

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

YOUR ATTENDANCE IS REQUESTED AT A MEETING TO BE HELD AT
THE JEFFREY ROOM, ST. GILES SQUARE, NORTHAMPTON, NN1
1DE. ON TUESDAY, 21 JUNE 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 G. JONES
X 8999
Report of Head of Planning (copy herewith)
- 7 OTHER REPORTS
None.
- 8 NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
None.
- 9 NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
None.
- 10 ITEMS FOR DETERMINATION
An Addendum of further information considered by the Committee is attached.
 - (A) N/2011/0195- TWO STOREY AND SINGLE STOREY FRONT EXTENSIONS AND SINGLE STOREY REAR EXTENSION AT 50 ABINGTON PARK CRESCENT A.
HOLDEN
X 8466
Report of Head of Planning
(copy herewith)
Ward: Park
 - (B) N/2011/0295- PROPOSED NEW ALDI FOOD STORE (USE CLASS A1) WITH ASSOCIATED CAR PARKING AND LANDSCAPING, (REVISED SCHEME OF 09/0096/FULWNN) AT 582-592 WELLINGBOROUGH ROAD B.
CLARKE
X 8916
Report of Head of Planning
(copy herewith)
Ward: Park

- (C) N/2011/0360- CHANGE OF USE FROM LETTING AGENCY (USE CLASS A2) TO SHOP/RESTAURANT AND TAKEAWAY (USE CLASS A1/A3/A5) AT 199-199B KETTERING ROAD A. HOLDEN X 8466

Report of Head of Planning
(copy herewith)

Ward: Castle

- (D) N/2011/0408- SINGLE STOREY REAR EXTENSION AT 3 HEReward ROAD A. WEIR X7574

Report of Head of Planning
(copy herewith)

Ward: Delapre and Briar Hill

11 ENFORCEMENT MATTERS

None.

12 APPLICATIONS FOR CONSULTATION

- (E) N/2007/1583- MIXED USE DEVELOPMENT OF APPROXIMATELY 1050 DWELLINGS, APPROXIMATELY 1.6HA OF B1 AND B2 EMPLOYMENT USE A RESIDENTIAL CARE HOME ACCOMMODATING 70 BEDS, LOCAL FACILITIES INCLUDING A PRIMARY SCHOOL, A PARK AND RIDE FACILITY OF 5000 SPACES, PUBLIC OPEN SPACE, AND ASSOCIATED COMMUNITY INFRASTRUCTURE MAIN ACCESS TO BE VIA A5199 WELFORD ROAD AND OFF BRAMPTON LANE S. TINDLE X 8548

Report of Head of Planning
(copy herewith)

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>
A6452

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NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 31 May 2011

PRESENT: Councillor Flavell (Chair); Councillor Golby (Deputy Chair);
Councillors Hibbert, Markham, Mason, Meredith and Aziz

1. APOLOGIES

Apologies for absence were received from Councillors N. Choudary, Davies, Hallam, Lynch and Oldham.

2. MINUTES

The minutes of the meeting held on 5 April 2011 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

- RESOLVED:**
- (1) That Philip Robbins be granted leave to address the Committee in respect of application no. N/2011/0110.
 - (2) That Messrs Coles and Waine be granted leave to address the Committee in respect of application no. N/2011/0195.
 - (3) That Messrs Stewart and Winterburn, and Councillor Hadland be granted leave to address the Committee in respect of application no. N/2011/0208.
 - (4) That Messrs Clarke, Burnhope and Smart, Sally Haddon and Councillor Strachan be granted leave to address the Committee in respect of application no. N/2011/0305.
 - (5) That Councillor Mason be granted leave to address the Committee in respect of application no. N/2011/0215.

4. DECLARATIONS OF INTEREST

Councillor Golby declared a Personal Interest in Item 10D- N/2011/0208, as being a member of Duston Parish Council.

Councillor Mason declared a Personal and Prejudicial Interest in Item 10E- N/2011/0215, as being a friend of the applicant.

Councillor Mason declared a Personal and Prejudicial Interest in Item 10F- N/2011/0243, as being a friend of the applicant.

Councillor Mason declared a Personal and Prejudicial Interest in Item 10G-N/2011/0219, as being a friend of the applicant.

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

None.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a List of Current Appeals and Inquiries and elaborated thereon.

RESOLVED: That the report be noted.

(A) N/2011/0110- ERECTION OF 2NO FLATS (AS AMENDED BY REVISED PLANS ON 6 APRIL 2011)- LAND ADJACENT TO 18 WALLACE ROAD

The Head of Planning submitted a report in respect of application no N/2011/0110 and commented that if the Committee were minded to approve the application Condition 10 could be amended to provide for "secure" bin storage.

Philip Robbins, a neighbour, commented that the development of the site opposite was supposed to have been in keeping with the existing area but it was not; the buildings were not rendered and the roof-line was lower. He referred to the application considered at the last meeting and the fact that it was not clear where the front door to the extension of the existing terrace would be. There had been no mention of a footpath between the extended end of the terrace and this proposal.

The Head of Planning noted that the issues Mr Robbins raised were the same as at the last meeting and that the design of the proposal echoed that on the opposite corner to provide a balance between the two corner sites. In answer to questions he commented that a site visit had not been arranged in this instance as the site was readily visible from the public domain and a planning application for related development on the adjoining site had been considered by the Committee at its previous meeting and that the site was fenced so there was no general access to this amenity space. He also noted that the Police had made no particular comment in respect of anti social behaviour either generally or in connection with the electricity sub station.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report and as amended in respect of Condition 10 regarding "secure" bin storage, as the principle of residential development in an existing residential area was acceptable and in accordance with Policy H6 of the Northampton Local Plan and PPS3. By reason of the proposed siting, appearance and design, the proposed flats would not be detrimental to visual, residential amenity or highway safety in accordance with Policies H6 and E20 of the Northampton Local Plan and the aims and objectives of the PPS3 and PPG13.

(C) N/2011/0195- TWO SINGLE STOREY FRONT EXTENSIONS AND SINGLE STOREY REAR EXTENSION- 50 ABINGTON PARK CRESCENT

The Head of Planning submitted a report in respect of application no. N/2011/0195 and elaborated thereon.

Barry Waine, on behalf of the neighbours, commented that this application should be viewed in the context of a previous refused application on the grounds of overshadowing. The extension at the front would extend some 4 metres beyond the building line of the neighbours. It would dominate number 49 and create a tunnelling effect. The balcony would be out of scale with both the property and the area. The original proposal for the balcony had been intrusive and despite the now proposed glass screen it would still overlook the garden of number 51. He considered that the application failed the tests set out in planning policies H18, E20 and E26. In answer to a question Mr Waine commented that the neighbours had experienced noise on some occasions from the existing balcony; a larger balcony would increase this potential.

David Coles, the agent for the application, noted that the property already had a balcony and the proposal for this had been revised and that the proposed extension had been reduced by 800mm. He noted that the proposal would not have any effect on the street scene and that it was within the building line of both 49 and 51 Abington Park Crescent. The extension would not effect number 49 as the gable end was north facing and already partially overshadowed by the existing structure of number 50. Mr Coles observed that the balcony would only be extended by a small amount and its effect on number 51 would be minimal. Additional planting to the existing landscaping would screen this. In answer to a question Mr Coles commented that the glass screen had not been part of the original proposal but had come from the original, subsequent discussions.

The Committee discussed the application.

Councillor Markham proposed and Councillor Mason seconded "That consideration of the application be deferred pending a site visit."

Upon a vote the motion was carried.

RESOLVED: That consideration of the application be deferred pending a site visit.

(D) N/2011/0208- FIRST FLOOR SIDE EXTENSION ABOVE EXISTING GARAGE, SINGLE STOREY REAR EXTENSION AND CONSERVATORY- 24 PINE COPSE CLOSE

The Head of Planning submitted a report in respect of application no. N/2011/0208 and elaborated thereon.

Councillor Hadland, on behalf of Councillor Caswell who had referred the application to the Committee, commented that the properties in the cul-de-sac were well spaced and referred to the extension at number 22 which he believed was more in keeping with the

area. The proposal kept the existing roof line and bulked out the extension. He believed that the proposal would close the gap between the properties to 300mm. He suggested that the Committee should visit the site if it had not already done so.

Bill Stewart, a neighbour, commented that he believed that the proposal did not meet the Council's Residential Design Guide and would increase the size of the property by some 67%. He queried why the extension at number 22 had been required to meet the Design Guide but that the proposal for number 24 would not. He commented that the applicant had already removed trees that were covered by a Tree Preservation Order. He also commented that whilst the application stated that the rear extension would extend 5m the effect of the flue meant that this was actually 5.6m. The development would be out of keeping with the area and necessitated the repositioning of an existing first floor window. He stated that the applicant had realigned the boundary fence some 160mm within his boundary so that the distance from the extension to the fence meant that the prescribed spacing could not be maintained.

Greg Winterburn, the applicant stated that he had asked an architect to draw up plans for him and he acknowledged that his neighbours disagreed with them. He observed that the roof lines of numbers 6, 12 and 22 Pine Copse Close were continuous. He believed that the issues regarding the rear extension were of secondary importance. He was a builder of many years experience and would not construct something distasteful. He confirmed that his boundary fence had been replaced along the original fence's line. In answer to a question Mr Winterburn stated that he had pruned some trees before being aware of the Tree Preservation Order; he had contacted the Council and been advised that there were no issues arising from the work he had done.

The Head of Planning noted that the report referred to the extent of the extension being more than 5m and confirmed the actual proposed projection from the existing rear elevation as being 5.3metres. The Residential Design Guide was just guidance which did not preclude approval of proposals that did not conform with it and it was considered that the proposal was in general conformity with its aims and objectives. He observed that Number 22 could have extended to the existing roof line without it being refused. The Head of Planning observed that the rear extension was single storey and only projected two metres beyond the neighbour's property. This was acceptable. The proposal at the front would not detract from the street scene and the distance between properties would still be substantial.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed development by reason of its scale, siting and design would not have an undue detrimental impact on the character and appearance of the host building, wider streetscene, amenity of adjoining neighbours or protected trees in accordance with Policies E11, E20 and H18 of the Northampton Local Plan and advice in the Council's Supplementary Planning Guidance (SPG) on Residential Extensions.

(H) N/2011/0305- CONVERSION OF A SINGLE DWELLING INTO 3NO ONE

BEDROOM AND 1NO TWO BEDROOM FLATS- 22 WATKIN TERRACE

The Head of Planning submitted a report in respect of application no. N/2011/0305, elaborated thereon and referred to the Addendum that set out additional comments from 13 Beaconsfield Terrace and 32 Watkin Terrace. He noted that parking was a particular issue but that the existing, lawful uses of the house would attract vehicle use in any case.

Tony Clarke, commented that he believed that the report had been badly written as an issue transferred from WNDC. He thought that the planning history set out in paragraph 4.1 was irrelevant and that the references to advice from an Agent in other paragraphs misleading. He noted that the property did not meet the combined ground and first floor minimum area of 100m² for conversion to flats. He observed that there were already a number of flat conversions in Watkin Terrace and queried when it would be decided that there were enough. He believed that critical density already existed being exacerbated by the fact that the street was a cul-de-sac. He also believed that the character of the area had already been destroyed by previous planning permissions. He believed that the premise that existing uses would generate comparable car use to this proposal for flats was false; there could be an extra eight or nine vehicles. He urged the Committee to refuse the application.

Sally Haddon, a local resident, referred to the existing parking problems in Watkin Terrace/ Beaconsfield Terrace that included double parking in the evenings. She observed that the camber in the cul-de-sac also caused problems. There was no residents parking scheme and felt that a majority of residents would not agree to one in any case. She noted that 34 Watkin Terrace had permission for conversion to four flats and that another property in the terrace was up for sale making a potential for 12 flats. She queried whether agreement could be reached as to the number of cars per property and referred to existing problems of rubbish from those properties that had already been converted. She believed that people would not give up cars. She commented that there was no provision for bikes; that there was a need for more family homes and that the residents had had enough.

