

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, 23 AUGUST 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 8014
Report of Head of Planning (copy herewith)
 7. OTHER REPORTS
(A) DEVELOPMENT CONTROL AND ENFORCEMENT G JONES
X 8014
PERFORMANCE QUARTER 1 (2011-12)
Report of Head of Planning

(copy herewith)
 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
None.
 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
(A) N/2011/0545- CHANGE OF USE FROM SHOP (USE CLASS E
WILLIAMS
X7812
A1) TO TAKEAWAY/RESTAURANT (USE CLASS A3/A5)
AND INSTALLATION OF EXTRACTION DUCTING FLUE
SYSTEM AT 1 LORNE ROAD, NORTHAMPTON.
Report of Head of Planning
(copy herewith)
- Ward: Castle**
- (B) N/2011/0614- LISTED BUILDING CONSENT FOR VARIOUS B CLARKE
X8916
INTERNAL AND EXTERNAL REFURBISHMENTS AND
IMPROVEMENTS 1-2 ABINGTON COTTAGES, ABINGTON
PARK, NORTHAMPTON>

Report of Head of Planning
(copy herewith)

Ward: Abington

10. ITEMS FOR DETERMINATION

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

- (A) N/2011/0305- CONVERSION OF A SINGLE DWELLING INTO THREE FLATS: ONE TWO-BEDROOM AND TWO ONE-BEDROOM (AS AMENDED BY REVISED PLAN RECEIVED ON 4 JULY 2011) AT 22 WATKIN TERRACE. E WILLIAMS X7812

Report of Head of Planning
(copy herewith)

Ward : Castle

- (B) N/2011/0437- ERECTION OF FIVE DWELLINGS - OUTLINE APPLICATION LAND TO THE REAR OF 29-31 AND 33 ASH LANE, COLLINGTREE, NORTHAMPTON B CLARKE X 8916

Report of Head of Planning
(copy therewith)

Ward : Nene Valley

- (C) N/2011/0588- CHANGE OF USE OF PART OF DOCTORS SURGERY (USE CLASS D1) TO PHARMACY (USE CLASS A1 ABINGTON HEALTH COMPLEX, BEECH AVENUE, NORTHAMPTON B CLARKE X8916

Report of Head of Planning
(copy herewith)

Ward: Phippsville

- (D) N/2011/0622- TWO STOREY SIDE EXTENSION (AS AMENDED BY REVISED PLANS RECEIVED 27/07/2011. 4 BLACKWELL HILL NORTHAMPTON NN4 9YB. A WEIR X 7574

Report of Head of Planning
(copy herewith)

Ward: West Hunsbury

- (E) N/2011/0694- DEMOLITION OF EXISTING GARAGE, ERECTION OF TWO STOREY FRONT, REAR AND SIDE EXTENSIONS AND ERECTION OF GARAGE BUILDINGS TO FRONT OF DWELLING. SHALIMAR, WELLINGBOROUGH ROAD, NORTHAMPTON NN3 9BQ. R NALLAMIL LI X8161

Report of Head of Planning

(copy herewith)

Ward: Billing

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

(A) N/2011/0558- PLANNING APPLICATION FOR A NEW ROAD TO LINK NUNNS MILLS ROAD WITH RANSOME ROAD. THE SCHEME INCORPORATES THREE NEW BRIDGES, INCLUDING A SINGLE BRIDGE OVER THE EXISTING RAIL CROSSING, TOGETHER WITH IMPROVEMENTS AT THE BEDFORD ROAD/NUNN MILLS ROAD JUNCTION AND RECONFIGUREMENT TO THE EXISTING PUBLIC CAR PARKING LOCATED ADJACENT TO BEDFORD ROAD. (WNDC CONSULTATION).

R
NALLAMIL
LI
X8161

Report of Head of Planning
(copy herewith)

Ward: Castle

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>
A6454

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 19 July 2011

PRESENT: Councillor Flavell (Chair); Councillor Golby (Deputy Chair);
Councillors N. Choudary, Hallam, Hibbert, Lynch, Markham, Mason,
Meredith and Oldham

1. APOLOGIES

Apologies for absence were received from Councillors Aziz, Davies and Golby.

2. MINUTES

The minutes of the meeting held on 21 June 2011 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

- RESOLVED:**
- (1) That Mr Henderson be granted leave to address the Committee in respect of application no. N/2011/0423.
 - (2) That Councillor Bottwood be granted leave to address the Committee in respect of application no. N/2011/0519

4. DECLARATIONS OF INTEREST

Councillor Hallam declared a personal interest in item 12A, application number N/2011/0519, as a member of Northampton General Hospital.

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.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(A) N/2011/0372- FOOTPATH ACROSS LAND TO REAR AT 36 WHISTON ROAD

The Head of Planning submitted a report in respect of application no N/2011/0372 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved as the proposal would have no adverse impact on the street scene or on the amenities of adjoining occupiers.

(B) N/2011/0423- TWO STOREY AND REAR EXTENSIONS AND SINGLE STOREY SIDE/REAR EXTENSION AND NEW OBSCURE GLAZED OPENABLE WINDOW AT 1ST FLOOR LEVEL IN SIDE OF ORIGINAL HOUSE AT 27 RUFFORD AVENUE

The Head of Planning submitted a report in respect of application no N/2011/0423 and elaborated thereon.

