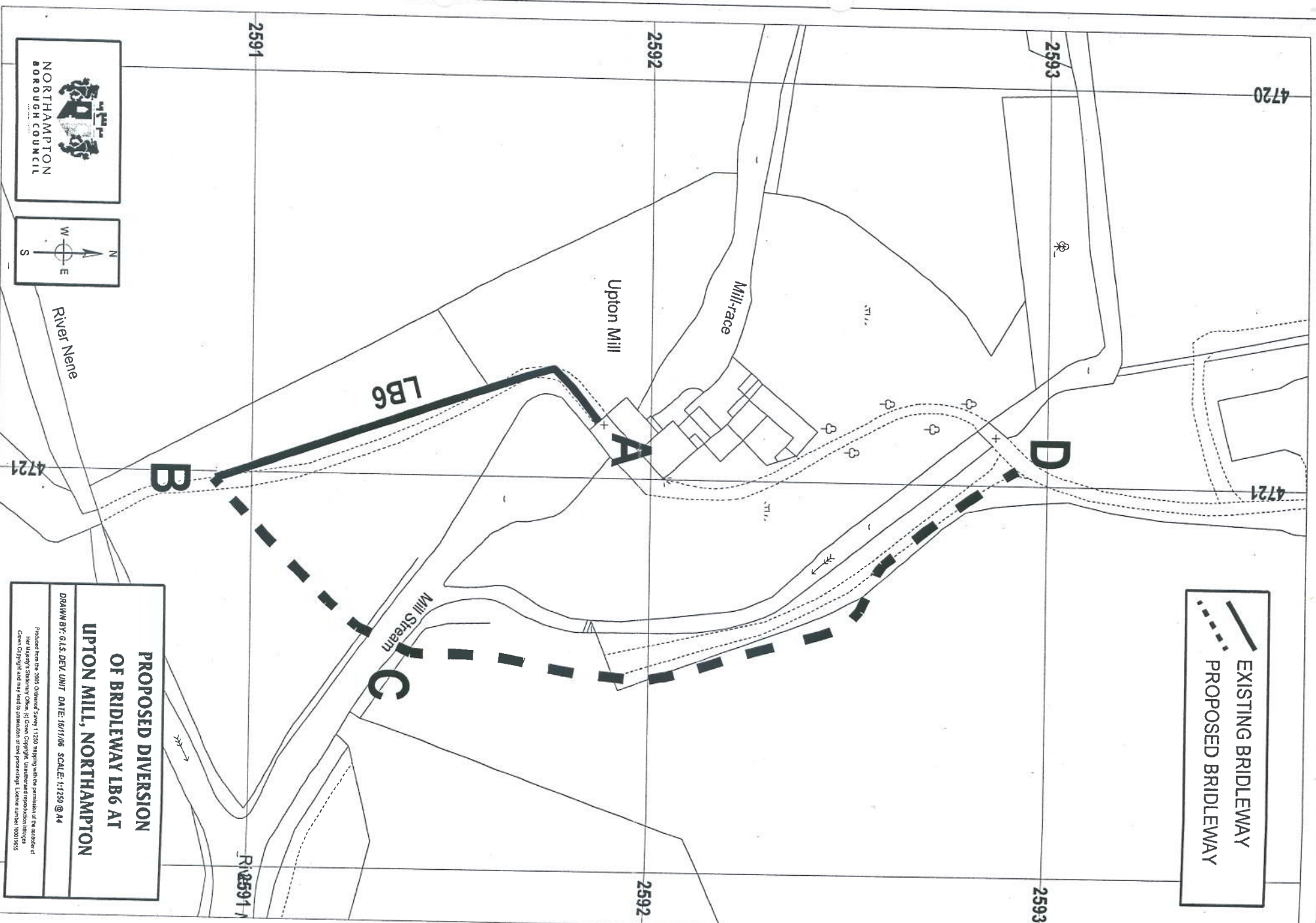
9.1 It is mandatory to obtain a specific Committee resolution authorising the diversion of a public bridleway.

10. **SUMMARY AND LINKS TO CORPORATE PLAN**

10.1 Priority 1: We will help our communities become safer, greener and cleaner.

Position:	Name/Signature:	Date:
Author:	Richard Holmes	13/12/10
Development Control Manager:	Gareth Jones	29/10/10

 EXISTING BRIDLEWAY
 PROPOSED BRIDLEWAY



**PROPOSED DIVERSION
 OF BRIDLEWAY LB6 AT
 UPTON MILL, NORTHAMPTON**

DRAWN BY: GJS DEV UNIT DATE: 16/11/06 SCALE: 1:1250 @ A4

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NORTHAMPTON
BOROUGH COUNCIL

PLANNING COMMITTEE: 11 January 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N2010/0946: First floor side extension and single storey rear extension (as amended by revised plan received on 23 November 2010)
230 Boughton Green Road

WARD: St David

APPLICANT: Mr D Poone
AGENT: Mr P Toone

REFERRED BY: Cllr T Crake
REASON: First floor extension is too large and overbearing

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

By reason of its siting, scale and relation with surrounding development, the impact of the proposed development on the character of the original building, street scene and residential amenity is considered acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 It is proposed to erect a first floor side extension 4m wide and 7m deep with a gable roof to the side and a hip roof to the rear. A single storey rear extension is also proposed connecting the existing rear extension and garage and pitched roof to the existing garage. The first floor extension has been indented by 0.5m back from the existing front elevation of the dwelling. The originally submitted scheme had the first floor side extension protruding 4 metres beyond the existing rear elevation of the dwelling.

3. SITE DESCRIPTION

- 3.1 Semi-detached dwelling constructed of brick with a tiled roof. A single storey rear extension measuring 4m x 4m has previously been erected and the property also has an existing rear garage with a carport to the side.

4. PLANNING HISTORY

- 4.1 None relevant to the current application.

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 and saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

PPS1 – Delivering Sustainable Development.

5.3 East Midlands Regional Plan 2009

Policy 2 – Promoting Better Design

5.4 Northampton Borough Local Plan

E20 – New Development

H18 - Extensions

5.5 Supplementary Planning Guidance

Residential Extensions Design Guide.

6. CONSULTATIONS / REPRESENTATIONS

6.1 209 Boughton Green Road – objection

- Will result in parking problems
- Will be detrimental to the character of the locality.

6.2 228 Boughton Green Road – objection

- Will be detrimental to privacy and light
- Will create a parking problem
- Issues with amounts of refuse

- 6.3 **228 Boughton Green Road** has also submitted an objection to the revised plan on similar grounds to the above.

7. APPRAISAL

- 7.1 The plans initially submitted with the application showed a much larger side extension that protruded a significant distance beyond the existing rear elevation of the dwelling. Following negotiations by the case officer a revised scheme has been submitted reducing this protrusion to only 1.2m. Due to the limited bulk of this element of the revised scheme and its relationship with the surrounding residential properties this aspect of the development is now considered acceptable.
- 7.2 The design of the proposed extension compliments the existing dwelling with a gable roof and has been indented at the front to prevent any potential terracing effect and to make it visually subservient to the host building. Furthermore, there are only two pairs of semi-detached dwellings in this part of Boughton Green Road which reduces any visual inference of terracing to a minimum.
- 7.3 The adjoining property, no. 228 Boughton Green Road, has windows and a door on the side elevation. Nonetheless as these are secondary and / or non-habitable room windows and as the first floor extension would maintain a separation distance of approximately 3m between the side elevations of the two properties it is not considered that the proposal would have a significant impact in this regard.
- 7.4 There have been observations received regarding the existing use of the premises as a shared student house. A change of use from a dwelling (Use Class C3) to a house of multiple occupation for up to 6 persons (Use Class C4) does not require planning permission, so the change of use of the property for this purpose would not have required planning permission. However if the dwelling contains more than 6 occupiers in the future then planning permission would be required. Increasing the size of the property by adding a fourth bedroom, as proposed, would not give rise to a significant intensification of its use such as to cause any significant additional affect on neighbour amenity.
- 7.5 There is enough space within the site to provide three parking spaces which is considered sufficient for this residential use, especially given the proximity of the University.