Councillor Strachan, as local ward Councillor, asked that the Committee refuse the application and noted that parking provision was already oversubscribed and made worse by the residents parking schemes in neighbouring streets. The properties all had narrow frontages. A number of the properties had already changed hands and developers were converting them to flats. The Council needed to listen to the residents. He feared that more owner occupiers would move out.

Meredith Smart, partner of the applicant, stated that she believed that many of the points raised by Mr Clarke about the previous planning history of the house were irrelevant. The house had previously five occupants with three cars. There was a market for properties close to the town centre where people could walk rather than use a car. These flats were aimed at young professional people. Their intention was to develop the flats to a high standard and to have long term lets. The comments made by other speakers about car usage were speculation. She noted that many residents of Watkin Terrace and Beaconsfield Terrace currently did not have cars or drive. She believed that much of the parking space was taken up by people using the park or who then walked to work in the town centre. In answer to questions Meredith Smart commented that they did not intend to sell the flats but to manage them; that they would not be living there as the accommodation would be unsuitable for their young family

and that her idea of spacious was where someone could live comfortably with separate bedroom, living and kitchen areas.

Chad Burnhope, the applicant, stated that he would be managing the build and the tenants subsequently. He accepted that parking was an issue. He had been working on the house since November and had seen people park up and then go to the park or walk off in the direction of the town centre. He believed that a residents parking scheme would help and he thought that it would reduce parking by eight to ten vehicles. He stated that many of the existing residents already did not drive. He accepted that rubbish was an issue but that he could not be held responsible for other landlords; perhaps better advice to tenants was needed. Mr Burnhope thought that the comments made by Mr Clarke about the Council were unfair: the application should be treated the same as any other. In answer to questions Mr Burnhope commented that a secure bin store would be provided on the site of the former shed in the garden; that he would monitor the tenants through monthly visits and the rental agreement; and that the fire escape from the basement would be via a ladder accessed from a removable polycarbonate panel.

The Head of Planning stated that although the planning history set out in the report was not, in this case relevant, it was part of the history of the dwelling. Any previous use as a HIMO for seven or more residents had not been lawful. A site visit had been arranged because of the size of the property and its cul-de-sac location. The Addendum referred to parking matters; disabled parking was a County Council matter. He noted that comments made about whether the flats would be sold or rented or issues concerning other landlords were not relevant to the application. Concerns about fire safety were an issue for Building Regulations.

The Committee discussed the application.

Councillor Meredith proposed and Councillor Mason seconded "That consideration of the application be deferred so as to allow the Head of Planning to discuss with the applicant the issues raised by the Committee."

Upon a vote the motion was carried.

RESOLVED: That consideration of the application be deferred so as to allow the Head of Planning to discuss with the applicant the issues raised by the Committee.

7. OTHER REPORTS

(A) SOUTHBRIDGE WEST

The Head of Planning submitted a report that sought a variation to the Section 106 Agreement in respect of LA/2002/0005.

The Committee discussed the report.

RESOLVED: That the variation of the Section 106 Agreement for LA/2002/0005, Southbridge West, as set out in the report be agreed.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(B) N/2011/0187- ERECTION OF SINGLE STOREY FRONT EXTENSION TO FORM ADDITIONAL BEDROOM- 74 LUMBERTUBS LANE

The Head of Planning submitted a report in respect of application no. N/20110187 and elaborated thereon.

The Committee discussed the application.

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

(E) N/2011/0215- CHANGE OF USE FROM PUBLIC HOUSE TO MIXED USE OF COMMUNITY CENTRE, TAXI OFFICE, HAIRDRESSING SALON AND HOT FOOD TAKEAWAY- RETROSPECTIVE APPLICATION- THE MILLWHEEL PUBLIC HOUSE, BILLING BROOK ROAD

The Head of Planning submitted a report in respect of application no. N/2011/0215 and elaborated thereon.

Councillor Mason commented that although the map attached to the report showed the existence of Brookside Residents Centre, this had in fact been demolished some three years previously. This proposal represented the only residents facility in the area and was well used. It was important to the community. In answer to a question Councillor Mason stated that key holders were responsible for the security of the Community Centre.

[Councillor Mason left the remainder of the meeting in accordance with her declaration of interest given earlier at item 4.]

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report the proposed use would support the vitality and viability of the Local Centre and provide a community facility without harm to the amenities of surrounding properties. The proposal therefore complies with PPS4 – Planning for Sustainable Economic Growth and Policy E20 of the Northampton Local Plan.

(F) N/2011/0243- RETENTION OF 3NO FASCIA SIGNS AND 1NO FREESTANDING SIGN- THE MILLWHEEL PUBLIC HOUSE, BILLING BROOK ROAD.

[Councillor Mason was not present for this item having left the room in accordance with her declaration of interest given at item 4, above]

The Head of Planning submitted a report in respect of application no. N/2011/0243 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as by reason of its siting, scale and appearance, the signage would not lead to an adverse impact upon amenity or public safety and was therefore compliant with the requirements of PPG19 – Outdoor Advertisement Control.

(G) N/2011/0219- TWO STOREY REAR EXTENSION- 24 TOLLGATE CLOSE

[Councillor Mason was not present for this item having left the room in accordance with her declaration of interest given at item 4, above]

The Head of Planning submitted a report in respect of application no. N/2011/0219 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as by reason of siting, scale and general design, the impact of the proposed development 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.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

None.

The meeting concluded at 20.30 hours.

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



List of Appeals and Determinations – 21st June 2011			
Written Repls Procedure			
Application	Del/PC	Description	Decision
N/2011/0122 APP/V825/A/11/2152205	DEL	Change of use of ground floor from betting office (Class A2) to café/restaurant and take-away (Class A3 & A5) with installation of extraction/flue system at 45 Kingsthorpe Road.	AWAITED
N/2010/1077 APP/V825/A/11/2149132	DEL	Erection of 4 bed detached dwelling with integral garage and access road - Revised scheme of N/2007/1380 at rear of 52 Watersmeet.	AWAITED
N/2009/0566 APP/V2825/A/10/2123568	DEL	Change of Use to 4no. bedsits at 1 Humber Close, Northampton – Retrospective.	AWAITED
N/2011/0100 APP/V825/A/11/2149966	DEL	Permanent change of use from public car park to hand car wash – The Broadmead PH, 61 Broadmead Avenue.	AWAITED
N/2010/1013 APP/V2825/A/11/2147185/NWF	PC	Two storey rear/side extension and division of property into 4no. Apartments - revision of N/2010/0718 at 2 Thornton Road	AWAITED
N/2010/0998 APP/V825/A/11/2149052	DEL	Non-illuminated totem sign at Starbucks Drive-Thru, St James Retail Park, Towcester Road	AWAITED
Public Inquiries			
N/2010/0944 APP/V2825/X/11/2144946	DEL	Application for a Lawful Development Certificate for proposed retail sale of food goods at Nene Valley Retail Park	AWAITED
N/2009/0536 FPS/V2825/5/1	PC	Application to permanently divert public footpath at the former British Timken Works, Duston, Northampton	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.	

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NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

Addendum to Agenda Items Tuesday 21st June 2011

Items for Determination

ITEM 10B

N/2011/0295

Proposed new Aldi food store (use class A1) with associated car parking and landscaping. (Revised scheme of 09/0096/FULWNN) at 582 - 592 Wellingborough Road

Additional representations have been submitted by **Northamptonshire County Council Highways** requesting that additional alterations to the curb adjacent to the north eastern corner of the store in order to prevent vehicles from 'cutting' the corner, which would be detrimental to pedestrian safety. Tactile paving is also requested for the various crossing points. Further clarification has been provided in relation to the request for cycle way improvements. The reasoning for this is that in order to deliver a modal shift in travel patterns, suitable infrastructure should be provided. This would be of use to members of staff and customers. Without this contribution, there would be objections to the scheme on account of it being reliant upon the Travel Plan to secure this modal shift. It is requested that the Travel Plan be secured via a legal agreement and include penalty payments.

Officers Response

It is considered that the amendment to the site layout is necessary and reasonable to secure a satisfactory standard of development and therefore agreement is sought for this matter to be delegated to the Head of Planning in order for this amendment to be negotiated before planning permission is issued. In terms of the surface treatment request, members' attention is drawn to Condition 17 as set out within the committee report, which requires that the Local Planning Authority agree all surface treatments prior to the commencement of development. This adequately addresses NCC's concern re tactile paving.

In terms of the request for the enhancement of cycle ways, the key tests as set out within Paragraphs 7.13 and 7.15 of Committee report outline the reasons for why this request cannot be supported. Whilst the point that the development would be reliant upon the travel plan to secure a modal shift in travel is noted, it is considered that due to the nature of the proposal enhancements to public transport are likely to have a greater impact upon this than cycling given the nature of the use proposed. Improvements to bus stop provision within Wellingborough Road would be secured through the Section 106 Agreement. The contents of the Travel Plan would be negotiated after the determination of the application and agreed prior to the development being first brought into use. As this can be secured via a condition, inclusion within the Section 106 Agreement is not required.

Revised wording to following conditions:

3. Unless otherwise agreed in writing by the Local Planning Authority, a sustainability strategy, detailing the **Page 11** of achievement of BREEAM 'very

good' for the development and the provision of on-site renewable energy to meet a minimum of 10% of the development's overall energy needs and mechanisms for post-construction assessment shall be submitted and approved in writing by the Local Planning Authority. The necessary works shall be implemented prior to the development hereby permitted being first brought into use and retained thereafter. Within a period of three months from the date of the development hereby permitted being first brought into use a post construction assessment shall be submitted and approved in writing by the Local Planning Authority to demonstrate compliance with the approved sustainability strategy.

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

6. 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 the retention of the existing hedge along the southern site boundary and indications of all existing trees 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

8. The development hereby permitted shall only be open to customers between the hours of 8am and 8pm in any one day on Mondays to Saturdays and 10am to 4pm on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenities of the occupiers of surrounding properties in accordance with the requirements of PPG24 – Planning and Noise

15. No development shall take place until a scheme of work has been submitted and approved in writing by the Local Planning Authority detailing upgrades to Wellingborough Road. Development shall be carried out prior to the commencement of any on site development and shall be in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of PPG13 – Transport.

ITEM 10C

N/2011/0360

Change of use from letting agency (Use Class A2) to shop/restaurant and takeaway (Use Class A1/A3/A5) at 199 - 199b Kettering Road

Letter from Mr Gordon Noble (owner of neighbouring premises) who is unable to attend Committee setting out clarification and correction of the following points –

Para 6.1 – should refer to 195 and 197 Kettering Road not Colwyn Road

Para 7.4 – The proposed kitchen is adjacent to the bedroom of the neighbouring flat.

Also suggested changes to conditions –

3. Add "A Sound Test (airborne and impact) be carried out on completion of works on the residential units within 197 Kettering Road and Certified accordingly. All windows to be double glazed and to remain closed during opening hours."

4. Add "A grease / effluent trap to prevent waste oil / fat entering the main sewer which (also serves the residential units in 197 /195 and 102 Hood Street) is to be installed"

6. Amend to state "The door **and windows** to the first floor balcony area shall remain closed at all times the premises are open and (**delete kitchen**) **staff or others** shall not be permitted access to this area at any time. **The Balcony must not be used for the storage of waste or provisions. No external lighting shall be installed at the rear of the premises.**

7. Add "all customers to have vacated the premises by 11.00 pm. The premises are not to be used by the proprietor for Private Functions etc. outside the opening hours.

Mr Noble also adds "From the Plans it appears there is only one entrance / exit. The Stairs leading to the 1st Floor do not comply as a fully protected stair under fire regulation, this would no doubt be considered by Building Control if appropriate"

Officers recommend the following changes to conditions –

3. Prior to the commencement of the use hereby permitted a scheme to attenuate noise transmission from the use hereby permitted to adjacent residential uses, to include sound insulation to floors, ceilings and walls as appropriate shall be submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details.