Mr Henderson, a neighbour, stated that his only objection was to the two storey rear extension element of the application. He believed that this extension would block light to his kitchen/ dining area, which was the hub of his home, and would leave a view of a brick wall from the kitchen window. There were similar issues in respect of the bathroom window that was also on the side of their property. He was concerned at the proposal for a side window to the proposed extension which he felt would compromise the privacy of himself and his wife. He believed that the rear extension would have an overbearing effect on his property, have an unacceptable effect on the amenity of his property and would not be in keeping with the general street scene. In answer to a question from Councillor Oldham, Mr Henderson commented that if the side window to the proposed rear extension were to be conditioned to be obscure glazed and to be high level opening this would be an improvement but would not deal with the bulk and mass on the extension itself. In answer to a question from Councillor Meredith, Mr Henderson commented that usually they switched their kitchen lights on at 4.00pm.

The Head of Planning noted that the proposed side window was, in fact, part of the existing building but could be conditioned as discussed.

The Committee discussed the application and having visited the site as a Committee expressed concern about the scale and mass of the development creating a sense of enclosure to neighbouring properties, particularly 25 Rufford Avenue, due to its siting, scale and proximity to the common boundary and the side kitchen window of no.25. Following debate the Committee concluded that this would harm neighbour amenity in conflict with Development Plan Policy.

RESOLVED: The proposed two storey rear extension, by reason of its siting, scale and proximity to 25 Rufford Avenue, would be an overbearing form of development creating an excessive sense of enclosure detrimental to residential amenity of the occupants of no.25. The proposal is therefore contrary to Policy H18 of the Northampton Local Plan and the Council's adopted SPG on Residential Extensions

(C) N/2011/0432- SINGLE STOREY SIDE EXTENSION AT 1 GLOUCESTER CRESCENT

The Head of Planning submitted a report in respect of application no N/2011/0432 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 siting, design and appearance of the extension was acceptable and would not be detrimental to visual or residential amenity in accordance with Policies H18 and E20 of the Northampton Local Plan and the residential design guide

(D) N/2011/0437- ERECTION OF 5NO DWELLINGS- OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) AT LAND TO THE REAR OF 29-31 AND 33 ASH LANE

This application was withdrawn from the agenda.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

(A) N/2011/0519- REDEVELOPMENT TO PROVIDE FOR RESIDENTIAL AND EMPLOYMENT LAND USES (APPLICATION FOR NEW PLANNING PERMISSION TO REPLACE EXISTING OUTLINE PERMISSION REF: 07/0004/OUTWNN DATED 24 MARCH 2009 IN ORDER TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION AT PRINCESS MARINA, WEEDON ROAD)

The Head of Planning submitted a report in respect of application no N/2011/0519 and elaborated thereon.

Councillor Bottwood, the Ward Councillor, commented that he was concerned that previous mistakes in the development of the wider St Crispin site should be avoided, and in particular access to the St Luke's School site where there were severe problems with congestion ever since the school had opened. He hoped that a rear access from this site to the school could be created and he understood that a path across the school playing field would cost in the region of £10,000. He also hoped that the design of properties in this development and their layout would allow for parking at the front as rear vehicular access on other developments on St Crispin and at nearby Upton were largely unused by residents.

The Head of Planning commented that Councillor Bottwood's comments in respect of a rear access to St Luke's school were premature at this point but could form part of discussions before a reserved matters application was made. As the views of the Local Education Authority were unknown, WNDC could be asked to discuss it with them with a view to it being included as part of any Section 106 negotiations.

The Committee discussed the application.

RESOLVED: That WNDC be informed that subject to the following points being fully addressed, the Council raises NO OBJECTIONS to the application as proposed for the reasons set out in the report and that WNDC be asked to discuss with the Local Education Authority the need for a rear access to St Luke's Primary School with a view to this forming part of any Section 106 negotiations:

- The revision of condition 10 to better control the type and quantity of town centre uses in this out of centre location in accordance with PPS4.
- A S106 agreement to secure provision of 35% affordable housing. Provision should also be made for mobility housing.
- Financial contribution towards educational and community facilities and provision of Primary and Secondary School places is to be made.
- Financial contribution towards health care facilities is to be provided.
- The provision of an area of open space to include a Leap, and commuted sum and upgrading of the Neap at St Crispin.

- A commuted sum for the maintenance of landscaped areas or alternative arrangement and additional works to the Upper Nene Valley Country Park to accord with the Princess Marina Hospital Development Brief.

The meeting concluded at 18.55 hours.