8. CONCLUSION

- 8.1 The first floor extension would not be detrimental to the appearance of the building as the design compliments the existing dwelling and appears subordinate. The reduction in its length has resulted in it having limited impact on the amenity of the adjoining dwelling. Due to their limited scale and siting, the single storey rear extension and pitched roof to the garage are acceptable with no detrimental effect on the building's appearance or adjoining property.

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 external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy H18 of the Northampton Local Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the side elevation of the first floor extension without the prior written consent of the Local Planning Authority.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H18 of the Northampton Local Plan.

10. LEGAL IMPLICATIONS:

10.1 None.

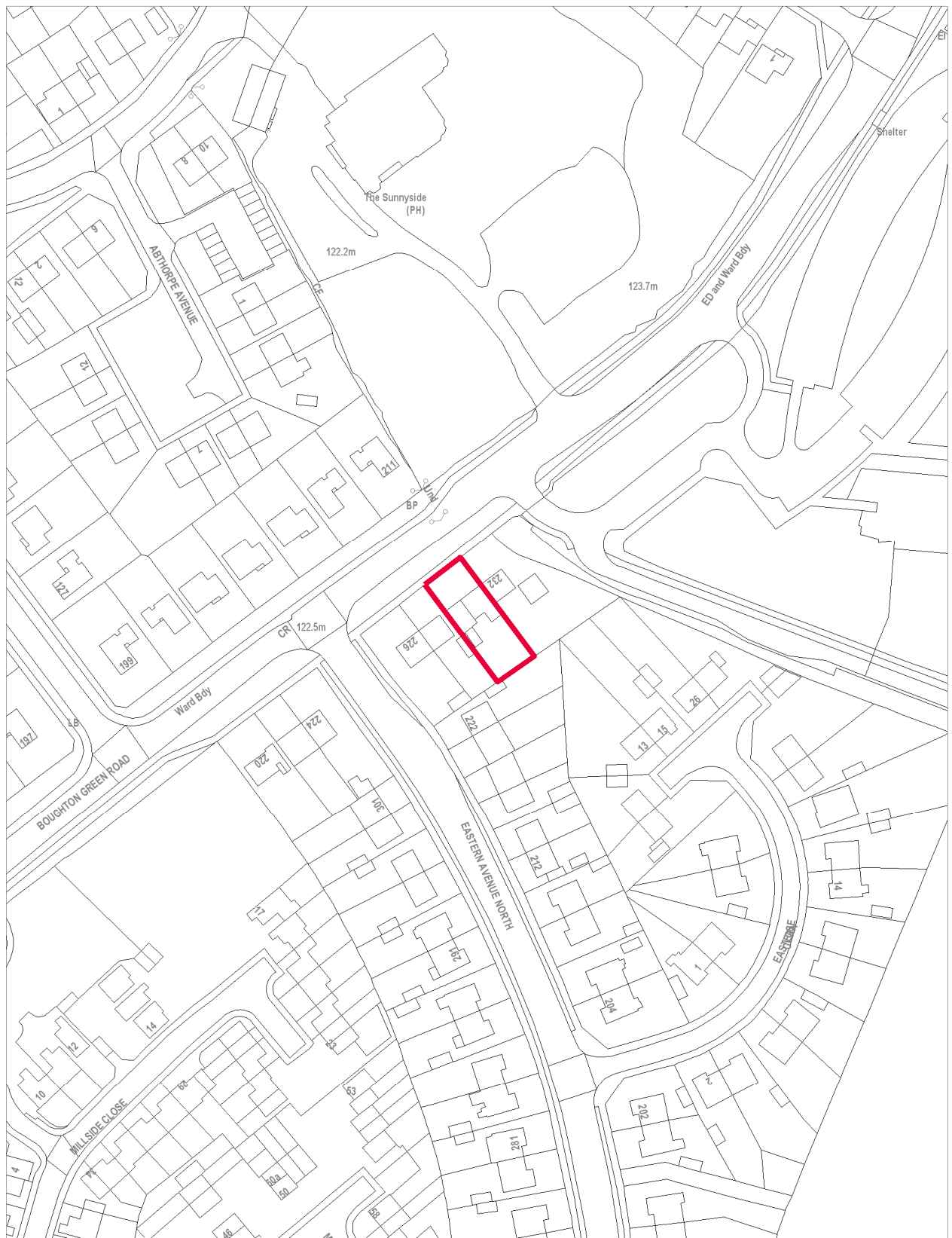
11. BACKGROUND PAPERS

11.1 N/2010/0946.

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.

Position:	Name/Signature:	Date:
Author:	Geoff Wyatt	13/12/10
Development Control Manager:	Gareth Jones	17/10/10



Name: SW
 Date: 22nd December 2010
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
230 Boughton Green Road

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Agenda Item 10c



PLANNING COMMITTEE: 11th January 2010
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2010/0971: Conversion and extension of existing garage and store to create new 3 bedroom terrace dwelling Adjacent to 65 Oliver Street

WARD: Kingsley

APPLICANT: Mr. P. Boyd
AGENT: Architectural Solutions

REFERRED BY: Head of Planning
REASON: Relative of Council Employee

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The site lies within a primarily residential area. The development proposed, by reason of its character appearance, scale and site, would not be detrimental to the character of the area, highway safety or the amenity of nearby residents in accordance with Policies E20 and H6 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The proposal is to convert the property to a three bedroom dwellinghouse with ground floor kitchen/diner and lounge, two bedrooms and bathroom on the first floor and a bedroom in the attic space. The proposal also includes a rear single storey extension.

3. SITE DESCRIPTION

- 3.1 65 Oliver Street is located on the east side of Oliver Street within a primarily residential area as identified in the Local Plan. The property consists of a two storey terraced dwellinghouse with an adjoining garage with a room above. This property is essentially located on a double width plot. The application site relates to the part of the plot occupied by the garage with room above and garden land to the rear. It is believed that this plot was originally occupied as a separate unit and possibly used as a beer store however planning history suggests it has formed part of the adjoining dwellinghouse since the 1960's. Properties on either side of no.65 consist of single family dwelling houses (nos. 63 and 67).

4. PLANNING HISTORY

- 4.1 E/2010/0584 – Rear extension – Permitted development
E/2010/0484 - Proposed rear extension – Permitted development
55/60 – Conversion of shop and dwelling into dwellinghouse - Approved

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 and saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPS3 - Housing
PPS13 – Transport

5.3 Northampton Borough Local Plan

E20 – New Development
H6 – Residential Development

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **NCC Highways** – no objections.
- 6.2 **Anglian Water** – no comments received
- 6.3 **Public Protection** –no comments to make
- 6.4 **Access Officer** - no comments received

6.5 **58 Oliver Street** – objects on parking grounds as parking in the street is a problem and sometimes have to park in the next street.

7. APPRAISAL

7.1 The site lies within an area identified as primarily residential in the Northampton Local Plan. Local Plan Policy states that residential development will be granted in this type of area so long as it is not detrimental to the appearance or character of the area, is not an over intensive development and complies with parking standards.

7.2 The proposal to convert the existing premises to a separate residential dwelling involves the removal of the garage doors on the front elevation and the insertion of a ground floor door and window. To the rear is a ground floor extension that has been substantially completed under permitted development rights prior to the submission of this application. The extension is single storey and projects 2.4 metres from the rear of the property. In view of the fact that it has been partially completed and is capable of being completed without the need for planning permission, under permitted development rights, its erection is considered to be satisfactory.

7.3 An existing first floor window and timber clad stud walling are proposed to be removed in the rear elevation. These would be replaced by new windows to be installed at first floor level and the remainder of the opening will be built up with brickwork to match existing. Rooflights would be inserted to the front and rear of the property to provide light and ventilation to a second floor bedroom. It is not considered that these works will be detrimental to the appearance of the area or impact on neighbouring amenity. Moreover they could currently be completed as permitted development without the need for planning permission.

7.4 The proposed dwelling would provide a ground floor lounge and kitchen, two bedrooms and a bathroom on the first floor with a third bedroom in the roofspace.

7.5 Whilst the proposal introduces a new dwelling with no off street parking provision the removal of the garage allows for an additional on-street parking space to be used, as there would no longer be a vehicle crossover. Furthermore there is no Highway objection to the proposal and the property is within walking distance of bus routes and the local centre at Kingsley Park Terrace.