6. The door to the first floor balcony area shall remain closed at all times the kitchen is in use and staff and customers shall not be permitted access to this area at any time other than for the purpose of maintenance.

9. (New Condition) Prior to the commencement of the use hereby approved a grease / effluent trap to prevent waste oil / fat entering the main sewer shall be installed in full accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with PPS 23 - Planning and Pollution Control

10. (New Condition) No external lighting shall be installed on the rear elevation of the premises without the prior approval in writing of the Local Planning Authority.

Reason: for the avoidance of doubt and in the interests of amenity and to secure a satisfactory standard of development in accordance with PPS 23 - Planning and Pollution Control

Applications For Consultation

ITEM 12A

N/2007/1583

Mixed use development of approximately 1050 dwellings, approximately 1.6ha of B1 and B2 employment use, a residential care home accommodating 70 beds, local facilities including primary school, a park and ride facility of 500 spaces, public open space and associated community infrastructure. The main access to the site would be via the A5199 Welford Road and off Brampton Lane.

NCC Highways:

Since the finalisation of the committee report, Daventry District Council have forwarded the final consultation response from Northampton County Council as Local Highways Authority. The response is consistent with the summary set out in the committee report.

NCC does not object to the application in principle, subject to all of the mitigation measures being secured through planning condition or Section 106 agreement.

Should any of the agreed measures not be secured, NCC will revert back to a position of objecting to the application.

Sally Beardsworth Councillor for Kingsthorpe ward:

I am extremely concerned about the impact that Buckton Field development will have on the Cock Hotel junction.

The work being carried out by Northamptonshire County Council highway department over the next six months, although essential to improve air quality and the flow of traffic, will be futile if the Buckton Field development goes ahead.

The increase in traffic will not only overload a junction that is already more than 130 percent capacity at the present time but will increase the rat run through the village which is a great problem now for the residents of High Street and Manor Road.



PLANNING COMMITTEE: 31st May 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0195: Two storey and single storey front extensions and single storey rear extension at 50 Abington Park Crescent

WARD: Park

APPLICANT: Mr Lee Romang
AGENT: Mr David Coles

REFERRED BY: Cllr Jane Duncan
REASON: Concerned that the envisaged large balcony would be inappropriate to the ambience and style of the surrounding area.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and for the following reason:

The proposed development, by reason of its scale, siting and design, would have no adverse impact on the streetscene or on the amenities of existing neighbouring residents. The proposal would thereby comply with policies E20 and H18 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 Two storey front extension, single storey front and rear extensions, enlarged balcony to front.

3. SITE DESCRIPTION

3.1 Detached house within a street of varying property styles, fronting onto Abington Park.

4. PLANNING HISTORY

- 4.1 N/2010/0965 Two storey front and single storey rear extensions, enlargement of existing balcony to front and removal of conservatory to rear refused 23-12-2010.

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:

PPS 1 – Delivering Sustainable Development

5.3 Northampton Borough Local Plan

E20 – New Development

E26 - Conservation Areas

E19 – Implementing Development

H6 - Housing Development within Primarily Residential Areas

H7 - Housing Development Outside Primarily Residential Areas

H10 - Backland Development

H18 - Extensions

5.4 Supplementary Planning Guidance

Residential Extensions Design Guide

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 Letters of objection received from the neighbouring occupiers at **22a, 49 & 51 Abington Park Crescent and 1 Bridgewater Drive** making the following points:

- The proposal will completely alter the appearance of the property which fronts on to Abington Park.
- The proposed size of the glass extension at the front of the property is such that it will destroy the balance with existing adjoining properties.
- From the plans it is clear that the proposed new area is approximately 50% larger than the current internal leisure area of the house and as such would seem to provide the equivalent of an additional room rather than a more traditional balcony space as is evident in six other properties on the Crescent.
- Should these planned extensions be approved, they would set a precedent for other properties to undergo similar massive enlargements which run counter to the concept of the Conservation area.

- The Conservation area focuses on the Park itself and surrounding buildings; whilst this property is not included, clearly the cohesion of the buildings on the periphery of the Park are of concern as they have an impact on the environs of the Park itself
- I oppose this application on the grounds that although this is not technically in a conservation area it does overlook and can be seen from the conservation area.
- The proposed application and the plans I have seen are in my opinion not in keeping with style and nature of Abington park crescent.
- This new application N12011/0195 falsely claims “the revised scheme provides a significant reduction in the extension to the front and successfully addresses the concerns with the previous application”
- I will now elaborate and demonstrate factually that the “significant reduction” is grossly misleading in respect to the degree of overshadowing and unless, the rules have changed, the basis for refusal remains substantially the same, if not greater.
- The application states the extension is 2.1 metres, but it conveniently omits to mention that this is at ground level and in fact the extension is 4.2 meters at first floor level and a staggering 7.1 meters at roof top level — all solid brick and roof tile.
- From all four of my north facing windows facing this extension I can currently see daylight, views, and the greenery of the park — visual benefits that influenced our decision 33 years ago to buy the property and which we have enjoyed ever since. The extension, even in its marginally modified version, will virtually obliterate all of the views and restrict us only to indirect daylight reflected off the brick wall —walking into each of the four rooms will be like walking into cupboards.
- The issue of habitable versus non-habitable rooms has been raised but is irrelevant since the saved Policy HIS of the Northampton Local Plan (which forms one of the bases for determining applications) does not distinguish between them, as confirmed in the Case Officer’s Report supporting the refusal.
- Our view to the north is currently of a glazed conservatory extending 25 metres with a glazed hip roof. The proposed extension extends 5.0 metres, is of solid brick construction with a solid gable-ended tiled pitched roof and with an overall height of 4.2 metres — some 80% higher than the front of the existing conservatory and again of solid brick and roof tile construction.
- The combined effect of the front and rear extensions to increase the total solid silhouette visible from my side from an existing 47 square metres to a total of 99 square metres - more than double. Emerging from our back door to access either front or rear gardens will be akin to walking alongside a high factory wall in an industrial estate — hardly appropriate for a property in a prestigious area and certainly not one which we expected when we purchased the

property having, and important to us the 'open' aspect of a detached house not overshadowed by neighbouring properties.

- The current balcony covers approximately 14 square metres and is accessed for a pair of French doors and fronted by a tasteful ornamental steel balustrade. The current occupant uses it as a limited entertainment area but it has nevertheless been the subject of some noise complaints from neighbours in the past and extending late into the early hours.
- The proposed balcony will cover 20+ square metres, be accessed from the open-plan interior living area through folding doors extending the full width of the balcony and fronted with a glazed balustrade. It is difficult to imagine that its purpose is other than as an outdoor entertaining area.
- Such a balcony would not look out of place in the daytime as an outdoor seating area on a veranda above a seaside café. At right time it would not be out of place as an open-air balcony above a nightclub entrance with its attendant noise issue.
- There are very few houses on Abington Park Crescent with balconies, all small and discreet and fronted with tasteful steel or wooden balustrades and none large enough for any sort of entertaining. The proposed balcony will be totally out of character with other properties and certainly totally inappropriate in a prestigious residential area surrounding, and visible from the preservation area, namely Abington Park.
- Finally, this application again includes a large (3m x 1.6m) frosted glass privacy screen at the far end of the balcony. But such a screen was specifically rejected following the refusal of the first application as representing a "significantly visually intrusive out-of-character with and harmful to the appearance of the existing building and also represent a visually bulky and overshadowing feature." So why include it now?
- An application for a broadly similar front extension was rejected in December last year on the grounds that the bulk and design which included a first floor balcony would result in significant overlooking and overshadowing of my family home at No 51. Amended plans submitted at that time which included a glazed screen at the side of the proposed balcony nearest to my home were adjudged by the Council to continue to "represent a significantly visually intrusive (sic) out of character with and harmful to the appearance of the existing building and would represent a bulky and overshadowing feature, as it would in its entirety be forward of the front line of No 51".
- The current application remains visually intrusive, is visually bulky and in its entirety forward of the front line of my home at No 51. The reduction in the scale of the extension is minimal. As explained above, there is nothing new about the proposal to build a glass screen to the balcony. Contrary to the claims made by the applicant, the design of the extension does not relate well to the site and it most certainly does not respect the amenity of neighbouring properties.

- It remains the case that from my front lounge and front bedroom I will mostly see a brick wall and above it a large sheet of frosted glass jutting out well beyond the front of my home. This will limit the vistas of the park opposite and interfere with sunlight from the south east and south.
- I do not believe that the minor modifications proposed by the applicant represent a significant change from his previous application. I hope you will not conclude that you should give planning consent on the grounds that you believe the new proposal is not quite as bad as the previous one which you rightly rejected.

7. APPRAISAL

- 7.1 The main issues to consider are the impact on the streetscene and on the amenities of adjoining occupiers.
- 7.2 In terms of the streetscene impact, as the street comprises properties of varying design, it is considered that this particular house, as altered, would not appear out of place within the streetscene. The road curves at this point and the building as extended would follow this line, so the building would not appear out of place due to projecting forward in the street scene.
- 7.3 An enlarged balcony forms part of the proposal. There is an existing balcony at the property and several other properties within the street also have balconies overlooking the park, albeit generally smaller than the one proposed. It is considered that the balcony as proposed is generally in keeping with the house and that no adverse impact on the streetscene would result.
- 7.4 As regards the impact on adjoining occupiers, the neighbour at no. 49 Abington Park Crescent has a number of side facing windows that would be overshadowed by this extension. Whilst these are not considered habitable rooms there was a concern in respect of the previous application, which was refused, that so many windows would have been affected. The proposed projection of the extension has now been reduced and whilst the amendment is moderate it is considered that this is sufficient to allow an adequate level of light to these windows and given that they are not habitable rooms it is considered that this issue alone is not sufficient to justify a refusal.
- 7.5 The previous application was refused in part due to the external staircase to the rear of the building, which would have served the first floor living room at the rear and would have lead to significant overlooking of neighbouring gardens, in particular no. 51. This element has been removed from the proposals and there would not now be any greater overlooking from the rear than could occur from the existing windows.

- 7.6 The proposed front balcony would be forward of the main front living room window of no. 51. The previous application was refused in part due to concerns over the privacy of this neighbour, as it would have been possible to see into the neighbouring living room from the enlarged balcony. The amended proposal now includes obscured glazed panels in this area that would screen potential overlooking to this neighbouring house. There were some concerns that this would, in turn, lead to overshadowing of the window however it is considered that the applicants have demonstrated that there would be a sufficient separation between this and the neighbouring property. A condition is recommended requiring that full details of the structure of the screen are submitted prior to the commencement of work for approval by the Council. Discussions with Building Control have indicated that the screen can be provided if constructed integrally to the building.

8. CONCLUSION

- 8.1 The proposed extension would have no undue adverse impact on the street scene or on the amenities of adjoining occupiers.

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 and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

- (3) Prior to the commencement of any work on site full details of the proposed privacy screen to the balcony hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The screen shall be installed in full accordance with the approved details and shall be retained in that form for the lifetime of the development hereby approved.