Agenda Item 6

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



List of Appeals and Determinations – 23rd August 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.	DISMISSED
N/2009/0566 APP/V2825/A/10/2123568	DEL	Change of Use to 4no. bedsits at 1 Humber Close, Northampton – Retrospective.	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	ALLOWED
N/2011/0287 APP/V2825/A/11/2154166/NWF	DEL	Change of use from retail (Use Class A1) to financial and professional services (Use Class A2) at 63A Abington Street	AWAITED
N/2011/0031 APP/V2825/D/11/2152820	DEL	Second floor roof extension to front and dormer windows to rear at 171 Weedon Road	DISMISSED
N/2010/1078 APP/V2825/A/11/2156204	DEL	Erection of 1no. one bed dwelling with integral parking at Land to the rear of 2 Trinity Avenue	AWAITED
N/2011/0207 APP/V2825/D/11/2156900	DEL	Two storey side extension and rear dormer window. (As amended by revised plans received 19th April 2011) at 56 Friars Avenue	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 838014 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



NORTHAMPTON
B O R O U G H C O U N C I L

PLANNING COMMITTEE: 23 August 2011

DIRECTORATE: Planning and Regeneration

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: Development Control and Enforcement Performance Quarter 1 (2011-12)

1. RECOMMENDATION

1.1 That the contents of the report be noted.

2. CASELOAD OVERVIEW

2.1 Factors affecting workload include: a) the impact of WNDC as a local planning authority and the first stage of the staged return of powers to the Borough Council, b) the current economic climate and its effect on house building and c) the changes to permitted development rights.

2.2 The number of applications received during the 1st quarter of 2011/12 was 273 compared to 228 for the equivalent period in 2010/11. This marked raise in numbers of applications received coincides with the first stage of the return of powers from WNDC on 6 April 2011. May and June in particular showed a significant increase and it is anticipated that this trend is likely to continue in coming months and quarters.

Quarter	2010/11	2011/12
First	228	273

Table 1 – No. applications received by NBC (inc consultations)

2.3 The DC Team also continues to have a substantial workload, including customer enquiries, planning condition discharges, appeals and enforcement cases, which have greater complexity due to the increased scale of development under consideration following the Stage 1 transfer of powers from WNDC.

3. PERFORMANCE

3.1 This report sets out performance data on National Indicators and main local indicators for the first quarter of 2011/12 (i.e. 1 April to 30 June 2011) as summarised in Table 2 below, which are set out alongside the figures for the equivalent quarter in 2010/11. The overall DCLG figures for the period in question are not yet available, however, the overall performance of the Team has been maintained well above national targets.

Performance indicator	National Target	Local Target	2010/11 (Q1)	2011/12 (Q1)
% Large Major apps within 13 weeks -	>60%	>60%	None determined	None determined
% Small Major apps within 13 weeks - NI157(A)	>60%	>75%	100% 1/1	None determined
% Minor apps within 8 weeks - NI157(B)	>65%	>87%	88.2% 45/51	79.7% 51/64
% Other apps within 8 weeks - NI157(C)	>80%	>93%	94.0% 173/184	89.4% 152/170
% Appeals allowed (former BV204)	N/A	<33%	0% 0/2	None determined
% Delegated apps (former PL188)	N/A	>90%	96.2%	96.2%

Table 2 – Summary of performance data.

Speed of Determination

3.2 Processing applications within all three of the DCLG categories (*Major, Minor and Other*) comfortably exceeded the national targets for the quarter. Table 2 above shows the percentage figures for the quarter, along with the number of applications determined within 8 and 13 weeks, together with the total number of applications. Given the strong recent-past and current performance in this area the Council adopted new local targets in July 2011 (after the conclusion of the Quarter 1

period in question). These are new local targets are shown in the third column of the table.

- 3.3 There were no 'large' *Majors* received during the quarter. This is due to the WDC currently being the planning authority for the vast majority of this type of planning application. WDC also deals with the majority of the 'small' *Majors* and none were determined by the Borough Council during the quarter. The *Majors* category is prone to more pronounced fluctuation compared to the *Minors* and *Others* due to the comparatively small numbers of applications received and determined.
- 3.4 During the quarter, 64 *Minor* planning applications were determined, with 51 of these determined within the statutory 8-week period. This represents 79.7% compared to the national target of 65% and the new local target of 87%. During this period in 2010 performance was 88.6%. This change in performance is, in part, due to the increased proportion of applications being reported to the Planning Committee rather than being determined under the scheme of delegation. The 8-week gap between Planning Committee meetings caused by the local election has also had a significant impact on performance.
- 3.5 170 *Other* planning applications, which include householder applications, were determined during the quarter. 152 of these applications were determined within 8 weeks, representing 89.4% compared to the national target figure of 80% and new local target of 93%. In 2010 performance during this quarter was a little higher at 93.5%
- 3.6 These changes in performance may also be due to disruption to the service resulting from the move from Cliftonville House to the Guildhall. The first stage of the return of the development control powers on 6 April 2011 is also likely to have had an initial impact on general performance and particularly the speed of determination. Performance will continue to be monitored closely, but although performance has dipped during the period, determinations remain comfortably above the Government's National Indicators.

Appeals

- 3.7 Unusually no appeal decisions were received from the Planning Inspectorate during the quarter. Several have been received during July and these will be reported in the figures for Quarter 2.
- 3.8 Following a disappointing series of results concentrated in the 2nd and particularly during the 3rd quarters of 2009/10, the appeal results generally have been very much improved with an outturn of 23.5% for the whole of 2010/11 well below the target of 33%. This general improvement in performance coincided with changes to internal processes and follows the completion of bespoke training on appeals for officers. It is anticipated that with these measures, combined with

the improvements that have been implemented to the wider decision making process, the improvement in appeal performance will be maintained over the year.

Delegated Applications

- 3.9 The scheme of delegation largely influences performance against this indicator. Overall performance for the quarter was 96.2%. This is the same level as the equivalent period in 2010, which indicates the consistent use of the scheme of delegation notwithstanding recent changes to the scheme of delegation.