7.6 Whilst there would be an intensification of use of the site, as the existing property is a wide plot and the proposal is for a dwelling not out of keeping with the size and character of nearby properties, the development is considered to be satisfactory.

7.7 There is a rear garden attached to the property, 21 metres in depth, which will provide an amenity area for the dwelling, adequate for the storage of refuse

and bins. Adequate rear garden space would also be retained for the host dwelling.

8. CONCLUSION

- 8.1 In conclusion it is considered that the development proposed would not be detrimental to the character of the area or the amenity of nearby residents and is therefore acceptable.

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 external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building unless otherwise approved in writing by the local planning authority.
Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.
- 3) The new infill walls shall be constructed with materials of the same type, texture and colour as the external walls and of the existing building unless otherwise approved in writing by the local planning authority.
Reason: In the interests of visual amenity to ensure that the roof extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written consent of the Local Planning Authority.
Reason - To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

10. LEGAL IMPLICATIONS:

- 10.1 None.

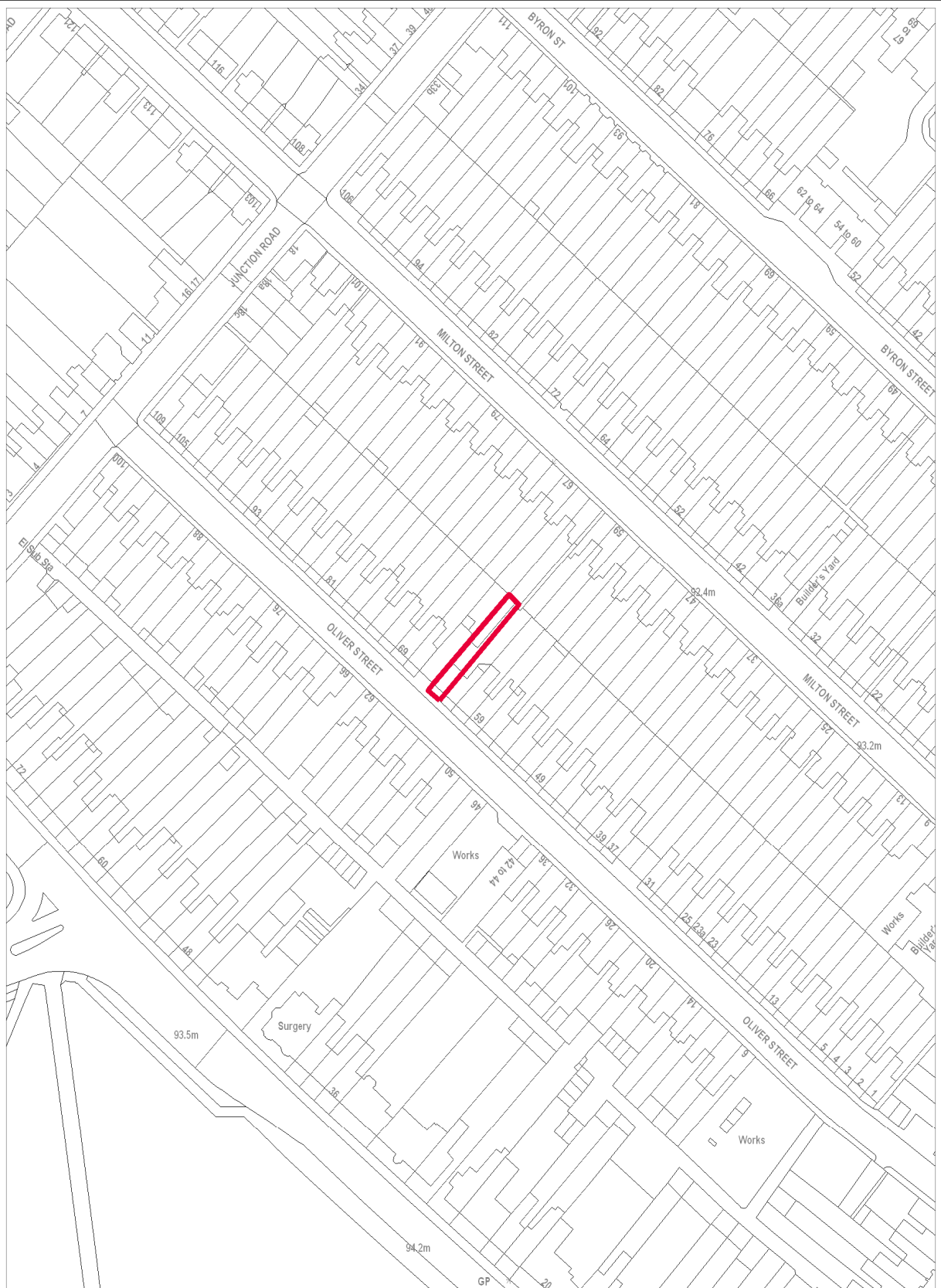
11. BACKGROUND PAPERS

- 11.1 E/2010/0584, E/2010/0484 and 55/60.

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.

Position:	Name/Signature:	Date:
Author:	Rowena Simpson	16/12/10
Development Control Manager:	Gareth Jones	17/12/10



Name: SW
 Date: 22nd December 2010
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
Land Adjacent to 65 Oliver Street

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Agenda Item 10d



PLANNING COMMITTEE: 11 January 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2010/1013: Two storey rear/side extension to existing dwelling house and division of property into 4no. 1 bed apartments (Revision of N/2010/0718) at 2 Thornton Road, Northampton

WARD: Kingsthorpe

APPLICANT: Mr Daljit Poone
AGENT: Mr Paul Toone

REFERRED BY: Head of Planning
REASON. Previously considered by the Planning Committee

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The extensions, by reason of their design, scale and siting, are in keeping with the character and appearance of the original building and that of the locality and would not detrimentally affect neighbour amenity. Due to the limited scale of use proposed and adequacy of transport facilities the proposed use would not detrimentally affect the amenity of local residents or highway safety. The proposal is therefore in accordance with Policies H6, H21 and E20 of the Northampton Local Plan and the aims and objectives of PPG3, PPG24 and PPS13.

2. THE PROPOSAL

2.1 It is proposed to convert and extend an existing detached two storey 3-bed house dwelling to four 1-bed flats. The proposed two storey

side extension is 9 metres deep at first floor and 4.7 metres wide. A single storey extension projecting 2 metres beyond the existing rear elevation is proposed across the whole rear elevation as extended.

- 2.2 The application is a revised version of a scheme which was refused planning permission (ref N/2010/0718) in October 2010. The reasons for refusal for the previous scheme are:

1) The extension and conversion of the existing dwellinghouse to four one bedroom apartments is unacceptable by reason of the intensification of use giving rise to an unacceptable degree of overlooking of the Neighbouring property, No.4 Thornton Road resulting in a loss of privacy and amenity contrary to saved policy E20 of the Northampton Local Plan.

2) In addition, the restricted curtilage of the site would result in an inadequate provision of on-site car parking resulting in an inappropriate form of development contrary to saved Policy H6 of the Northampton Local Plan.

- 2.3 The current scheme is very similar to the refused scheme. The key revisions are:

- Amends the layout of apartment 3 at first floor level by retaining the room at the rear as a bedroom (this room is currently a bedroom) rather than a lounge as was previously proposed; and
- Replacing the kitchen at the rear of apartment 4 at first floor with a bathroom which results in an obscure glazed window in this part of the rear elevation.

3. SITE DESCRIPTION

- 3.1 Existing two storey detached dwelling with garage to the rear situated on the junction of Thornton Road and Studland Road. The site is located within a primarily residential area as identified in the Local Plan. The land to the west is comprised of a mix of residential uses strongly characterised by two storey semi detached houses and short rows of terraces. To the west on both sides of Thornton Road there are a mix of commercial uses including the Netto supermarket. A little further north is a business area accessed via Studland Road.

4. PLANNING HISTORY

- 4.1 N/2010/0718 - Two storey side and rear extension and division of property into 4 apartments – refused by Planning Committee on 20 October 2010 (reasons for refusal set out in para 2.2 above).