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

10. BACKGROUND PAPERS

- 10.1 N/2011/0195 & N/2010/0965

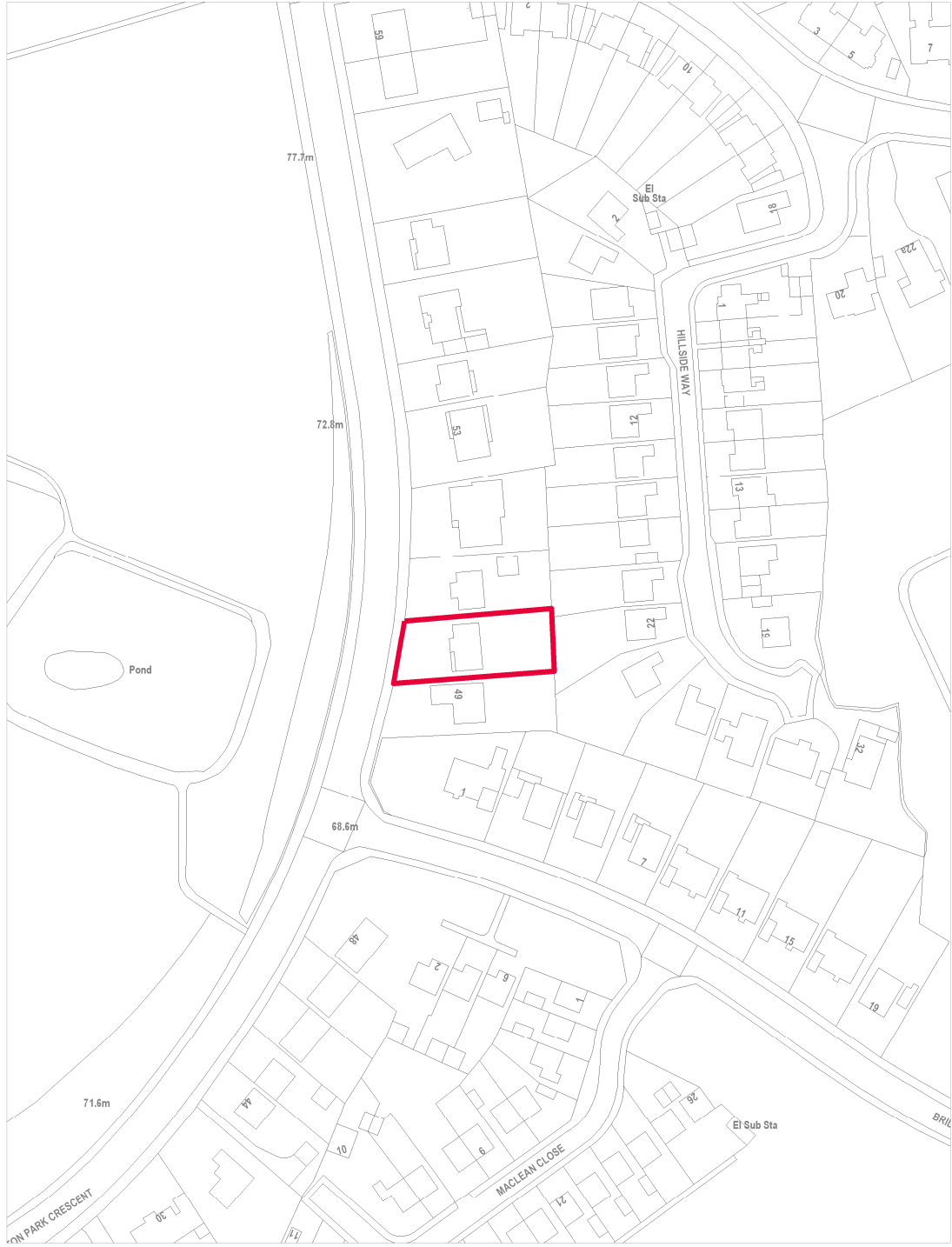
11. LEGAL IMPLICATIONS

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:	A Holden	19/05/11
Development Control Manager Agreed:	G Jones	19/05/11



Name: SW
 Date: 19th May 2011
 Scale: 1:1250
 Dept: PLANNING
 Project: SITE LOCATION PLAN

Title
50 ABINGTON PARK CRESCENT

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PLANNING COMMITTEE: 21st June 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0295: Proposed new foodstore (use Class A1) with associated car parking and landscaping (Revised scheme of Planning Permission 09/0096/FULWNN)
582-592 Wellingborough Road, Northampton

WARD: Park

APPLICANT: Aldi Stores Ltd
AGENT: Dalkin Scotton Partnership Architects Ltd

REFERRED BY: Head of Planning
REASON: Major application previously considered by Planning Committee

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to the prior completion of a S106 legal agreement and conditions and for the following reason:

The proposal would represent the affective reuse of previously developed land and would not unduly impact upon the amenities of surrounding occupiers. By reason of the scale of the proposal and subject to the suitable use of planning controls, the development would not adversely impact upon the viability and vitality of other established centres. The proposal therefore complies with the requirements of PPS4, PPS23, PPG13, PPG24 and Local Plan Policies E20, E40 and T11.

1.2 The S106 agreement shall secure the following matters:

- i) Payment is made to fund improvements in bus stop provision within Wellingborough Road including the provision of real time update equipment and to fund its ongoing maintenance;
- ii) Payment is made to fund improvements to the town centre environment in order to offset any impacts upon this centre as a result of this development being permitted;
- iii) That the development is only occupied as a 'Limited Assortment Discounter' supermarket and for no other use within

Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

iv) That the net level of retail floor space does not exceed 990m².

v) That an obligation be secured ensuring that the level of retail floor space used for the display and sale of comparison goods does not exceed 15% of the total net retail floor space.

- 1.3 In the event that the S106 legal agreement is not secured within three calendar months of the date of this committee, it is requested that delegated authority be given to the Head of Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

2. THE PROPOSAL

- 2.1 The applicant seeks planning permission to erect a new supermarket with a net retail floorspace of 990m². This is a similar proposal to that made by the same applicant at the same site granted planning permission in February this year (ref. 09/0096/FULWNN) which permitted a net retail floorspace of 1125m². The current proposal also includes the provision of 75 car parking spaces (including six disabled car parking spaces) and four motorcycle parking spaces. Access to the car park would be via a new entrance to be created off of Wellingborough Road.
- 2.2 The proposed store would have a split roof shape, with a maximum height of 8.2m and would be located parallel to Wellingborough Road, albeit set back from the highway by approximately 44.5m. The entrance to the store would be situated on the eastern end of the building. The store's unloading bay would be located to the rear of the building on the southern elevation.
- 2.3 The application specifies that the end user of the development would be a 'limited assortment discounter', which results in comparatively less lines being stocked within the store (approximately 1000). Furthermore, any comparison goods would be stocked as restricted lines, often on a seasonal basis.

3. SITE DESCRIPTION

- 3.1 The application site is situated adjacent to a local centre as identified within the Northampton Local Plan. The centre comprises a public house, hairdresser and small retail outlet. A residential care home is situated on the northern side of Wellingborough Road roughly opposite the site. The wider area is predominantly used for residential accommodation, which is the case of dwellings situated within Wellingborough Road generally dates from the early part of the twentieth century. Although there are variations in terms of the design of these dwellings, they are generally of a high quality design.
- 3.2 The site is approximately 1km from the Weston Favell Centre, which is located to the east of the site and approximately 3km from the Town Centre to the west. Aside from the Weston Favell Centre, there are no

other major supermarkets within the area. The proposal site does not incorporate the entirety of the site former car dealership site, as a further development site is to remain to the east of the proposed store. Although not forming part of this application, the submitted Design and Access Statement advises that opportunities for some form of residential development are being pursued on this adjacent land.

4. PLANNING HISTORY

- 4.1 The site was used as a car dealership and garage for some years, although the site has now been cleared. The West Northamptonshire Development Corporation approved an application for a comparable store in February 2011 (reference 09/0096/FULWNN). Northampton Borough Council's Planning Committee considered this proposal at its meetings in November 2009 and January 2010 as a consultee, when support was expressed for the scheme on the proviso that legal agreements were entered into placing controls on the type of occupier of the store and the level of comparison goods retailing with further controls covering any future subdivision of the store and the manner in which it is operated.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPS4 – Planning for Sustainable Economic Growth
PPS23 – Planning and Pollution Control
PPG13 – Transport
PPG24 – Planning and Noise

5.3 East Midlands Regional Plan

Policy 2 – Promoting Better Design
Policy 22 - Regional Priorities for Town Centres & Retail Development
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
T11 – Commercial uses in residential areas
T12 – Development requiring servicing

5.5 Supplementary Planning Guidance

Northamptonshire County Parking Standards
Planning Out Crime in Northamptonshire

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Highway Authority (NCC)** – The proposed layout is acceptable, subject to some minor amendments, which were incorporated within the original application. If residential accommodation were to be built on the adjacent site, then the access road would need to be constructed to an adoptable standard. Conditions are recommended to ensure that details of the access road construction are agreed and that the works to Wellingborough Road are carried out prior to the commencement of development. A financial payment should be secured to fund bus stop improvements within Wellingborough Road is required. Payments should also be secured to fund the improvement of cycleways in order to promote a move to more sustainable means of travel. Conditions are required covering works to the highway, construction details of roads, wheel washing and a travel plan.
- 6.2 **Environmental Health (NBC)** – Concerns are expressed regarding the positioning of the loading bay as this has the potential to cause disturbance to surrounding properties, particularly as lorries may be stationary for some time and there could be some queuing of vehicles. There would be some impacts from equipment and plant through noise as well as through the use of the car park. Conditions covering deliveries, parking, contamination, lighting and refuse storage are recommended.
- 6.3 **Environment Agency** – Would request that conditions are attached to any approval covering the study of possible contaminants and agreeing a strategy for dealing with any unsuspected contamination.
- 6.4 **Anglian Water** – Recommend a condition requiring that no works take place until a strategy for drainage has been agreed.
- 6.5 **Northamptonshire Police Crime Prevention Design Advisor** – The location of the development makes it susceptible to crime and anti-social behaviour. It is suggested that access to the car park be controlled to reduce the potential for anti-social behaviour. It is recommended conditions detailing security measures and boundary treatments/landscaping be applied.
- 6.8 Letters from the occupiers of **11 Church Way** and **618 Wellingborough Road**. Comments can be summarised as:
- The existing hedge should be retained in order to provide screening
 - The proposed acoustic fence should be extended to provide attenuation against noise, particularly as commercial vehicles would be reversing in close proximity to the boundary. Restrictions should also be in place regarding delivery times
 - Noise could be generated from the positioning of extraction and ventilation equipment
 - Any lighting scheme has the potential to create disturbance and intrusion to surrounding residential properties.
 - The submitted travel assessment cannot be considered to be impartial
 - At the time in which the travel assessments were carried out, the site was vacant and therefore was not attracting any visitors to be included within the modelling

- Increased traffic would detrimentally impact upon highway safety, particularly as there is a primary school and care home nearby.
- There are currently difficulties in turning onto Wellingborough Road in order to travel east. This problem would be exacerbated by the proposed store.
- The likelihood is that the bulk of patrons will travel by private car to the store due to difficulties in travelling by public transport with shopping.
- The impacts of the development of the remainder of the site should also be assessed.
- There is a lack of need for such proposals within the vicinity on account of the facilities within the Weston Favell Centre and any such proposals should be focused upon the town centre.

7. APPRAISAL

Principle of the development

- 7.1 The site is located outside of the existing hierarchy of centres (albeit adjacent to a small local centre). However, national planning policies, such as Policy EC17 of PPS4 – Planning for Sustainable Economic Growth requires that developers carry out an assessment of alternative sites within established centres prior to considering such out of centre locations. The developer has assessed 25 locations within the catchment area of the proposed store, including the Weston Favell Centre. These have been discounted for a variety of reasons, primarily relating to the scale of the proposed store leading to a significant and adverse impact on the flow of traffic and highway safety, have a lack of available sites to accommodate the proposed development or would not be viable. In addition, the fall back position provided by the extent planning permission 09/0096/FULWNN must be given great weight in that if this application be refused, there would remain an extant planning permission for a larger store that could be implemented.
- 7.2 Policy EC16 of PPS4 states that the impact on town centres should also be considered. Whilst it is accepted that there is a need for some provision of convenience retailing outside of the town centre, there are concerns that any proposed store or additional new retail floor space could potentially affect the viability and vitality of the town centre. However, as only 15% of the store (approximately 150m²) would be for comparison goods retailing, it is considered that there would be no significant detrimental impact in this regard. In order, to control this, it is recommended that the accompanying Section 106 Agreement secure these proportions in order to maintain compliance with this policy. In addition, it is recommended that the S106 Agreement specify that only a 'limited assortment discounter' could occupy the proposed store. This would mean that the store would only trade in a manner that is set out within the application, which effectively means that comparison goods would be stocked on a seasonal basis and have a limited range compared to a conventional supermarket retailer.
- 7.3 Whilst the emerging Central Area Plan and Joint Core Strategy advocate locating such development within established centres, on

account of the strong fall back position for the site and the fact that the extant scheme would have an arguably larger, albeit not significantly so, impact it is considered that there are insufficient reasons to resist this application; particularly given the mitigation measures as outlined previously.