4. ENFORCEMENT

- 4.1 The Council adopted an enforcement policy and associated priorities for action last year. In summary the four priority areas are as follows:
- **Priority One:** A serious threat to health / safety or permanent damage to the environment. Where a case is categorised as Priority One immediate action will be initiated to address the breach of control.
 - **Priority Two:** Building work, which is unlikely to be given planning permission without substantial modification or unauthorised uses causing severe nuisance through noise, smells, congestion etc.
 - **Priority Three:** A breach causing problems, which may be resolved by limited modification, or property whose condition adversely affects the amenity of the surrounding neighbourhood.
 - **Priority Four:** Breaches of a minor nature raising minimal planning concerns.
- 4.2 Planning Enforcement statistics for the first quarter of 2010/11 and 2011/12 are set out in the table 3. In summary at the start of the quarter there were 139 cases on hand carried over from the year 2010/11, compared to 119 of the equivalent period in the previous year. During the course of the period 184 new cases were received and a total of 181 cases investigated and closed, leaving a total of 142 outstanding cases which have been carried over into the following quarter, compared with 195 received, 149 closed and 165 carried over for the equivalent period in 2010/11.

Enforcement Investigations (Q1)	2010/11	2011/12
Outstanding cases as at start of Quarter	119	139
New cases 1 April to 31 July	195	184
Cases closed 1 April to 31 July	149	181
Outstanding cases as at end of Quarter	165	142

Table 3 – Summary of enforcement caseload.

- 4.3 Inflow of cases has remained relatively consistent, with officers being able to close nearly as many cases as were received. Officers closed significantly more cases than in the equivalent period last year. There remains a substantial overall caseload.

5. LEGAL IMPLICATIONS

- 5.1 None.

6. BACKGROUND PAPERS

- 6.1 DCLG PS1 and PS2 planning statistics.

7. SUMMARY AND LINKS TO CORPORATE PLAN

- 7.1 In reaching the attached recommendation regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies. Monitoring performance is consistent with the objectives of securing an efficient and effective planning service.

Position:	Name/Signature:	Date
DC Manager	Gareth Jones	05/08/2011
Head of Planning	Sue Bridge	09/08/11

Agenda Item 9a



PLANNING COMMITTEE: 23 August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0545 **Change of use from shop (Use Class A1) to takeaway/restaurant (Use Class A3/A5) and installation of extraction ducting flue system at 1 Lorne Road, Northampton**

WARD: Castle

APPLICANT: Mr. J. Arumainathan
AGENT: Mr. A. Ay

REFERRED BY: Head of Planning
REASON: Council owned property

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** with conditions for the following reasons:

1.2 The proposed use as a takeaway (Use Class A5) will not adversely impact upon the amenity of neighbouring properties or the area as a whole; will not lead to unacceptable traffic problems; and will not be detrimental to the shopping character of a Centre, in accordance with Policy R9 of the Local Plan.

2. THE PROPOSAL

2.1 Permission is sought for the change of use from retail (Use Class A1) to takeaway restaurant (Use Class A3/A5), together with extraction system.

3. SITE DESCRIPTION

- 3.1 One of a three-unit single storey frontage located in a Local Centre. One of the units is in use as a betting office, and the other as a convenience store. The adjoining Barrack Road frontage of this Centre comprises a delicatessen and a restaurant/takeaway. The site is surrounded by residential use, although there are several other commercial uses interspersed in the vicinity, and it is adjacent to the Boot and Shoe Quarter Conservation Area. Behind the site is a parking/storage yard for the units, together with a garage block.

4. PLANNING HISTORY

- 4.1 73/1350 – 6 shops on development site, corner of Barrack Road and Lorne Road – approved.
N/2001/1052 – change of use from shop to offices and drop-in centre – approved
N/2002/1512 – change of use of 39 Barrack Road to restaurant/takeaway - approved

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPG23 – Planning and Pollution Control
PPS4 – Sustainable Economic Growth

5.3 Northampton Borough Local Plan

E20 – New Development
E26 – Conservation Areas
R9 – Change of use from shops in District and Local Centres

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Highways Authority** – no observations.
- 6.2 **NBC Environmental Health** - Objects to application on grounds of loss of amenity due to odour. Premises are single storey, surrounded by higher buildings on 3 sides. Concerns that it will not be possible to position extraction ductwork high enough to promote good dispersion of cooking odours and therefore a high level of odour abatement will be required. Given the potentially high purchase and running costs of such abatement

equipment, concerns as to whether this would enable the business to run at a profit.

6.3 **Northamptonshire Police** – no concerns received from Safer Communities Team.

6.4 Notification letters to all surrounding properties (24 in total) were sent and a site notice posted on the property. One representation was received from **6 Lawrence Court**, commenting on litter, loitering/noise, and tidiness of the rear yard.

7. **APPRAISAL**

7.1 This Council-owned property has been vacant for 5-6 years. The previous use as offices/drop-in centre commencing from 2001 for community service volunteers inured for the personal benefit of the applicant only, not for the land, with the permitted use now reverted back to A1 retail.