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 and saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

PPS1 – Delivering Sustainable Development

PPS3 - Housing

PPS13 – Transport

PPG24 – Planning and Noise

5.3 East Midlands Regional Plan 2009

Policy 2 – Promoting Better Design

5.4 Northampton Borough Local Plan

E20 – New Development

H6 – Residential Development

H21 – Conversion to flats

5.5 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

6. CONSULTATIONS / REPRESENTATIONS

6.1 Public Protection (NBC) – No objections but condition required to control the possibility of any contaminated land.

6.2 6 Branksome Avenue – objection - results in overlooking and car parking issues.

6.3 5 Branksome Avenue – objection – already parking problems in the vicinity of the site.

6.4 2 Branksome Avenue – objection – will reduce light, cause car parking problems and increase noise and disturbance

6.5 4 Thornton Road – objection - will affect character of the locality will increase noise and disturbance increase traffic and parking problems. Also express concerns regarding the impact of the proposed construction works and the resultant intensification of the use of the property on two of their children who have special needs.

6.6 1 Branksome Avenue – objection - there are already parking problems in the vicinity of the site which will be exacerbated. Does not provide adequate garden and communal areas.

6.7 10 Branksome Avenue – objection - will cause parking and disturbance problems

6.8 1 Thornton Road – objection - will create parking problems

7. APPRAISAL

Principle of the Development

- 7.1 In accordance with PPS3 and Local Plan Policy H6, as the site is located within a primarily residential area as identified in the development plan it is considered that a more intensive residential use of the property is acceptable in principle as long as it is not detrimental to the character of the locality, residential amenity or highway safety.

Character of the locality.

- 7.2 Policy H21 of the Local Plan states that planning permission will not be granted for the conversion of a house into flats where it is considered that the introduction of or increase in the number of conversions would prejudice the character / amenity of the area. Although some of the dwellings in the vicinity of the site are rented, most of the buildings on this estate are single family households and the strong prevailing character remains that of houses which have not been subdivided. Therefore there is nothing to suggest that the proposed use would detrimentally affect the character of the area in accordance with Local Plan Policy H21.
- 7.3 The design and appearance of the existing building differs somewhat from that of the rest of the residential estate and is located on its eastern periphery. The design and scale of the proposed extensions are sympathetic to the host building and would not be visually harmful to the character of the wider streetscene in accordance with Local Plan Policy H6 and E20.

Residential Amenity

- 7.4 The proposed two storey extension would be sited adjacent to Studland Road to the east and as such this part of the proposed built form would not have a detrimental effect on any nearby dwelling. Although the two storey extension is large, its design and appearance compliment the existing building.
- 7.5 Due to its limited scale the single storey rear extension, which would protrude by only 2 metres with a maximum of height of 3.5 metres and is sited 1.5 metres from the boundary, would have no significant impact on the two nearest properties (4 Thornton Road and 2 Branksome Avenue). The Council's environmental health service (Public Protection) has raised no objection to the proposal
- 7.6 The revised scheme retains the bedroom use at the rear of apartment 3 (i.e. this is currently a bedroom in the existing house) and removes a window in the rear elevation of apartment 4. Both of these

amendments will reduce potential overlooking of neighbouring residential properties including the adjoining dwelling No. 4 Thornton Road and have less of an impact on the amenity of the occupiers of that property. The revised scheme thus addresses the principal concerns of the Committee on the previous scheme and the primary reasons for refusal. For these reasons it is considered that the proposal accords with Local Plan Policies H6 and E20.

- 7.7 However, when considering the current application Members must consider whether the revisions made to the scheme are sufficient to overcome refusal reason no. 1 in respect of impact on neighbour amenity as set out in paragraph 2.2 above.

Highway safety and parking

- 7.8 The proposal provides only 2 on-site car parking spaces for the residents of the proposed four flats. Although on-street parking is at a premium on nearby residential streets, especially in the evening, it is considered that there is sufficient parking capacity in the adjoining Studland Road. The site is also located in within walking distance of a wide range of local services and close to bus routes which run along Kingthorpe Road. The Highway Authority has raised no objection to the proposal. For these reasons therefore the proposal accords with Policy H6 of the Local Plan and PPG13.

- 7.9 As discussed in paragraph 7.7 Members must consider whether the revisions are sufficient to overcome refusal reason no. 2 in respect of impact on neighbour amenity as set out in paragraph 2.2 above.

8. CONCLUSION

- 8.1 The extensions, by reason of their design, scale and siting are in keeping with the character and appearance of the original building and that of the locality and would not detrimentally affect neighbour amenity. The revision to the layout of apartment 3 and amendment to one of the windows in the rear elevation of apartment 4 will reduce the potential for overlooking and loss of privacy on the adjoining property. Due to the limited scale of use proposed and adequacy of transport facilities it would not detrimentally affect the amenity of local residents or highway safety. The proposal is therefore considered to be in accordance with the relevant local and national policies and guidance.

- 8.2 The Planning Committee refused a similar proposal in October on the grounds of the detrimental impact on nearby residents and lack of on-site parking provision. Officers recommended approval of that application. The revisions now under consideration are considered to address the principal concerns of the Committee and reason for refusal 1. For these reasons and for the reasons set out above the officer recommendation remains approval subject to the conditions.

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 external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy H20 of the Northampton Local Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the south western side elevation of the single storey rear extension without the prior written consent of the Local Planning Authority.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy E20 of the Northampton Local Plan.

4. Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, implemented prior to the occupation or bringing into use of the buildings and thereafter maintained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

5. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice

contained in PPS23 Planning and Pollution Control.

6 The bathroom window in the north western rear elevation of the two storey side extension shall be glazed with obscured glass before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy E20 of the Northampton Local Plan.