- 7.4 The proposed store is of a size that could potentially be subdivided into smaller units. This could potentially have a greater impact upon the viability and vitality of the centre which the proposal is adjacent to, as well as other recognised centres in Northampton. Therefore, it is recommended that a condition is imposed preventing subdivision should planning permission be granted
- 7.5 When considering the 09/0096/FULWNN application it was concluded that the Weston Favell District Centre is over-dominant and the proposed development would respond to a local market in a location adjacent to a local centre, which is relatively well served by public transport. It is also considered that the scale and location of the development are acceptable on the basis that the use would serve a local population and offer some scope for linked trips to the local centre.
- 7.6 It is accepted that a very limited number of trips to the proposed store may occur as an alternative to visiting the town centre; however, the applicant has indicated a willingness to enter into a legal agreement, which would see a payment being made in order to fund town centre investment, such as improvements to the public realm, thereby improving the shopping environment within the town centre and promoting its attractiveness to shoppers.

Design

- 7.7 It is considered that the design of the proposed store is acceptable on account of its similarities to that previously deemed acceptable under permission 09/0096/FULWNN. As such it is considered that the proposal complies with the requirements of Policy E20 of the Northampton Local Plan and the aspirations of PPS1 – Delivering Sustainable Development. However, by reason of the prominence of the site, the materials to be used are of significant importance and therefore it is recommended that a condition be attached to any approval requiring that the materials be agreed prior to the commencement of development.
- 7.8 By reason of the positioning and height of the development, it is considered that there would be no undue detrimental impact upon the amenities of the surrounding properties in terms of factors such as light levels, privacy and amenity to the occupiers of surrounding dwellings. As a result of this, it is considered that the proposal is compliant with Local Plan Policy E20 in this regard. It is acknowledged that concerns have been raised regarding the impacts on residential amenity as a result of noise emanating from the various vents located on the southern elevation. However, no objections to the principle have been received from NBC Environmental Health and a condition is recommended requiring that a survey of noise sources is carried out prior to the commencement of development.

- 7.9 It is noted that concerns have been raised regarding the positioning of the loading bay to the rear of the store. Whilst it is recognised that this is in close proximity to the shared boundary with residential properties to the south, it is considered that on account of there being sufficient planning controls to cover the times of day in which deliveries can be made it is unlikely that this would give rise to an unacceptable impact on residential amenity as required by PPG24 – Planning and Noise. In addition, resiting the loading bay onto another elevation would not be satisfactory in design terms on account of this representing an incongruous addition to the streetscene and detrimental to visual amenity.
- 7.10 The submitted plans state that the mature hedge on the southern boundary is to be retained and a condition is recommended securing a landscaping scheme for the remainder of the site. Further conditions are recommended covering the submission of details regarding light levels as the car park is to be illuminated and CCTV provision in order to ensure compliance with Local Plan Policy E20. By reason of the site's former uses, conditions covering contamination are required in order to for the development to adhere to the requirements of PPS23 – Planning and Pollution Control. Although the Environment Agency and Anglian Water have raised no objections to the development, in order to secure a satisfactory standard of development a condition requiring details of the drainage mechanism is proposed.

Highways

- 7.11 It is recognised that the development is likely to generate a significant amount of car bourn trade. However, the application has been accompanied by a transport assessment, which has been assessed by the Highway Authority, which has raised no objections to the report's contents. As such, it is considered that the proposal would not result in any significant adverse impact upon highway safety. In order to maintain the free flow of traffic, various works within the highway are required, such as creating the new access. In order to maintain highway safety as required by PPG13 – Transport, this is to be secured via condition prior to the commencement of development.
- 7.12 As a result of the need to promote sustainable forms of travel, a payment is to be secured via a S106 Agreement to provide additional bus stops on each side of Wellingborough Road. These would include facilities for real time information updates. Funding is also to be secured for the ongoing maintenance of these items.
- 7.13 The Highway Authority has requested that a financial payment be secured to facilitate the provision of cycle ways between Fir Tree Walk and Booth Lane; between Booth Lane and Abington Park Crescent and alterations to traffic lights to facilitate these works. Whilst this requests is noted and a similar contribution was secured by WNDC in the previous application (09/0096/FULWNN), the guidance within Circular 05/2005 – Planning Obligations (as amended) states that such payments should only be made when the following criteria are satisfied:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development

7.14 In the case of the request from the Highway Authority, it is considered that there is an insufficient policy base to support this payment as the policies cited within the request relate to policies that are at a draft stage or general in nature and therefore do not directly relate to the type or scale of development which is proposed. Furthermore, given the nature of the use it is not considered that there would be significant need for cycle access due to the amount of shopping which is likely to be carried by prospective customers. For these reasons, it is considered that there is insufficient planning policy justification to make this a requirement.

7.15 In terms of car parking provision, PPG13 – Transport formally stated that a maximum of one car parking space per each 14m² of floorspace should be provided. The on site provision, exceeds this amount (75 spaces as opposed to the stated 70). PPG13 has now been revised to omit these maximum standard. Given this change to policy and bearing in mind the small difference concerned, it is considered that there are no grounds for objection in this regard. Overall this level of parking it is considered reasonable on account of a lower provision potentially giving rise to parking within the surrounding streets, which could be detrimental to highway safety.

8. CONCLUSION

8.1 By reason of the limited scale of the proposed development, it is considered that there would be a minimal impact upon the viability and vitality of other centres within Northampton. Furthermore, the scale of the proposal, combined with the various mitigation measures to be secured via conditions and legal agreement, it is considered that there would be no undue detrimental impact on highway safety and visual and residential amenity. The extant planning permission, 09/0096/FULWNN, also provides a very strong fallback which must be given great weight when assessing the current proposed smaller, albeit slightly smaller, development.

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. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

3. Unless otherwise agreed in writing by the Local Planning Authority, a sustainability strategy, detailing the method of achievement of BREEAM 'very good' for the development and the provision of on-site renewable energy to meet a minimum of 10% of the development's overall energy needs and mechanisms for post-construction assessment shall be submitted and approved in writing by the Local Planning Authority. Within a period of three months from the date of the development hereby permitted being first brought into use a post construction assessment shall be submitted and approved in writing by the Local Planning Authority to demonstrate compliance with the approved sustainability strategy.

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

4. Prior to the commencement of development, full details of all external lighting, including times of use shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of PPS23 – Planning and Pollution Control

5. Prior to the commencement of development, full details of the CCTV system and secure entry barrier to the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of community safety in accordance with Policy E40 of the Northampton Local Plan.

6. 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 the retention of the existing hedge along the southern site boundary and indications of all existing 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

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

8. The development hereby permitted shall only be open to customers between the hours of 8am and 8pm on Mondays to Saturdays and 10am to 4pm on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenities of the occupiers of surrounding properties in accordance with the requirements of PPG24 – Planning and Noise

9. No deliveries or collections shall be made to or from the development hereby permitted before 7.30am and after 8pm on Mondays to Saturdays and before 10am and after 4pm on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenities of the occupiers of surrounding properties in accordance with the requirements of PPG24 – Planning and Noise

10. Prior to the commencement of development, details of all drainage systems shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

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

11. Unless otherwise agreed in writing by the Local Planning Authority, all surface water from parking and manoeuvring area shall be passed through a petrol interceptor prior to disposal to groundwater, watercourse or surface water sewer and the interceptor shall be maintained in accordance with manufacturers' guidelines.

Reason: To prevent pollution to the water environment in accordance with PPS23 – Planning and Pollution Control.

12. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

vi) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The Site is underlain by the Northampton Sand Formation, which is classified as a Secondary A Aquifer. We agree with the recommendations of the GRM and Scott Wilson Reports that further investigation be undertaken at the site (including the advancement of additional deeper boreholes), to allow an acceptable quantitative risk assessment to controlled waters to be undertaken. Sampling of groundwater should be taken from permanently installed monitoring wells on a minimum of two occasions

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that any unforeseen contamination identified during redevelopment is appropriately dealt with in accordance with the requirements of PPS23 – Planning and Pollution Control.

14. Unless otherwise agreed in writing by the Local Planning Authority, the retail supermarket shall not be divided to form more than one retail unit.

Reason: In the interests of maintaining the viability and vitality of the town and district centres in accordance with the requirements of PPS4 – Planning for Sustainable Economic Growth.

15. No development shall take place until a scheme of work has been submitted and approved in writing by the Local Planning Authority detailing upgrades to Wellingborough Road. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of PPG13 – Transport.

16. Prior to the commencement of development, a scheme detailing the measures to wash the wheels of vehicles associated with construction activity shall be submitted to and approved in writing. The approved scheme shall be provided prior to the start of construction works and retained until such time as the Local Planning Authority agree in writing that they are longer required.

Reasons: In the interests of highway safety in accordance with the requirements of PPG13 – Transport.

17. Prior to the commencement of development, details of the on site surface treatments of all internal roads, access ways, parking areas

and footpaths including gradients shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of PPG13 – Transport.

18. Unless otherwise agreed in writing, the vehicle access to the development shall be constructed in accordance with drawing W10A05-P002, Revision D.

Reason: In the interests of highway safety in accordance with the requirements of PPG13 – Transport.

19. Prior to the development hereby permitted being first brought into use, a travel plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The plans shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable means of travel in accordance with PPS1 – Delivering Sustainable Development.