7.2 The unit has been marketed by since 2005 by the installation of a lettings board, advertising in local paper, placing the premises on the commercial property register which is sent out to parties looking for commercial premises, and by placing details on the property web site. Little interest has been shown in the unit for retail use.

7.3 As the site is located in a Local Centre as identified in the Local Plan, this application is assessed against Policy R9 which states that planning permission will not be granted for change of use from shops in local centres where (a) it would lead to unacceptable traffic problems; (b) it would adversely affect the amenity of the neighbouring properties or the area as a whole; or (c) it would be detrimental to the shopping character of a centre or part of a centre by an unacceptable increase in the number of non-shop uses or increasing the length of frontage in non-shop use to an unacceptable proportion of the total frontage.

Traffic

7.4 No comments/objections have been received from the Highways Authority. On street parking is available in this location with parking bays directly adjacent, and additional on-street parking available along Lorne Road. It is also noted that the site is within easy walking distance from the surrounding residential areas. Therefore the proposal would not give rise to highway concerns and is in accordance with Policy R9 in this regard.

Amenity

7.5 The main issues when considering impacts of a takeaway on neighbouring amenity are noise, fumes, litter and the perception that the takeaway use can exacerbate antisocial behaviour.

- 7.6 In assessing whether noise and fumes from the extraction system will have a detrimental impact upon residential amenity, it is noted that the closest dwellings (flats) are 20m and 27m away from the rear of the site. Environmental Health have objected to this application on grounds of loss of amenity due to odour, stating that a high level of abatement may be needed. This information has been communicated to the applicant/agent, who still wishes to proceed with the application. This matter is to be controlled by a condition on any consent, requiring the approval of the extraction system prior to the use commencing. Whilst the comments of the Environmental Health service are noted, the cost of a mitigation scheme is a commercial decision for the applicant. Provided the mitigation is controlled by condition, this cannot reasonably justify the refusal of the proposal.
- 7.7 Verbal comments from Northamptonshire Police indicate that the area has a high incidence of crime and antisocial behaviour. The benefits of bringing this commercial unit back into use need to be weighed against the possibility that the use might cause an increase in antisocial behaviour. It is considered that the vitality of the Local Centre will be improved by bringing this unit back into commercial use, and that this outweighs any adverse impact it may cause due to increased antisocial behaviour. Moreover, by bringing greater life and activity to the locality, the use could have a positive impact on crime and safety. A condition limiting opening hours is recommended (to be the same as the adjacent Indian restaurant), and also an informative note regarding the duty of the applicant to keep the immediate area clear of litter. (It is noted that there is a litter bin in front of this unit, and also one round the corner in front of the Indian restaurant on Barrack Road).

Shopping Character

- 7.8 Given that this is a very small Local Centre with only five units, and given that this unit has remained empty since 2005, it is considered that bringing this unit back into use will enhance the vitality of the Centre. Two of the units are in retail use, and the proposed takeaway use Class A5 also allows for A3 (restaurant), A2 (financial and professional services), and A1 retail as a permitted change.

8. CONCLUSION

- 8.1 It is considered that the benefits of bringing this unit back into commercial use outweigh possible detrimental impacts, and accordingly it is recommended that the application be approved with conditions.

9. CONDITIONS

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

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

(2) Before the development hereby permitted commences, a scheme shall be approved in writing by the Planning Authority that specifies the provisions to be made for the collection, treatment and dispersal of cooking odours and the maintenance of the abatement plant. The approved scheme shall be fully implemented prior to the development coming into use and be maintained thereafter.

Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development in accordance with the advice contained in PPS23 Planning and Pollution Control.

(3) Before the development hereby permitted commences, a scheme shall be approved in writing by the Planning Authority that specifies the provisions to be made for the collection, treatment and disposal of fats, oils and grease (by the provision of grease interceptors to BS EN 1825:2002 standards) and the maintenance of the plant. The approved scheme shall be fully implemented prior to the development coming into use and shall be maintained thereafter.

Reason: To secure a satisfactory standard of development in accordance with the advice contained in PPS23 Planning and Pollution Control.

(4) The premises shall be open only between the hours of 0800 and 2300 on any day.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy R9 of the Northampton Local Plan.

(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 prior to the commencement of development, implemented prior to the occupation or bringing into use of the building(s) and thereafter maintained.

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

Informative Notes:

- Please be advised that the applicant is responsible for maintaining that the area around their establishment is free from litter caused by their activities.
- Planning permission is required for the installation of a security grill or shutter to the shop front.