10. LEGAL IMPLICATIONS:

10.1 None.

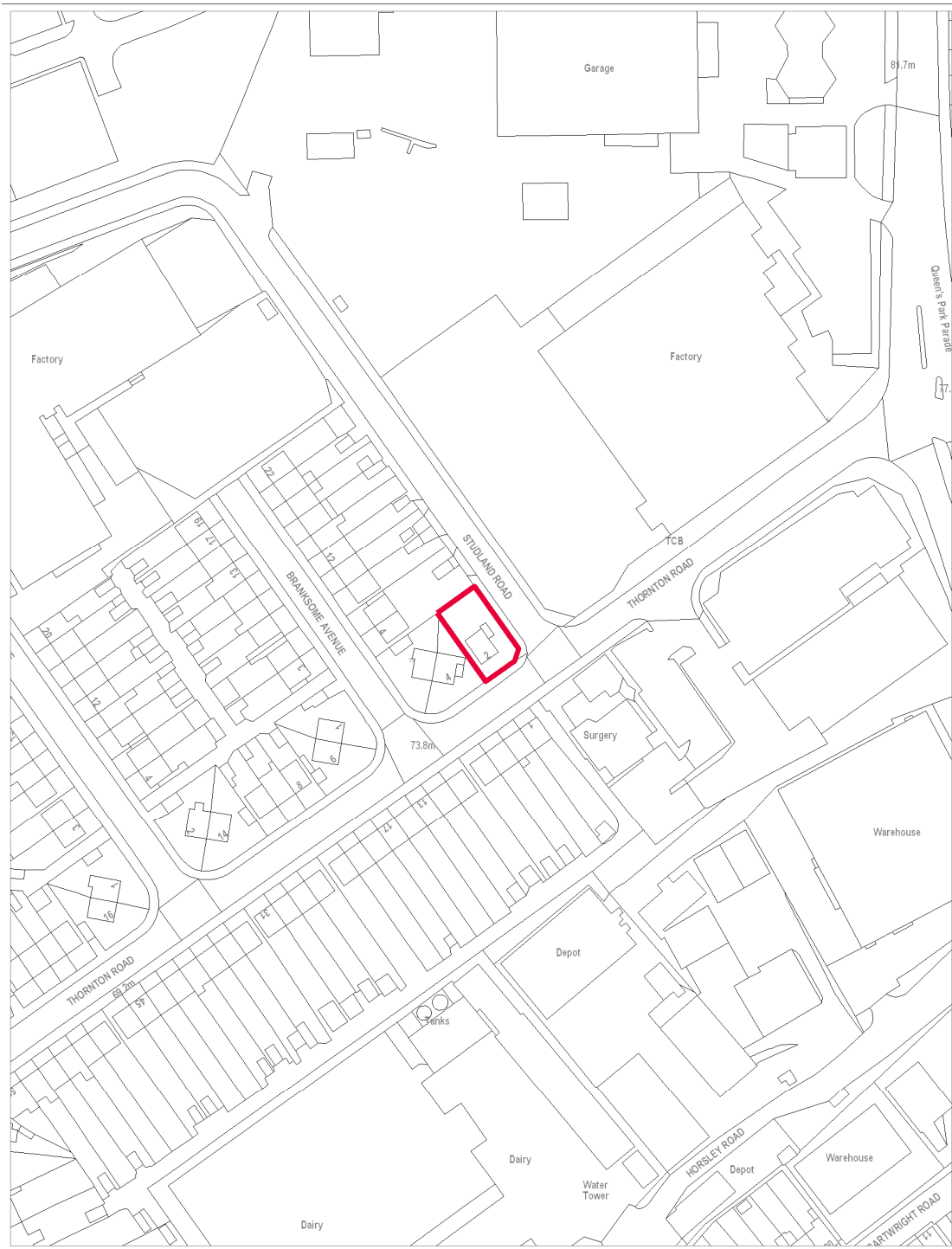
11. BACKGROUND PAPERS

11.1 N/2010/1013 and 0718.

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.

Position:	Name/Signature:	Date:
Author:	Geoff Wyatt	13/12/10
Head of Planning:	Susan Bridge	20/10/10



Name: SW
 Date: 22nd December 2010
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
2 Thornton Road

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Agenda Item 12a



PLANNING COMMITTEE: 11 January 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

APP: N/2009/0843 **Erection of an extension to the existing Sainsbury's food store, including reconfiguration of car park (including car park deck), reconfigured vehicular access, new pedestrian ramp access, new goods on line loading area, and associated works (WNDC Consultation) at Sainsbury Superstore, Gambrel Road / Weedon Road, Northampton as amended by plans received by WNDC on 28th September 2010.**

WARD: St James

APPLICANT: Sainsbury's Supermarkets Ltd
AGENT: Indigo Planning Ltd

REFERRED BY: Head of Planning
REASON: Strategic Significance

DEPARTURE: No

APPLICATION FOR CONSULTATION BY WNDC:

1. RECOMMENDATION

- 1.1 Although there are no objections raised to the principle of the expansion of the store given its substantially reduced floorspace as now proposed in the revised scheme and the proposals generally accord with the tests set out in PPS4 Planning for Sustainable Economic Development, the Council raises a **HOLDING OBJECTION** unless and until:
- 1.2 WNDC are fully satisfied that such an oversized structure is not unsustainable, that adverse trade diversion from other centres does not occur resulting in a significantly adverse impact on town centre vitality and viability and town centre investment and that the overall bulk of the design and car decking is acceptable in this location.

- 1.3 WNDP should ensure that sales floorspace is restricted to the levels proposed in the submission and that the comparison goods offer does not exceed 25% of net sales floorspace. Comparison goods shall be defined as that set out in Appendix A of PPS4. Failure to secure this limitation through planning conditions or a Section 106 agreement would result in a strong objection from Northampton Borough Council.
- 1.4 WNDP should emphasise to Sainsbury's the importance of their presence in the Grosvenor Centre in Northampton town centre and seek methods to maintain their presence in the town.

2. THE PROPOSAL

2.1 The application for an extension to Sainsbury's at Sixfields was submitted to WNDP in October 2009 with the following documents and information:

- Plans
- Planning and Retail Report
- Transport Assessment and Travel Plan
- Design and Access Statement
- Phase 1 Environmental Study
- Flood Risk Assessment
- Air Quality Assessment
- Energy Statement
- Statement of Community Involvement

2.2 After initial discussions with both WNDP and NBC working in tandem, design changes and further retail information were submitted in February 2010, and again in August 2010 and October 2010. This additional information included revised plans, including the final revisions in October 2010, draft heads of terms for an obligation maintaining Sainsbury's presence in the Grosvenor Centre and several retail analysis responses including an investigation into further sequentially preferable sites.

2.3 The initial 2009 proposals were for a 4,644 square metre sales floorspace expansion with a resultant superstore split of 61% convenience goods and 39% comparison goods. This has been substantially reduced through negotiations and the proposal is now for 2,489 square metre sales floorspace, resulting in a proposed superstore with 75% convenience goods and 25% comparison goods. The sales areas are laid out below:

Sq/m	Overall sales area	Convenience sales area	Comparison sales area	Extension	Conv/ comp ratio
Existing	3,559	3,025	534		85:15
2009 proposal	8,203	4,965	3,238	4,644	61:39
Current 2010 proposal	6,048	4,536	1,512	2,489	75:25

- 2.4 The expansion proposals would mean that the store is substantially rebuilt and refurbished with extensions southwards and eastwards towards Gambrel Road and into the car park, which in turn, incorporates a new elevated parking deck.
- 2.5 The main store rises to include a first floor atrium at the south-facing frontage, meeting the first floor car park deck and resulting in two entrances to the store, a lower and upper access with escalators connecting the two floors.
- 2.6 The store would increase in height from largely 7 metres (9 metres at its highest) to 10 metres (12 metres at its highest) to accommodate the new floor.
- 2.7 Much of the first floor sales areas originally proposed have now been omitted after negotiations with the planning case officers because the impact on other centres would have been unacceptable and damaging, but a small sales area for comparison goods and concession space remain. The height of the building proposed would allow space to create a larger first floor area in the future, however this would require a separate planning permission.
- 2.8 It is proposed to modernise and improve the service access from Gambrel Road at the same point as the current access point with a mini-roundabout and a home delivery loading area is added to the northern elevation of the building.
- 2.9 A new access arrangement on Gambrel Road is proposed along with widened and improved 'in and out' lanes towards the parking areas. Car parking overall would reduce from 558 spaces at present to 514 spaces in the proposed decked arrangement. The petrol filling station is proposed to be refurbished and the pedestrian route improved with ramps alongside steps from the Weedon Road subway.

3. SITE DESCRIPTION

- 3.1 The application site is the existing Sainsbury's superstore at Gambrel Road, Sixfields. The store is largely as conceived and permitted in the late 1980s on a 3.1 hectare plot on the north side of Weedon Road.
- 3.2 Customer access is via a tight T-junction with Gambrel Road with service access a short way further along the same road to the north. A Sainsbury's petrol filling station is located on the access road in the south corner of the site and the entire west, south and east boundaries are screened by mature trees, shrubs and hedges. The large free car park for 558 cars is positioned on the south side of the site and it is on this aspect of the store where the main entrance is located.
- 3.3 Sainsbury's Sixfields is a slightly dated 6,880 square metre gross internal area store, with a 7 and 9 metre high roof with a tower over the entrance on the south east corner. The current sales area of 3,559 square metres has 85% of its area devoted to convenience goods with only 534 square metres allowed to be non-food (comparison) sales due to a 15% comparison sales floorspace restriction in an original planning condition.
- 3.4 The surrounding area is dominated by commerce, leisure and the busy roads that pass through at this gateway to the town. To the west over Tollgate Way is a storage centre and Golby's, to the east Sixfields Retail Park, to the south the cinema, football ground and restaurants and to the north and northeast light industrial, storage, tyre fitters, etc.
- 3.5 Sixfields is not a recognised retail centre in terms of the Development Plan or emerging Joint Core Strategy, nor would it be defined as a centre having regard to the guidance given in PPS4.

4. PLANNING HISTORY

- 4.1 86/0646 – Outline shop and car park
- 4.2 87/0973 – Erection of supermarket, car park and petrol filling station (approved with legal obligation to maintain a town centre store for 5 years and control of comparison goods to 15% of overall floorspace)
- 4.3 98/0682 – Store extension and car park revisions – smaller store extension close to the Gambrel Road access, no decision issued.
- 4.4 Various advert and plant permissions from 1988 to the present day.