20. A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with the advice contained in PPG24 Planning and Noise.

10. BACKGROUND PAPERS

10.1 09/0096/FULWNN
N/2009/0731

Item 12a NBC Planning Committee 17th November 2009

Item 12b NBC Planning Committee 12th January 2010

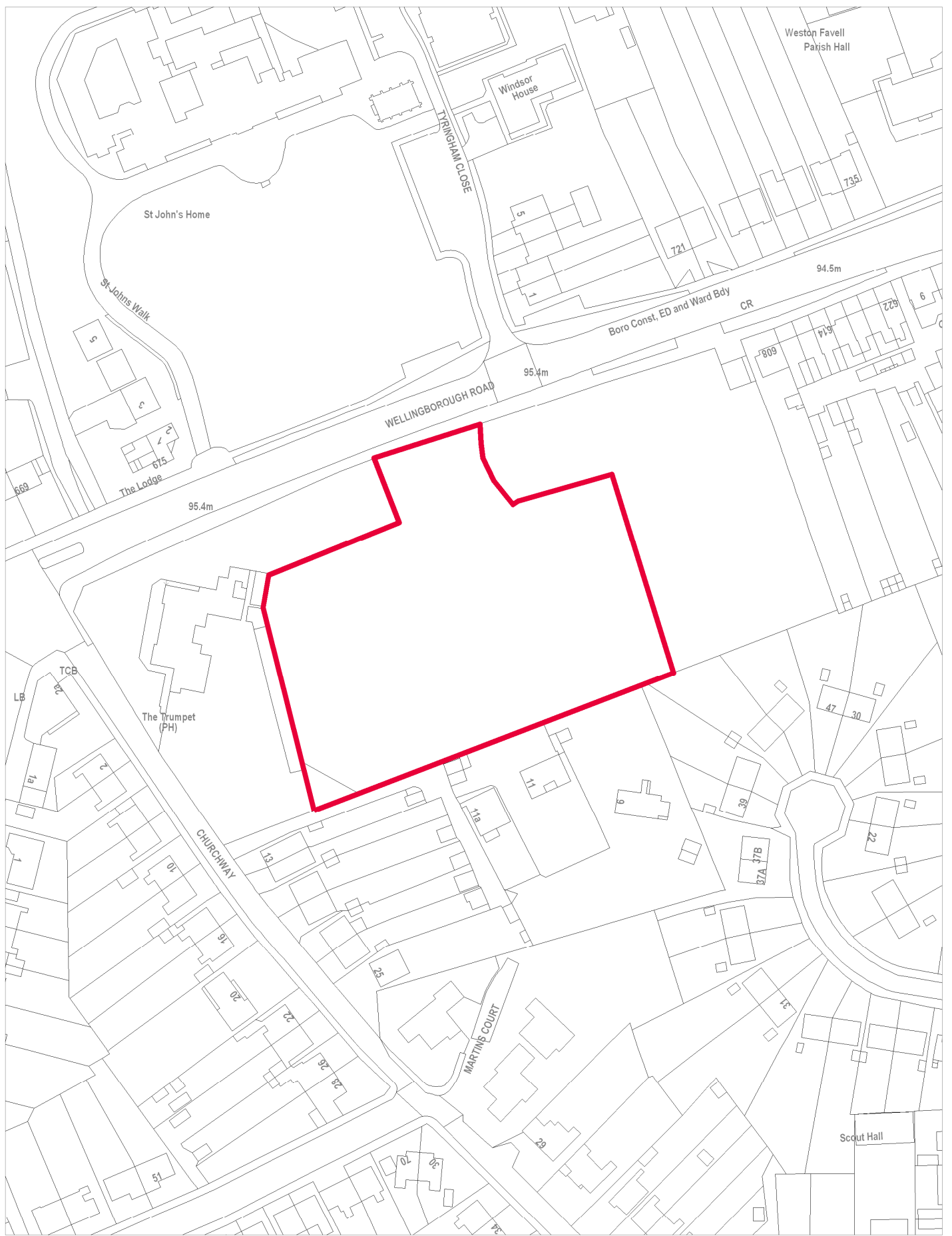
11. LEGAL IMPLICATIONS

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	02/06/11
Development Control Manager Agreed:	Gareth Jones	09/06/11



Name: JC
 Date: 10th June 2011
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
582 - 592 Wellingborough Road

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PLANNING COMMITTEE: 21st June 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0360 **Change of use from letting agency (Use Class A2) to shop/restaurant and takeaway (Use Class A1/A3/A5) at 199-199B Kettering Road**

WARD: Castle

APPLICANT: Mr Paul Hepworth

REFERRED BY: Cllr Winston Strachan
REASON: Concerned re cooking smell, noise, lack of parking facilities in what is a residential area and anti-social behaviour.

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

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

The proposed use would enhance the vitality and viability of the Kettering Road District Centre and would not lead to any undue adverse impact on adjoining residential properties. The proposal thereby complies with Policy E28 of the Northampton Local Plan and the guidance in PPS4 - Planning for Sustainable Economic Growth

2. THE PROPOSAL

2.1 Change of use from letting agency on the ground floor with vacant offices at first floor to a café/pub/restaurant with off sales on the ground and first floors.

3. SITE DESCRIPTION

- 3.1 Vacant shop unit at ground floor with vacant offices at first floor. The unit is located within the Kettering Road district centre.

4. PLANNING HISTORY

- 4.1 94/0245 - Change Of Use From Retail Shop & Office To Insurance Brokers - Approved 18-05-1994

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development

PPS4 - Planning for Sustainable Economic Growth

5.3 Northampton Borough Local Plan

E28 - Use of upper floor shops and other commercial premises

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 Letters of **objection** received from the occupiers of neighbouring properties at **42, 147, 149, 151 and 155 Colwyn Road, 9 Baring Road, Colwyn Road** residents association and the landlord / owner of **195 and 197 Colwyn Road and 102 Hood Street**, making the following points in summary –
- Concerned due to late night noise in addition to that from the Picturedrome and Racecourse car park within a residential area.
 - Question whether the further sale of alcohol is necessary in this area.
 - Will lead to further antisocial behaviour.
 - Lack of parking capacity.
 - Use of first floor as a seating area will affect the neighbouring flat.
 - Flat roof area adjacent to the kitchen will be used as a staff recreation area.
 - The kitchen window directly overlooks the patio of the neighbouring property.

- The kitchen windows will be open during the summer causing noise and disturbance.
- Although the applicant refers to traditional English food and real ale this is irrelevant as any use under the use class would be permitted.

6.2 **Highway Authority (NCC)** – No observations

6.3 **Environmental Health (NBC)** – Given the residential nature of the upper floors of Kettering road properties, and Hood Street houses at the rear, is it imperative that the applicant produces a comprehensive odour and noise control scheme. We would also recommend that a refuse condition is attached to any approval, and that the hours of use specified in the application are also reproduced on the approval document as a condition.

Further comments - Having reviewed the situation I think it would be prudent to reinforce the noise condition by referring specifically to the internal transmission of noise.

7. **APPRAISAL**

7.1 The key issues to consider are the impact on the vitality and viability of the district centre and the impact on the amenities of adjoining and nearby residents.

7.2 The unit is located within the Kettering Road District Centre. This centre contains a mix of uses including one restaurant as well as the Picturedrome (comedy club / music venue) close to the application site as well as some takeaway uses towards the town centre end of the road. However, the majority of units are shops (Use Class A1). The unit the subject of this application was previously in use as a letting agent (Use Class A2) and is now vacant. It is considered therefore that the proposed use would in fact enhance the vitality and viability of this part of Kettering Road.

7.3 In respect of the impact on adjoining occupiers, there are two principal areas of concern. Firstly, there is the impact as a result of increased comings and goings from the premises, including the possibility of late night movements. It is considered that given the relatively low number of customers that can be anticipated, who will merge quickly with customers of other premises on Kettering Road (most notably the Picturedrome) this will not be significant.

7.4 In terms of the impact on adjoining occupiers, one area of concern is the fact that the first floor seating area would be adjacent to the living / dining room of the adjacent flat above no.197.

7.5 In light of comments from the Council's Environmental Health service it is considered that sufficient protection can be provided by sound insulation within the application premises, meaning that this impact would not be significant.

- 7.6 Similarly, comments from Environmental Health indicate that a suitable scheme for the dispersal of cooking odours can be provided.
- 7.7 Concerns have also been raised as to the potential use of the first floor balcony area, and disturbance due to kitchen windows being left open. In respect of the first floor balcony area, a condition is proposed to ensure that kitchen staff do not use this area. Given the requirement for an extraction system it is not considered that it will be necessary for the windows of this kitchen to be open and it is not considered therefore that disturbance to neighbouring occupiers would be significant from normal operation of the kitchen. In the event that undue disturbance does occur this could be dealt with under other legislation.
- 7.8 The applicant has stated that the use would involve the sale of traditional English food and real ales. However the application has been made for a restaurant with takeaway sales and if approved this could not be restricted to the range of food and drink specified. However it is considered that with suitable conditions any restaurant use would be acceptable in this location. A condition is proposed to ensure that takeaway sales of hot food remain ancillary to the main use as a café. The sale of cold food and off sales of alcohol fall within use class A1 and it is not considered necessary to restrict these by condition. In terms of alcohol sales this would be governed by licensing control.
- 7.9 A licence for the sale of alcohol for consumption on or off the premises and for the playing of music indoors has now been granted separately to the planning process.
- 7.10 In terms of parking it is considered that the use would be unlikely to lead to significant pressure on on-street parking in nearby residential streets, as the adjacent street to the premises is one way onto Kettering Road. Parking is available close to the premises on the Racecourse car park and it is considered that many customers would be likely to arrive on foot.

8. CONCLUSION

- 8.1 It is considered that the proposed use would enhance the vitality and viability of the Kettering Road Centre and would not lead to any undue adverse impact on adjoining residential properties.

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) Before the development hereby permitted commences a scheme shall be agreed with the Planning Authority which specifies the sources of noise on the site, whether from fixed plant or equipment or noise generated within the buildings, and the provisions to be made for its control. The agreed scheme shall be implemented prior to the development coming into use and shall be maintained thereafter.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24 Planning and Noise.

- (3) The use or occupation hereby approved shall not commence until sound insulation to the floor/ceiling/walls between it and any residential accommodation above, below or adjacent has been provided in accordance with details approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24 Planning and Noise.

- (4) Before the development hereby permitted commences a scheme shall be agreed with the Planning Authority that specifies the provisions to be made for the collection, treatment and dispersal of cooking odours. The agreed scheme shall be implemented prior to the development coming into use and shall be maintained thereafter.

Reason: In the interests of residential amenity in accordance with the advice contained in PPS 23 - Planning and Pollution Control

- (5) 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, implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with PPS 23 - Planning and Pollution Control

- (6) The door to the first floor balcony area shall remain closed at all times the kitchen is in use and kitchen staff shall not be permitted access to this area at any time.

Reason: In the interests of residential amenity in accordance with the advice contained in PPG24 Planning and Noise.

- (7) The premises shall be open only between the hours of 10am and 11pm on any day.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with the advice contained in PPS1 Delivering Sustainable Development.

- (8) The use hereby approved is for a restaurant/cafe/retail shop and any sale of hot-food for consumption off the premises shall at all times remain ancillary to the main use of the premises.

Reason: In the interests of the amenity of the surrounding locality in accordance with PPS1 Delivering Sustainable Development.

10. BACKGROUND PAPERS

- 10.1 N/2011/0360.

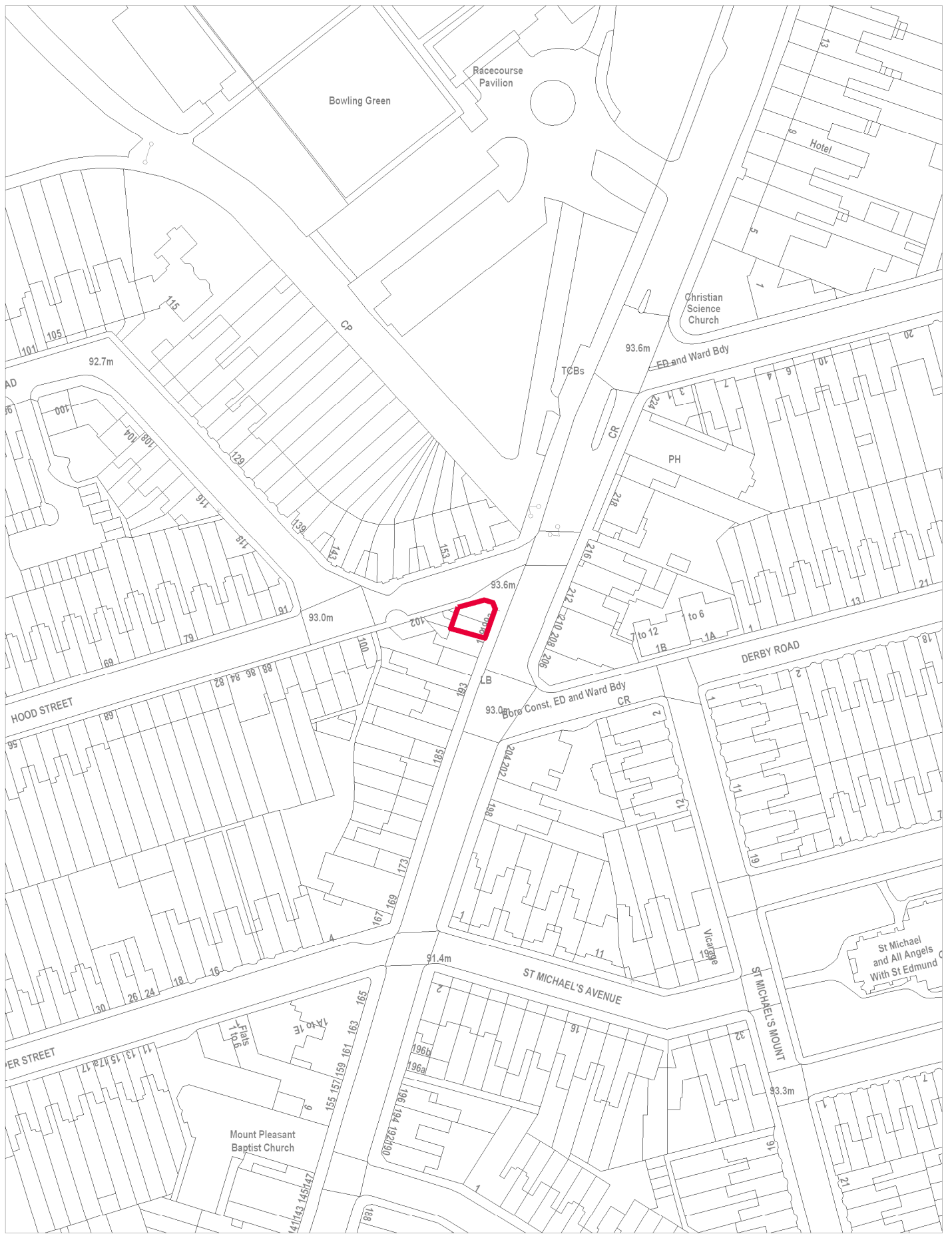
11. LEGAL IMPLICATIONS

- 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:	A Holden	08/06/11
Development Control Manager Agreed:	G Jones	09/06/11