10. BACKGROUND PAPERS

10.1 None.

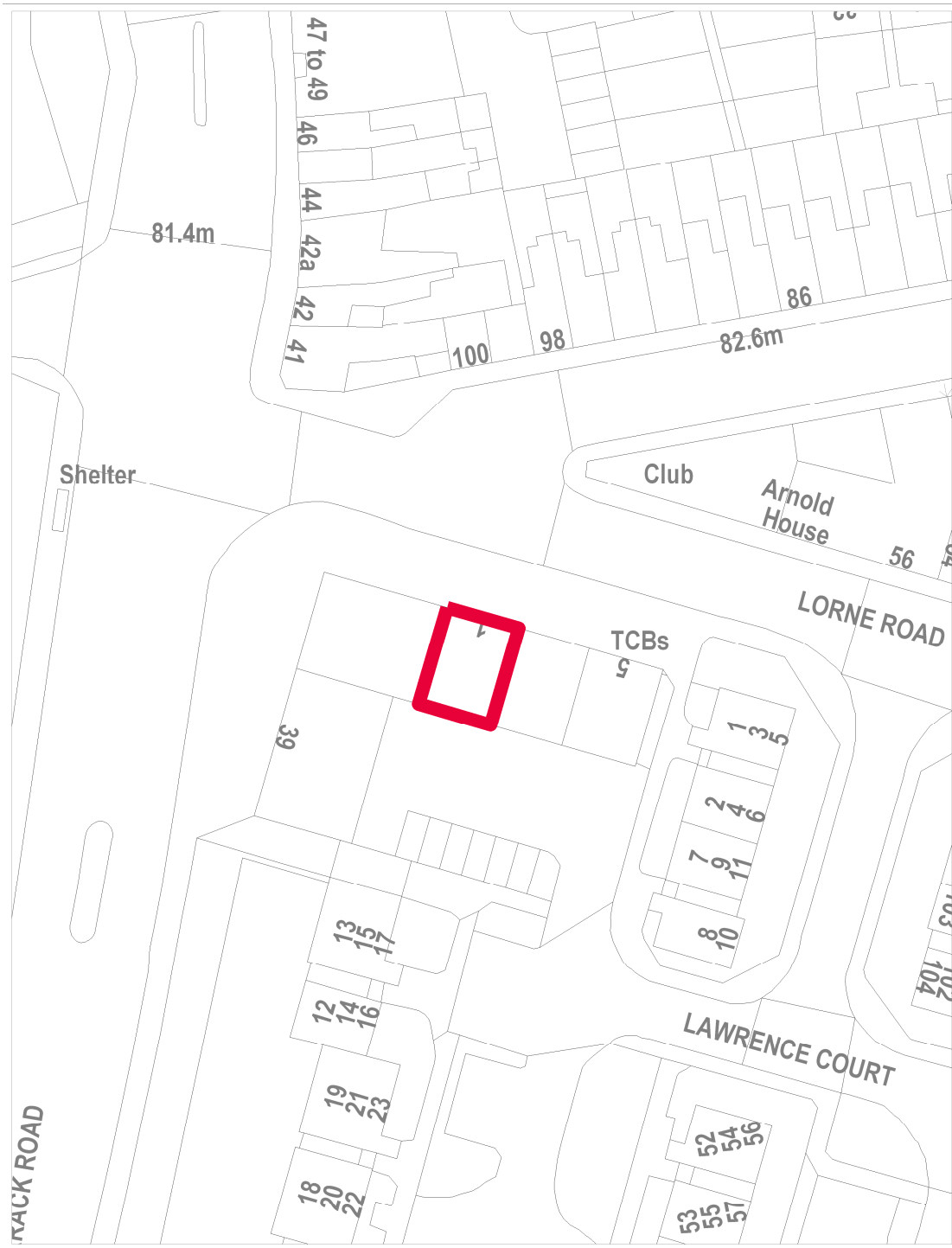
11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	E. Williams	22/7/2011
Development Control Manager Agreed:	G Jones	02/8/2011



Name: LZ
 Date: 11th August 2011
 Scale: 1:500
 Dept: Planning
 Project: Site Location Plan

Title
1 Lorne Road

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PLANNING COMMITTEE: 23rd August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0614: Listed building consent for various internal and external refurbishments and improvements
1-2 Abington Cottages, Abington Park, Northampton

WARD: Park

APPLICANT: Northampton Borough Council

REFERRED BY: Head of Planning
REASON: Borough Council Application

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

- 1.1 On account of the consultation period from the newspaper advertisement not concluding until the 25th August, it is requested that the Committee agree to delegate the decision to approve in principle the proposed works, provided that no additional material considerations are raised. The application will be subject to referral to the Secretary of State and subject to conditions and is acceptable for the following reason:
- 1.2 The proposal would not unduly impact upon the fabric, character and appearance of this Grade II Listed Building within Northampton's historic Abington Park. The proposal therefore complies with PPS5 – Planning and the Historic Environment and Policies E20 and E26 of the Northampton Local Plan.

2. THE PROPOSAL

- 2.1 The applicant seeks Listed Building consent to carry out various renovations to the Abington Cottages in order to ensure that the buildings are of a suitable standard of repair and comply with the

relevant standards regarding the letting of domestic properties, such as the Decent Homes Standard. These works broadly comprise repairs to the roofs of the building; repairing the wooden sash windows within the buildings; replacing a sash window to the rear of 1 Abington Cottages; replacing four doors across the two dwellings; installing a new kitchen and bathroom into 2 Abington Cottages; installing a new boiler and removing partition walling from the bedroom of 2 Abington Cottages.

- 2.2 As the applicant is Northampton Borough Council, if the Committee is minded to approve the application, it would need to be referred to the Secretary of State prior to final determination.

3. SITE DESCRIPTION

- 3.1 The application site comprises two cottages that date from the late 17th century and were originally constructed as a rectory. The buildings are of two storeys in height and were built from squared rubble and feature stone coped gables to the roof. The buildings are, in part, listed for their group value with the nearby Church of St Peter and St Paul and the Abington Abbey.