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:

PPS4 – Planning for sustainable economic development

PPS4 set outs a methodology for Local Planning Authorities (LPAs) to accommodate and provide for sustainable economic development and in particular an approach for development it defines as ‘town centre’ uses.

Retail is defined as a town centre use by PPS4 and its plan-making policies guide how LPAs should plan positively to establish the qualitative and quantitative need in their areas and then provide sustainable solutions for accommodating that growth.

A central part of this positive approach relies on LPAs applying a sequential approach to site identification with the ‘town centre first’. Sites must be considered first in the town centre, then edge of centre, district centres and then where appropriate local centres. Alternative sequentially preferable sites must be tested to assess whether they are viable, suitable and available and there is an emphasis on applicants being flexible in the sequential search.

For development management purposes, after establishing broader retail need, the impacts of proposals are considered in two ways: a series of planning impacts (Policy EC10); and by a series of retail impacts (Policy EC16). These impacts are referred to as ‘gateway tests’ and should not be found significantly adverse if permission is to be considered.

The planning impacts are:

- Carbon impact
- Accessibility
- Design
- Regeneration
- Employment

The retail impacts for main town centre uses not in a defined centre are:

- Investment in affected centres

- Town centre vitality and viability
- The effect on delivery of Development Plan site allocations out of centre
- Trade diversion from acknowledged centres
- Other locally important impacts

PPS1 - Delivering Sustainable Development

PPG13 – Transport

PPS23 – Planning and Pollution Control

PPG24 – Planning and Noise

5.3 **East Midlands Regional Plan 2009**

Policy 2 – Promoting Better Design

Policy 22 - Regional Priorities for Town Centres & Retail Development

Policy MKSM SRS Northamptonshire 2 – Northampton Implementation Area

Policy MKSM SRS Northamptonshire 3 - Northampton Central Area

5.4 **Northampton Borough Local Plan**

E20 – New Development

E40 – Planning and crime and anti-social behaviour

T12 – Development requiring servicing

5.5 **Supplementary Planning Guidance**

Planning Out Crime in Northamptonshire SPG 2004

5.6 **Other Relevant Local Documents**

Pre-submission Draft of the West Northamptonshire Joint Core Strategy

The draft Joint Core Strategy will be considered by the Joint Strategic Planning Committee on 31st January 2011. This document and its guidance on the retail hierarchy will be available for WNDC to take into consideration when determining this planning application, and reinforces the need to prevent harmful impacts on the town and other defined centres.

Pre-submission Draft Central Area Action Plan

One of the key areas in the Plan is to improve the shopping experience in Northampton town centre, including the offer for both comparison and convenience goods to create a prosperous town centre.

Other Relevant Documents

Northampton Town Centre Retail Strategy (May 2008) prepared by CACI Ltd for NBC

West Northamptonshire Retail Study 2008 to 2026 (February 2009) prepared by CACI Ltd for West Northamptonshire Joint Planning Unit

6. CONSULTATIONS / REPRESENTATIONS

6.1 **NBC Tree Officer** – no objections

7. APPRAISAL

7.1 The application for extending Sainsbury's at Sixfields was submitted in October 2009 and in the interim period there have been a number of policy changes at local, regional and national level. At a local level, the Pre-submission Central Area Action Plan (CAAP) has been published and issued for public consultation under Regulation 27, which identifies a regeneration vision for the town centre including locations for retail growth. Although the Secretary of State had attempted to revoke the East Midlands Regional Plan in July 2010, following a recent High Court decision, it has been reinstated and forms part of the Development Plan (see section 5 above).

7.2 At national level, PPS6 for town centres was superseded almost 12 months ago by PPS4 – Planning for sustainable economic development.

7.3 The Sainsbury's proposal is one of a number of current applications to increase supermarket floorspace in the Northampton. The majority, including this one, of retail applications being submitted are to be determined by WNDC. In considering these applications, NBC works with WNDC following a development team approach to combine the relevant expertise that each authority holds. Both authorities appointed independent retail planning consultants to advise them on the technical attributes of the applications being tabled.

Retail Need

7.4 In planning Northampton, the Borough Planning Authority has prepared numerous retail studies of the town for many years. A range of studies have been compiled including two by CBRE in 2004 and 2006/7, CACI in 2008/9 and by Roger Tym Partnership through the Joint Planning Unit in 2010.

7.5 All the aforementioned studies conclude that there are both comparison and convenience retail floorspace needs in the town to varying degrees.

7.6 PPS4 – Planning for Sustainable Economic Development, the Regional Plan and the emerging Northampton Central Area Action Plan all seek to direct comparison floorspace growth towards the town centre, thus enhancing its vitality and viability in delivering regeneration projects such as the Grosvenor Centre redevelopment. Expansion of retail floorspace which would impact on the town centre and undermine investment proposals would be contrary to national and local policy.

- 7.7 Convenience goods, primarily food and daily shopping, is somewhat different, in that shopping patterns are more generalised and regard should be had to responding to the needs of the community catchment areas. In most cases, the most sustainable locations for convenience retail growth will be in centres, including the town centre, district centres and the established commercial hubs around our town following the principles set out in PPS4.
- 7.8 The retail studies of Northampton identify varying figures for present convenience need (not least due to their different dates of completion), but all suggest there is immediate capacity for growth in food floorspace in the near term.
- 7.9 Although retail need as a planning requirement in development management is downgraded in PPS4 when compared to its predecessor PPS6, there remains a requirement for Local Development Frameworks (LDF) to plan positively by preparing local economic assessments that identify quantitative and qualitative deficiencies in retail provision. In the absence of a fully adopted LDF in Northampton, it is appropriate and reasonable to consider quantitative and qualitative need in determining this consultation response to WNDC. Furthermore, aspects of retail need also feed into the PPS4 impact tests set out below.
- 7.10 From the recent studies, it is clear that there is sufficient headroom for an increase in convenience sales floorspace in Northampton and of the scale proposed by Sainsbury's at 1,511 square metres in this location, without harming the vitality and viability of centres. This is indicated by the retail studies of the town over recent years and by other circumstantial facts such as the high trading levels at this store and others.
- 7.11 Turning to qualitative matters, the Sainsbury's store is almost 25 years old and showing its age in terms of design, layout and condition. Access to the store is not straightforward and car parking can be difficult. The lack of diversity and food range choice on the western side of Northampton is apparent and there is an acknowledged need for a qualitative improvement in convenience offer on this side of town.
- 7.12 Sainsbury's also refer to a long list of improvements that are necessary to bring the store up to modern supermarket standards. It is considered acceptable that the Sainsbury's offer at this site is in need of qualitative improvement and that this weighs in favour of on-site redevelopment of the store.
- 7.13 Comparison goods capacity in Northampton is distinctly different from convenience capacity due to the historic poor health of comparison retailing in Northampton town centre as a result of an unhealthy quantum of out of town comparison floorspace. Evidence of this unfavourable position is longstanding but most recently shown in the NBC 2009 Town Centre Health Check.

- 7.14 PPS4, the Regional Plan and emerging CAAP encourage the growth of the comparison goods floorspace of Northampton to be the substantial engine behind the regeneration of the town centre and a catalyst for a wider economic impact. Studies have consistently shown the leakage of comparison spending by Northampton residents out of centre and in many cases out of town. National and local policy are clear that this is an unsustainable pattern in the long run and it is evident that this trend has detrimentally affected the town centre's viability and vitality.
- 7.15 Sainsbury's propose an additional 978 square metres of comparison goods floorspace in their final revised extended store. The resulting store overall would be split 75:25 to convenience and comparison goods respectively. It is presently split 85:15 in a smaller store. It is acknowledged and accepted that modern large floorplate superstores will have a complementary incidental range of non-food merchandise. The larger the store, usually means the greater the comparison goods area as a proportion of sales area. Most of the newer very large superstores are moving towards offering a 50:50 split of convenience and comparison goods.
- 7.16 The retail studies of Northampton and the evidence submitted by the applicant show a large additional quantitative need for comparison goods shopping in the town up to 2026. The majority of the comparison goods floorspace headroom should be directed to the town centre and in particular the Grosvenor Centre using the sequential approach. Similarly, there is a need for a qualitative improvement in the comparison retail goods offer in the town, giving a better range of stores and goods, improved access and size of stores.
- 7.17 When considering the customer catchment of the enlarged Sainsbury's at Sixfields, it is expected that the majority of their comparison goods shopping needs will be provided by an expanded and improved town centre offer in Northampton. However, it is unrealistic to think that the entirety of these goods will be separated from supermarket shopping and it is reasonable to have a **very limited comparison goods offer** alongside the greatly dominant convenience floorspace at Sainsbury's at Sixfields. This additional 978 square metres of comparison floorspace at Sainsbury's Sixfields is likely to impact on the town centre (as discussed below), but the ratio (75:25) is incidental to the food offer and reasonable on this size of floorplate satisfying qualitative need, especially given the reduced extension aspirations for the store overall.