Name: JC
 Date: 10th June 2011
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
199 - 199b/a Kettering Road

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PLANNING COMMITTEE: 21 June 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0408: Single storey rear extension at Hereward Road, Far Cotton

WARD: Delapre and Briar Hill

APPLICANT: Ms Karen Bastick
AGENT: Northampton Borough Council

REFERRED BY: Head of Planning
REASON: The property is owned by the Borough Council.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **DELEGATE** to the Head Planning.

2. THE PROPOSAL

2.1 The applicant seeks permission for a single storey rear extension for an additional bedroom to cater for the needs of a disabled family member.

3. SITE DESCRIPTION

3.1 The property is part of a row of four terraced dwellings located in a primarily residential area with similar dwellings within the surrounding area.

3.2 The rear garden is approximately 25 metres in length and is bounded partly by panel fencing along the southern boundary of the property.

4. PLANNING HISTORY

4.1 There is no relevant planning history attached to this dwelling.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development

5.3 Northampton Borough Local Plan

E20 - New Development

H18 - Extensions

5.4 Supplementary Planning Guidance

Residential Extensions Design Guide (2004)

6. CONSULTATIONS / REPRESENTATIONS

6.1 No comments received.

7. APPRAISAL

Design and Appearance

7.1 The proposed rear extension would project approximately 4.9 metres beyond the original rear wall and be centrally positioned in relation to the existing dwelling. The proposed development would have a flat roof and an overall height of about 2.7 metres.

7.2 Although the proposed extension has been designed with a flat roof and would partially obscure the rear ground floor window adjacent to 1 Hereward Road, it is considered that the siting, scale and massing of the proposed development would not have a significantly detrimental impact upon the character and appearance of the existing dwelling.

Impact on Neighbours

7.3 The proposed extension would be situated to the south of the neighbouring property at 1 Hereward Road. Therefore, given its size and its projection from the rear elevation of the host house, the proposal has the potential to cause some loss of light to the rear ground floor window at 1 Hereward Road and general loss of outlook. This impact would be mitigated to some extent by the proposed

extension being set 1.35 metres from the boundary. In addition it should be noted that under permitted development rights boundary treatment, such as a fence or wall of up to 2 metres height, could be erected along the boundary between 1 and 3 Hereward Road. The proposed flat roof would therefore extend only 0.7 metres above the potential fence / wall.

- 7.4 Nonetheless, officers hold reservations over the scale of the development in respect of the extent of the proposed rear projection and also consider that there may scope to improve the overall design of the proposal. With this mind officers recommend that the application be delegated by Committee to officers to explore potential revisions to the scheme to improve its general appearance and impact on neighbouring properties (particularly 1 Hereward Road) while responding to the reasonable needs of the applicant.

8. CONCLUSION

- 8.1 In conclusion, officers consider that the principle of the development is acceptable, however there are potential improvements to the scheme that should be fully explored before the application is determined. Under the circumstances, and bearing in mind that no objections have been received, it is recommended that the Committee delegate authority to determine the application to the Head of Planning.

9. CONDITIONS

- 9.1 The following conditions would be used in the event of planning permission being granted:

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 elevations of the proposed 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. BACKGROUND PAPERS

10.1 N/2011/0408.

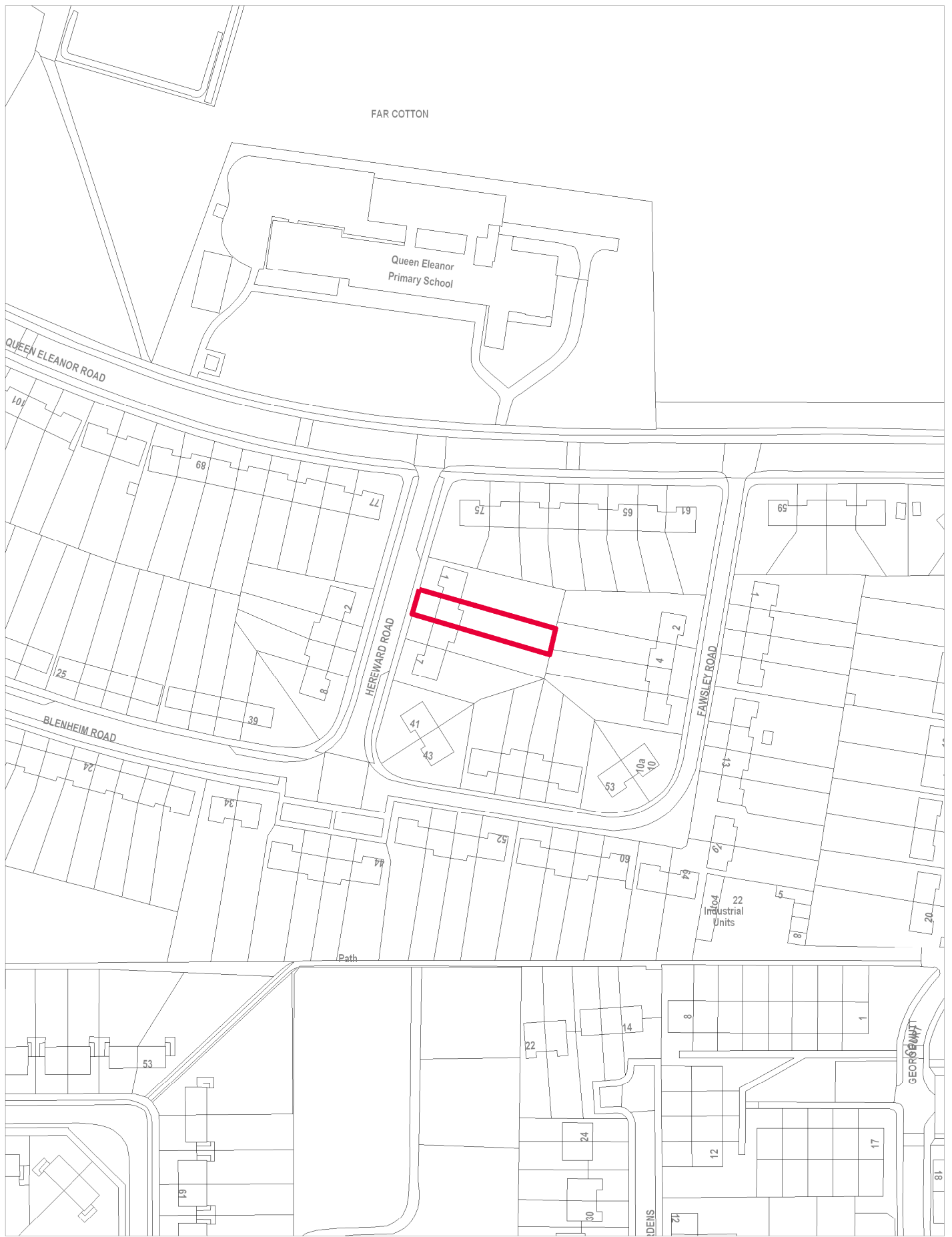
11. LEGAL IMPLICATIONS

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:	Anna Weir	08/06/2011
Development Control Manager Agreed:	Gareth Jones	09/06/2011



Name: JC
Date: 10th June 2011
Scale: 1:1250
Dept: Planning
Project: Site Location Plan

Title
3 Hereward Road

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PLANNING COMMITTEE: 21st June 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

WARD: Fringe Consultation (Daventry District Council)

REPORT TITLE: N/2007/1583 – Mixed use development of approximately 1050 dwellings, approximately 1.6ha of B1 and B2 employment use, a residential care home accommodating 70 beds, local facilities including primary school, a park and ride facility of 500 spaces, public open space and associated community infrastructure. The main access to the site would be via the A5199 Welford Road and off Brampton Lane.

REASON FOR REFERRAL: Referred by Head of Planning – Major development.

1. RECOMMENDATION

- 1.1 That the Borough raises **NO OBJECTION TO THE PRINCIPLE** of the development, subject to;
- The Highway Authority being satisfied that the solutions proposed and delivered to encourage walking, cycling and increased public transport use and the improvements to the highway network are satisfactory both in transport and environmental terms for a development of this scale, when taking into account the potential impact of development proposed in other locations within the town associated with the growth agenda;
 - The Environment Agency being assured that the development will not put its occupiers or those in the immediate vicinity at an unacceptable risk of flooding, or unacceptably increase the risk of flooding within the catchment of the River Nene and its tributaries, or adversely affect water quality;

- The Sustainable Urban Drainage Schemes proposed have the certainty of a suitable management regime in place to ensure that they are maintained as fit for purpose in perpetuity;
- Utility infrastructure providers being assured that the development will not have an adverse impact on the capacity of the infrastructure network to the detriment of existing residents or businesses of the town;
- Daventry District Council working in association with the Borough Council to ensure that the housing provided is consistent with the proportion (35%) and tenures (70% social rent and 30% Intermediate tenures) required to address affordable housing needs related to Northampton, that contributes to create a mix of housing throughout the site and that NBC partner RSLs are used to manage the affordable dwellings and that 10% of the dwellings on site are built to mobility standards;
- The PCT ensuring that the improvements to health infrastructure required are delivered either on site or in the near vicinity;
- That the future of the land contained within the Borough Council's boundary and currently allocated as Greenspace in the Northampton Local Plan and which can be regarded as forming a contiguous part of the development site is properly addressed by the applicant as envisaged in the Buckton Fields Masterplan SPG. Ideally this would be by the site being subject to a planning application to lay out the area as open space in a manner agreed with the Borough Council and with an adequately robust maintenance regime in place to maintain this use in perpetuity;
- The County Council being satisfied that the development adequately provides for primary education on site within an appropriate timescale and for secondary education off site by way of developer contribution should such a contribution be required;
- That the applicant makes reasonable endeavours to ensure that the proposed local centre which will at the very least provide a 500 sqm convenience shop and proposed community hall, with some additional small scale retailing and other complementary uses such as takeaways, restaurants, etc, is delivered within phase 1 of the development;
- That the open space, playing pitches and associated sports pavilion, NEAP and LEAP are provided in a timely fashion, to an adequate standard;
- The dwellings on site being built to at least Code for Sustainable Homes Level 3 and subsequently at the levels currently envisaged in the Government's stepped approach to ensuring homes built to Code for Sustainable Homes Level 6 by 2016.