- 3.2 The buildings are located within a parkland setting adjacent to the tennis courts and bowling greens. As a result of this, the character and setting of the buildings is of a significant nature.

4. PLANNING HISTORY

- 4.1 N/2006/1325 – Replace doors and windows – Approved

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

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

5.3 East Midlands Regional Plan

Policy 2 – Promoting Better Design

5.4 Northampton Borough Local Plan

E20 – New developments
E26 – Development within Conservation Areas.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 None

7. APPRAISAL

7.1 The provisions of PPS5 require that works to a Listed Building should have either a neutral or positive impact upon the setting of the Listed Building. As the majority of the external works revolve around the maintenance of repair of architectural features, it is considered that the overall impact upon the setting of the Listed Building would be neutral and therefore the proposal is in compliance with the requirements of PPS5.

7.2 Whilst one window and four doors are to be removed by reason of their deteriorated condition, it is considered that as these elements do not play an intrinsic role in the definition of the building's distinctive character and would be replaced by items of a sympathetic appearance; which can be secured via conditions; the overall impact upon the character of the building would be minimal. Furthermore, these works would improve the security and energy efficiency of the building.

7.3 No internal works are proposed within 1 Abington Cottages; however, as set out previously, a number of works are proposed within 2 Abington Cottages, comprising the installation of a new bathroom, kitchen and boiler.

7.4 The horizontal flue associated with the proposed boiler would be located on a reasonably discrete side elevation and therefore the overall impact on the principal elevations of the building and by extension the overall setting of the Listed Building would be minimal and would also offer benefits in improving the energy efficiency of the building. A condition covering the method for the installation of the boiler is proposed.

7.5 As part of the works to be carried out, additional boxed in pipework would need to be provided within the kitchen area. Whilst this would represent a new feature within the building that is of a non-traditional type, it is noted that the works would facilitate the removal of comparable installation within one of the bedrooms and as a result of this, the overall impact of these works would be neutral.

7.6 The replacement works to the bathroom and kitchen are of such a small scale that they are unlikely to have a significant impact upon the character of the Listed Building, plus they would assist in making the building more attractive to residents, thus securing a future use for the buildings.

8. CONCLUSION

8.1 It is considered that the proposed works would have a neutral impact upon the setting or character of the Listed Building and therefore the proposed works are compliant with the requirements of PPS5 – Planning for the Historic Environment.

9. CONDITIONS

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

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. Notwithstanding the details submitted, a statement detailing the methods for carrying out the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of PPS5 – Planning for the Historic Environment.

3. Notwithstanding the details submitted full details of the proposed replacement doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of PPS5 – Planning for the Historic Environment.

10. BACKGROUND PAPERS

10.1 None

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	Ben Clarke	28/7/11
Development Control Manager Agreed:	Gareth Jones	02/8/11



Name: LZ
Date: 11th August 2011
Scale: 1:500
Dept: Planning
Project: Site Location Plan

Title
Abington Cottages Nos 1 and 2

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Agenda Item 10



Addendum to Agenda Items Tuesday 23rd August 2011

Items for Determination

ITEM 10a **N/2011/0305**

Conversion of a single dwelling into three flats: one two-bedroom and two one-bedroom (as amended by revised plan received on 4 July 2011) – at 22 Watkin Terrace.

Letter of objection received from 32 Watkin Terrace making the following points –

The statement in the report that there are eight bedrooms in the house is incorrect – all of these type of houses have four bedrooms and two bathrooms. One of the bathrooms was changed to a bedroom as the previous owner had a lot of children and so this equals five bedrooms and not eight as stated. The loft was partitioned into three spaces – not bedrooms as no planning nor buildings regulations have ever been submitted.

Throughout the report there are many references to storing rubbish in the garden and again I must point out that the gardens are very small and yet it will have to contain the whole households rubbish and bikes. This does and will impact further on neighbouring residents as no-one wants to sit in their garden smelling the rubbish of the neighbouring gardens.

The Council have allowed Watkin Terrace and Beaconsfield Terrace to become saturated and intensely populated and run-down. There is nowhere to park and you have double parking in a small cul-de-sac. The flat conversions in this application are aimed at professional people and so I expect that this conversion alone will bring in another six cars to the street as a professional couple will have a car each. This is unsustainable especially with other houses in the street that already have planning for conversion to flats.

Officer Response – The plans show 8 bedrooms in the property including the roof space. The use of this area for bedrooms does not require planning permission and whilst Building Regulations consent is required this could be obtained if the correct structural work was carried out. The issue of parking and rubbish are dealt with in the report.

ITEM 10b **N/2011/0437**

Erection of five dwellings – outline application at land to the rear of 29-31 and 33 Ash Lane.

An objection has been received from Mrs T. Crake commenting as a resident of Collingtree and as a member of the Collingtree Parish Council. The air quality within the vicinity is poor due to the proximity of the M1 to the site and the amount of local

traffic. The issues of noise, dust pollution and increased traffic should be taken into account. The proposal would increase the level of traffic to the detriment of highways safety and increase pollution levels.

Further comments have been received from the occupiers of 27 Ash Lane commenting on the matter that the noise and air quality assessments were carried out in March 2010, but do not address the matter of the wind direction. Data from Pitsford Weather Station indicates that during this period there was a prevailing northerly wind and as such readings would be diminished.