Sequential Test

- 7.18 The initial extension proposals by Sainsbury's were large and NBC officers were of the opinion that such floorspace was not inseparable from the existing Sixfields store, in other words Sainsbury's could build a successful store in a more sustainable location in the town instead of extending Sixfields to such a significant extent.
- 7.19 To clarify, Sixfields and Sainsbury's at Sixfields is out of centre and Sixfields is not proposed or justified to be a new centre in any current or emerging planning policy document.

- 7.20 Sainsbury's submitted a sequential assessment with their application, briefly looking for suitable, viable and available alternative sites in more central locations. To summarise, NBC and WNDG officers considered this an insufficient investigation and guided Sainsbury's in revisiting and widening their search.
- 7.21 Simultaneously during the application process, Sainsbury's floorspace, and importantly comparison goods aspirations have declined recognising the established policy position, changing the kind of alternative locations Sainsbury's should be looking at elsewhere in the town.
- 7.22 Sainsbury's have a medium sized and longstanding store in the Grosvenor Centre. The expansion of this in the short term is physically difficult and Sainsbury's are an important potential component of the redevelopment of the Grosvenor Centre presently taking place with physical redevelopment scheduled to commence in 2014/15 with completion some years later. It is considered that some extra growth of floorspace could happen at the Grosvenor Centre, but not in the timeframe relevant in relation to the current proposal, which seeks immediate development.
- 7.23 There are other town centre and edge of centre opportunities for supermarket development, but the choices available in the emerging CAAP are medium term proposals that are unlikely to come forward in the first phase of the Plan period, 2010-2016.
- 7.24 Following the retail hierarchy approach of PPS4 (broadly the same as PPS6), Sainsbury's must consider other centres and edge of centre locations before looking at store extensions at Sixfields, with a mind to serving the catchment of retail need in the western quadrant of town.
- 7.25 Supermarkets, and particularly superstores, are usually best suited to larger centres, lest they dominate their surrounding commercial neighbours with their retail trading power. The main larger centres on, or near, the western side of town are identified in Appendix 15 of the 1997 Northampton Local Plan, but this Plan did not establish a hierarchy of retail centres (e.g. separately as local and district centres) and is now out of date in terms of PPS4. PPS4 gives guidelines to the type of uses that one might find in district and local centres and the Joint Core Strategy will give the town a solid retail hierarchy in accordance with these guidelines.
- 7.26 The larger centres on this side of town are relatively distant and primarily serve northern and southern catchments respectively. Extending food floorspace in these centres may be appropriate for their respective population catchments, but would create unsustainable movement and trade draw from the western suburbs if these alternative centres were used to serve their food-buying demands. The result would be residents of areas such as Duston having to travel to centres such as Kingsthorpe as a matter of course to carry out grocery shopping trips. This is not considered to be sustainable.

- 7.27 Having dismissed alternatives in defined centres that could serve a similar catchment to Sainsbury's at Sixfields, the applicant was asked to look at alternative sites. These sites, although they may be sequentially preferable, were not available within a reasonable timeframe or suitable for retailing. Other edge of centre and potentially more sustainable sites have been put to Sainsbury's and it is accepted that all of those tabled are either unsuitable, unviable or unavailable to a greater or lesser degree. Therefore, in terms of the sequential approach, there was no reasonable alternative to the expansion of the existing store at Sixfields.
- 7.28 To summarise, a range of sequentially preferable alternatives to extending the Sixfields Sainsbury's have been explored. Since the 2009 Sainsbury's submission, the proposals have shrunk to circa 2,500 square metres sales floorspace and the emerging CAAP has been published showing future development of the town centre.
- 7.29 Sainsbury's commitment to their town centre store is important for the vitality of the town as it maintains a mix of shopping types in the central area and prevents town centre users going out of town for food shopping, particularly for top-up shopping. Sainsbury's commitment to this (they have offered to enter into an agreement to stay in town) and then to potential town centre growth as part of a redeveloped Grosvenor Centre is welcomed in sequential terms. Opening new floorspace out of centre at Sixfields may provide a more commercially viable option for trading in the wider town for Sainsbury's that leads to them pulling out of the town centre to minimise trade diversion from Sixfields. Therefore, the threat of the new improved and extended store at Sixfields resulting in the closure of their more restricted and small-scale store in the Grosvenor Centre necessitates measures to ensure that both stores can continue to trade in tandem, protecting the vitality of the town centre.
- 7.30 There are no immediately available, suitable or viable sequentially preferable alternatives in any relevant centres, edge of centres or more sustainable locations for retail development of the type and scale proposed.
- 7.31 To disaggregate the floorspace proposed would not be the most sustainable solution for the town in retail terms. Sainsbury's do not have a standalone comparison store format which would take the 978m² of this floorspace proposed and they rely on the primary purpose of visits being food shopping. No sequentially preferable sites have been identified that would be available, suitable and viable for a disaggregated offer. It is considered that it would be preferable to allow supermarket growth on a site where there are positive qualitative gains to be had such as Sainsbury's at Sixfields, when compared to allowing supermarket growth in other out of centre locations in the western suburbs.

Impact

- 7.32 PPS4 sets five economic development impact criteria (in Policy EC10) and six retail impact criteria for unplanned out of centre retail proposals (in Policy EC16). These have been recently referred to as the 'gateway' tests that must all have no significant adverse impact for development to be acceptable.

Retail Impact (PPS4 – Policy EC16)

- 7.33 The national planning policy context for retail applications has changed from PPS6 in 2009, when the application was submitted, to PPS4 in 2010, and to which the applicant has responded.
- 7.34 The aforementioned 'gateway' tests Policy EC16 relate to the retail impact of proposals where they are not in accordance with an up to date Development Plan and are out of centre. The Sainsbury's site is not allocated for retail growth in the saved Northampton Local Plan and is out of centre.
- 7.35 For a number of the 'gateway' tests the impact is neutral or entirely irrelevant. The three main areas of retail impact concern raised by these proposals are (i) the impact on investment in centres within the catchment of the store, (ii) the impact on town centre (or other centre) vitality and viability and (iii) trade diversion from other centres.
- 7.36 Initial retail planning analysis of the Sainsbury's proposals as first submitted in 2009 indicated that the high level of comparison goods floorspace in particular was likely to have a significant impact on the vitality and viability of the town centre, which is not healthy according to recent NBC studies including the Town Centre Healthcheck 2009. There would be damage to the confidence of public and private investors in town centres projects, not least the Grosvenor Centre as reflected by letters of objection from Legal and General and House of Fraser indicating their great concern at the initial Sainsbury's proposals and the effect on persuading prospective tenants to commit to the Grosvenor Centre. It is also likely that the initial scale of the scheme would have harmed the vitality of other centres around Northampton by diverting comparison trade in particular. Therefore, all three relevant tests on retail impact were considered negative at the outset.
- 7.37 Sainsbury's revised the scheme in early 2010 and the retail planning advice to NBC remained that the impact on the town centre would be significantly adverse.
- 7.38 The following and final revision of the Sainsbury's proposals amounts to a 2,489 square metre sales floorspace expansion, comprising 1,511 square metres of convenience space and 978 square metres of comparison space. This is dramatically less comparison goods than the additional 2,394 square metres first proposed (resulting in 3,238 square metres overall) and now equates to an appropriate offer alongside the overall 4,536 square metres of convenience goods in the enlarged store.