- That further consideration is given to the appropriateness of the proposed solution of providing a green wedge to the rear of properties in Spring Park. An alternative solution which means that the existing houses are backed on to by houses appropriately positioned to maintain privacy and with longer gardens will in the longer term reduce the risk of crime to those properties. It could also allow for a better form of open space, to be of wider benefit to more residents to be provided within the development;
- That consideration be given to changing the proposed positioning of the open space to the west of the business area that will abut the Welford Road, to make it more accessible to the residential areas on site. In addition that consideration is given to moving the business area closer to the Welford Road to give a better opportunity to use an appropriate design of buildings to provide more a positive gateway feature on this edge of the built up area of Northampton.
- The capping of the number of homes to 1050;
- That a condition should be imposed upon any consent requiring the submission and implementation of a construction environmental impact management plan. This should include measures to control noise and vibration due to construction activities;
- That the developer is required to produce with a more definitive way of mitigating impact upon Harborough Road Air Quality Management Area.
- That mitigation measures should be included to address the impact on the noise levels at the existing properties in Fair Mile and Fallow Walk; the precise details of the mitigation scheme should be agreed following the review of the noise assessment; and
- That conditions should be imposed to ensure that noise levels from plant and equipment result in no net increase in existing background noise levels. It is important that the layout of the proposed commercial part of the development is appropriately zone to minimise the impact on neighbouring residential properties.

2. BACKGROUND

- 2.1 This matter was previously reported to this Committee on 30 July 2008 with a recommendation to raise no objection to the principle of development on the site.
- 2.2 Members resolved to object to the principle of development on this site on the grounds of:
- The lack of proposals to meet highway concerns.

- The premature nature of the proposal on a green-field site given the number of brown field sites that are already available within the Borough.
 - The inadequacy of the air quality assessment carried out given that the Cock Hotel junction is subject to an air quality management order.
 - The aspects of the proposal appeared to be contrary to Daventry's agreed Local Plan.
 - The current phasing of the local centre at the end of the scheme.
 - The cumulative effect of the development upon Kingsthorpe and the surrounding villages.
 - Lack of secondary school places available to meet generated demand from the proposal.
- 2.3 Subsequently, Daventry District Council (DDC) has been informed of the Council's objections to the proposed scheme.
- 2.4 The scheme has since been revised to reduce the number dwellings (up to 1050 dwellings reduced from 1250), in addition to minor amendments to employment land areas (now 1.6ha reduced from 2ha), the primary school (now approximately 2ha increased from 1.3ha), park and ride (relocated to the north of the spine road from the south of the spine road), public open space (now approximately 9.36ha increased from 8.2ha) and drainage ponds (now 4 balancing ponds). The proposals also include the addition of a 70 bed (approx.) care home.
- 2.5 DDC has since provided additional information, which they consider may impact upon the Council's previous response. The issues are set out and addressed below.

3. ISSUES

3.1 Highway concerns

- 3.1.1 Previously this Committee raised concerns regarding the highway proposals and their lack of traffic mitigation measures due to the lack of a Section 106 Agreement.
- 3.1.2 DDC has provided details of a package of mitigation measures, which have been agreed between the developer and the County Council as Highway Authority and will be delivered through a Section 106 agreement.
- 3.1.3 The mitigation measures are as follows;

- 3.1.3.1 North West Bypass –
- A phased contribution to the North West Bypass of £2.94 million.
- 3.1.3.2 Kingsthorpe Contribution –
- A contribution to phase 1 improvements at Kingsthorpe of £1.5 million.
- 3.1.3.3 Park and Ride –
- Implement a park and ride scheme at Buckton Fields of 300 spaces with an area for 200 spaces reserved, including a direct bus service between the site and Northampton Town Centre;
 - or alternately, at the County Council's request, provide a contribution of £1.5 million to infrastructure and services in the form of an additional contribution to phase 2 improvements at Kingsthorpe.
- 3.1.3.4 Bus provision –
- Serve the eastern end of the site (Phase 1) with existing bus services running along Harborough Road.
 - Serve the western end of the site (Phase 2) by extending the existing service 4a into the site.
 - Extend the 4a service to serve all three phases of development.
 - Provide a 30-minute service between the site and Moulton Park.
- 3.1.3.5 Highway Improvements –
- Improvement to the A508 / Brampton Lane roundabout to include widening of the Brampton Lane and Harborough Road northbound entry arms.
 - Improvement to Brampton Lane between A508 and the site access roundabout.
 - Improvements to the A508 / Holly Lodge Drive junction comprising an increase in flare length on the southbound A508 and the introduction of MOVA (traffic signal control).
- 3.1.3.6 Traffic Calming –
- Contributions to be made to traffic calming measures to be introduced in Boughton, Chapel Brampton and Church Brampton

3.1.3.7 Travel Plans –

- Travel plans to be implemented at the site.

3.1.3.8 Walking and Cycling measures –

- A controlled crossing of Harborough Road.
- A walk / cycle link between A508 and the existing cycleway at Broughton Crossing.

It is recommended that the Council raise no further objection to this issue should the above measures mitigate the impact of the development on the strategic road network to the satisfaction of the County Council as Local Highways Authority.

3.2 Premature nature of the proposal

3.2.1 The site is allocated for residential development in Daventry District Council's Local Plan under saved policy HS2. Policy N8 of the West Northamptonshire Joint Core Strategy – Pre Submission, carries forward and updates this policy.

3.2.2 The Joint Core Strategy has reached pre submission stage and is going forward to submission stage in October 2011, therefore the policies it contains must be afforded some weight in the decision making process.

3.2.3 The development broadly accords with both the saved Daventry Local Plan and the emerging Joint Core Strategy will therefore not prejudice the Joint Core Strategy Process. It is subsequently considered, that the Council should raise no further objection on such grounds.

3.3 Inadequacy of the air quality assessment

3.3.1 The air quality impacts associated with the construction and operation of the proposed development has been re-assessed since the previous report to this Committee and a revised Environmental Statement (ES) has been produced.

3.3.2 NBC Environmental Health has provided further comments upon the revised ES. They state that levels in a number of areas will exceed air quality objectives and have a Moderate Adverse to Slight Adverse impact.

3.3.3 Whilst mitigation will be provided through the phasing of development, NBC Environmental Health would like to see the impact upon Air Quality (AQ) through the phasing of development.

- 3.3.4 Furthermore, whilst there are plans for a park and ride scheme, at this stage it is not confirmed that this element of the development will be implemented and therefore its impact upon AQ can only be assumed.
- 3.3.5 In addition, whilst a green travel plan to encourage sustainable and environmentally friendly transport alternatives is proposed, these are reliant on voluntary participation and there is no guarantee that the proposed measures will have any effect upon AQ levels.
- 3.3.6 It is considered that no objection is made on this issue, on the proviso that the developer is required to come up with a more definitive way of mitigating impact upon Harborough Road Air Quality Management Area.

3.4 Proposals contrary to DCC's Local Plan

- 3.4.1 As discussed previously in 3.2 the site is allocated for residential development in Daventry District Council's Local Plan under saved policy HS2.
- 3.4.2 The site is also subject to an approved masterplan, which was adopted as Supplementary Planning Guidance.
- 3.4.3 Policy N8 of the West Northamptonshire Joint Core Strategy – Pre Submission, carries forward and updates this policy.
- 3.4.4 The updated Policy N8 states that provision should be made for local employment opportunities and it is considered that proposals broadly accord with this.
- 3.4.5 Moreover, PPS1: Delivering sustainable development encourages mixed-use developments, which reduce the need to travel.
- 3.4.6 It is therefore considered that no further objections be made on these grounds.

3.5 Phasing of the local centre

- 3.5.1 It is considered beneficial for the local centre be provided as early as possible in the phasing of the development. This issue can be dealt with by way of Planning Condition.
- 3.5.2 It is considered that the Council make no further objection subject to the applicant making reasonable endeavours to ensure that the proposed local centre which will at the very least provide a 500 sqm convenience shop and proposed community hall, with some additional small scale retailing and other complementary uses such as takeaways, restaurants, etc, be delivered within phase 1 of the development;

3.6 Cumulative effect of the development upon Kingsthorpe and the surrounding villages

- 3.6.1 The highway issues have been previously considered in 3.1. Routes for construction traffic have also been considered and can be dealt with by way of condition or S106 agreement.
- 3.6.2 It is also the responsibility of Daventry District Council to consider the impact upon the villages within their remit as part of the planning application.
- 3.6.3 It is therefore considered that this issue can be adequately dealt with by DDC utilising planning conditions and developer contributions through Section 106 and no further objections should be made on these grounds.

3.7 Lack of secondary school places

- 3.7.1 Developer contributions toward secondary school places can be secured via Section 106 agreement should it be considered additional school places will be required as a result of the development.
- 3.7.2 It is considered that no objection be made to the scheme by this Council providing that this issue is considered by DDC and NCC as Local Education Authority and the appropriate contribution be secured should it be required to mitigate the development.

4. CONCLUSION

- 4.1 In conclusion, the previous concerns of this Council have been noted, however, it is considered that subject to the measures listed in Section 1, the issues raised can be adequately dealt with to the satisfaction of Council. It is therefore recommended that the committee offer no in principle objection to the above proposals.

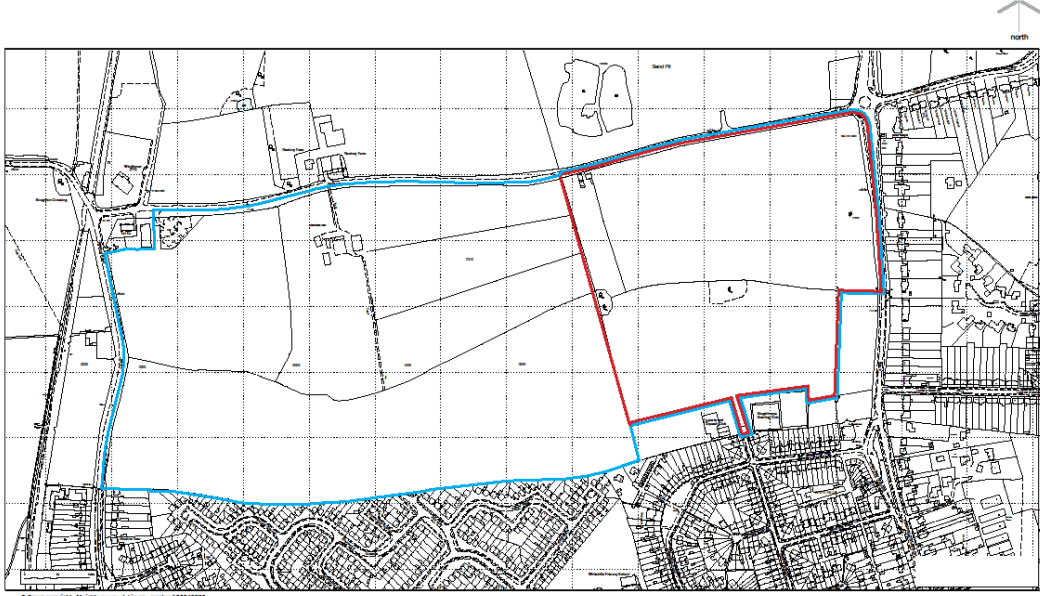
5. LEGAL IMPLICATIONS

- 5.1 The Borough Council is not required to be signatory to a legal agreement.



6. SUMMARY AND LINKS TO CORPORATE PLAN

- 6.1 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:	S Tindle	10/06/2011
Head of Planning Agreed:	G Jones	10/06/2011



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-  Overall Site (50.04ha)
-  Application Site (16.49ha)

1.2	FIGURE
Study Area	TITLE
1:4 000@A3	SCALE
CAM.0103_02-16	DWG. NO.

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