- 7.39 Nonetheless, Sainsbury's have still failed to do a robust assessment of trade diversion from other centres when the new lower floorspace was submitted. Earlier iterations of the scheme had shown around a 1% trade diversion from the town centre and of course the scheme has reduced, but even that earlier figure was not agreed. At 1% trade diversion, it is considered that the impact on the town centre is low and not adverse. One could reasonably anticipate a reduction in impact in line with the reduction in sales space, but Sainsbury's have not tendered this information. **WNDC must be satisfied that the evidence to show that the retail impact on the town centre in particular is negligible.**
- 7.40 Sainsbury's have not submitted a detailed cumulative impact assessment, but the parallel retail planning applications presently submitted to WNDC and NBC do not amount to a commitment, as they have not been permitted. PPS4 only seeks cumulative impact appraisals from applicants when there is such a commitment. The combined effect of smaller multiple retail extensions, is a matter of concern and was reinforced by the Nene Valley Retail Park appeal in 2008/9 where an Inspector concluded that to allow a small retail extension would set a dangerous precedent for sequentially non-preferable small extensions (mezzanines, etc) that would have a higher cumulative impact on the viability and vitality of the town centre. This is most pertinent in considering the comparison goods element of the Sainsbury's proposal, but as has already been explained, with an acknowledged qualitative need and in the absence of a sequentially better site for a supermarket or supermarket extension, the overall ratio of 25% comparison goods to 75% convenience goods on this size of floorplate is considered a reasonable commercial mix that will not be significantly adverse or set a precedent for floorspace growth elsewhere.
- 7.41 Referring back to the three most relevant retail impact tests that PPS4 applies to out of town schemes, it is concluded that the impact on town centre vitality and viability and on other town centre investment is likely to be negative, but not of significant adverse impact to warrant objection. Although likely not to be significantly adverse, trade diversion has not been fully assessed in the latest revision of the scheme and therefore a holding objection is recommended.

Planning Impact (PPS4 – Policy EC10)

- 7.42 The five economic development criteria are for carbon impact, accessibility, design, regeneration and employment.

Carbon Impact

- 7.43 The proposals involve refurbishment of the existing, ageing store and result in an energy profile that, according to Sainsbury's submission, is no greater than the existing sales area. This effectively means that the extension will be 'for free' in carbon footprint terms and this is considered positive.

- 7.44 The design however does involve expansion capacity within a heightened superstructure as will be described below, which WNDC must be satisfied does not result in a building that is excessively large and therefore less sustainable to build and operate.

Accessibility

- 7.45 The store is not immediately surrounded by residential areas and effectively sits in isolation. Some improvements for pedestrian access are proposed but these are negligible compared with the poor position the store occupies. However, car domination at supermarkets is a long-established pattern and is often a matter of necessity as opposed to choice for the customer. Whilst more sustainable locations may exist in the town, these have already been dismissed in the sequential assessment. Sixfields is a central, and thus accessible, hub in terms of the western suburbs with well-established routes including bus routes. It is understood that the highway authorities raise no objections to the transport measures proposed and therefore raise no further objections to the accessibility of the extended store.

Design

- 7.46 The proposals add a large amount of built development and land use into a relatively small and constrained site by virtue of highways bounding all four aspects of the land. Sainsbury's have responded to these constraints by extending upwards, with a deck car park to the south side over the existing car park and bringing the store extensions south and east with an additional floor.
- 7.47 Sainsbury's have responded in their revised plans to design concerns raised by WNDC and NBC officers over the last year or so. There is particular concern about the appearance of the site, not least due to its position on Weedon Road being a gateway to the town, although it is accepted that the Weedon Road frontage is well-screened by vegetation, particularly in summer, and the store and car park are set some distance back from the road.
- 7.48 The design response to the comments made by WNDC and NBC has resolved some of the issues, particularly the visual impact on Weedon Road. But during negotiations the sales floorspace of the store has dramatically reduced to circa 2,500 square metres, yet the bulk of the original design remains, meaning a two storey supermarket with under-utilised spaces and voids within. Sainsbury's have reserved their position so that they would have the scope to expand internal sales space at a future date. This position relies on a presumption that this will be the right place in Northampton to expand retail floorspace in the future, which may not be the case (as discussed in the sequential assessment above). Therefore, an oversized building is proposed on the presumption that future permission will be given. There would appear to be other design responses available to Sainsbury's to prepare for future store growth that do not involve large decked car parks and an additional storey, although Sainsbury's claim otherwise.

- 7.49 It is recommended that NBC ask WDC to be fully satisfied that the oversized design does not result in an excessive amount of materials and energy use, thus unduly increasing the store's carbon footprint contrary to Policy EC10.2a of PPS4, and that the overall bulk of the design is acceptable.

Regeneration

- 7.50 The extended store does little for the wider regeneration of the town outside of redeveloping and modernising the application site. There is the potential of some trade diversion from the town centre making regeneration there less viable, but this is considered to be likely to very low, but subject to further explanation and investigation by the applicant needs to be confirmed.

Employment

- 7.51 Whilst the development will provide long-term jobs for the community, given the need to expand retail floorspace, this would happen somewhere in Northampton in any event. Therefore, retail jobs will be provided if developed here or elsewhere and the effect is neutral.

8. CONCLUSION

- 8.1 Supermarkets and superstores are an important part of the town's retailing sector. Most of the current stores are located in various types of centre or at the edge of centres and any new stores or new floorspace must follow the retail hierarchy set out in PPS4 with the town centre first.
- 8.2 NBC background studies and the submission of assessments by applicants show a quantitative need for more convenience and comparison floorspace and a better quality of offer for Northampton residents. It is accepted that there is a quantitative and qualitative need for convenience retail floorspace in the western suburbs of the town, but at a limited level before adverse retail impacts occur in the existing centres reducing their vitality and viability.
- 8.3 The Sainsbury's at Sixfields extension scheme has been dramatically reduced from early aspirations down to 1,511 m² of convenience sales area and 978 m² of comparison sales area and it now meets the qualitative and quantitative needs in the western part of town.
- 8.4 No suitable or viable town centre or sequentially better sites are immediately available and the Pre-submission Joint Core Strategy will quantify and direct future growth to revised centres in due course.
- 8.5 Store extensions are an acceptable method of serving retail need when sequentially preferable sites are not available. The growth of Sainsbury's will utilise existing infrastructure and allows the building to be made more energy efficient. Similarly, the quality of convenience goods offer needs to improve and these proposals allow this to occur.

- 8.6 These positive elements of the proposal outweigh the potential to wait for better locations to come forward in preferable centres.
- 8.7 The retail impact of the proposals is considered to be low and much reduced by the scaled down scheme that Sainsbury's have most recently submitted. Although WNDC must be satisfied that trade diversion from the town centre is further diminished in the reduced scheme, it is anticipated that investment in the town centre will be protected and the vitality and viability of the town centre is not significantly reduced by this scale and location of growth.
- 8.8 The comparison floorspace proposed has reduced from 2,394 m² to 978 m² resulting in a 75:25 convenience to comparison split in the store respectively. This ratio and level of comparison goods is considered duly commensurate and suitably incidental to the food sales element and satisfies qualitative needs. The impact on the regeneration of the town centre is much reduced and no longer significantly adverse.
- 8.9 In terms of planning impact and the tests set out in Policy EC10 of PPS4, the proposal is not considered significantly adverse in relation to accessibility, regeneration, jobs, however WNDC should be satisfied that the design is not excessively large thus having a greater carbon and visual impact than is necessary.

9. BACKGROUND PAPERS

- 10.1 NBC Town Centre Healthcheck Oct 2009 (RTP)
- 10.2 Northampton Town Centre Retail Strategy (May 2008) prepared by CACI Ltd for NBC.
- 10.3 West Northamptonshire Retail Study 2008 to 2026 (February 2009) prepared by CACI Ltd for West Northamptonshire Joint Planning Unit

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.

Position:	Name/Signature:	Date:
Author:	Richard Boyt	1/12/2010
Development Control Manager Agreed:	Gareth Jones	29/12/2010



Name: SW
Date: 22nd December 2010
Scale: 1:2000
Dept: Planning
Project: Site Location Plan

Title
Sainsbury's Superstore, 20 Gambrel Road

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