ITEM 10c
N/2011/0588

Change of use of part of Doctors Surgery (Use Class D1) to Pharmacy (Use Class A1) at Abington Health Complex, Beech Avenue.

Amendment to Paragraph 7.2 of the Committee report. The paragraph should read:

Although the original planning permission for the Health Complex did not place any restrictions on opening hours, it is likely that the bulk of the existing uses would not have cause to be open during early morning/late night periods. As a result of this the opening hours of the proposed pharmacy and the levels of activity associated with are a relevant material consideration and for the reasons previously identified, it is considered that the proposal would give rise to an unacceptable impact upon residential amenity

Correspondence has been submitted by the applicant confirming that the car parking at the premises is within the control of the applicant and would be available for use by patrons of the proposed pharmacy. The applicant has no record of anti-social behaviour taking place within the car park and whilst it is accepted that certain uses can give rise to this (such as pubs, takeaways, etc), it is considered that the proposal would not be one of these.

It is considered that there are no fundamental land use differences between the existing use of the building as a surgery and the proposed use as a pharmacy. Furthermore, the proposal would not operate within periods identified as being the most sensitive (11pm to 7am) as identified within PPG24 – Planning and Noise.

Officers Response:

Whilst it is noted that the car parking would be available to those using the proposed pharmacy, the area of concern regarding the use of vehicles emanated from the potential for noise and disturbance from manoeuvres taking place. PPG24 requires that the impacts of proposed developments be considered at all times. By reason of the suburban location, it is likely that background noise levels during the late evening and early morning periods are low. This point is included within PPG24. As a result of this situation, it is considered that the proposed use, as a result of the number of people that could potentially be entering and leaving the property would create additional noise and disturbance to the detriment of residential amenity.

Although the report does discuss the matter of anti-social behaviour, no objections have been received from Northamptonshire Police and this does not form a recommended reason for refusal.

Objection received from Mr C. Richardson stating that the applicant probably owns

the total site, including an existing pharmacy. It follows that the application would probably receive a second rent for the new pharmacy, and may even have a part ownership of the new unit. Such ownership can lead to a conflict of interest in that the prescriber of pharmaceutical goods is also the supplier.

Applications For Consultation

ITEM 12a N/2011/0558

Planning application for a new road to link Nunn Mills Road with Ransome Road. The scheme incorporates three new bridges, including a single bridge over the existing rail crossing, together with improvements at the Bedford Road/Nunn Mills Road Junction and reconfiguration to the existing public car parking located adjacent to Bedford Road.

Since the finalising of the Committee Report, further discussions have taken place with the West Northampton Development Corporation and further information has been received. This has resulted in the need to alter the recommendations as set out below;-

OPEN SPACE PLANNING OBLIGATION

The proposal would involve the loss of a small area of open space on Midsummer Meadow to form an extension to the revised pay and display car park. The works would be mitigated by on site provision of grasscrete and landscaping. Wider qualitative improvements to the existing open space network are proposed. The minor loss of the open space is not considered to prejudice the overall aims of the Local Plan and would be outweighed by other benefits brought by the development. The Borough Council as an interested landowner would be able to ensure quality landscaping is provided. The Development Corporation has agreed to an appropriate planning condition being attached requiring an enhanced planting to be provided. For these reasons there would be no need for a formal planning obligation on this occasion.

PLANNING CONDITIONS

The conditions as set in the report to the WNDC Planning Committee are sufficient to safeguard the satisfactory of the development and largely cover those matters contained in Paragraph 9.5 of the Committee Report. However the following matters require further consideration as part of the development of the Avon/Nunn Mills Site. The discussions with WNDC have been most helpful and the following assurances have been received : -

MASTERPLAN

The issue relates to the need for the Masterplan, the Development Corporation have provided assurances that they are committed to working with their partner authorities to move forward the successful regeneration of the Northampton and would continue to engage with Borough Council positively to bring forward the master plan in due course.

The Development Corporation has acknowledged that the Borough Council has a wider concern in achieving high quality development and securing integrated, sustainable neighborhoods. The planning application for the road is an important consideration and this road would play a vital role in that process of bringing forward the wider development.

The Development Corporation has confirmed that the Borough's Pre-submission Draft Northampton Central Area Action Plan (CAAP) is an important document and that due and significant regard will be given to it and in particular Policy 29 as set out in 6.2 of the report.

DRAINAGE

Turning to the issue of drainage this has been acknowledged by the Development Corporation to be an important consideration.

The main issue has been the location of the swales along Nunn Mills Road. This would prevent building fronting the Road and use up valuable development land.

Swales are long shallow depressions formed in the ground to receive surface water runoff from the road or hard standing and slowly move the water to a discharge point. Swales are normally dry and are wet during a storm event and the surface is grassed. The slow movement of water along the swale, aided by the grass, encourages deposition of solids / pollutants washed off the road / hard standing.

The benefits of using swales include:

- Improves water quality prior to its discharge into an existing watercourse or river
- Swales are often integrated into the surrounding land use, for example public open space / landscape
- Amenity and biodiversity benefits

Following our further discussions, the Development Corporation has agreed to work jointly with the Borough Council on the drainage and other conditions to get to the best design solution to enable the development to come forward positively in urban design terms.

Ransome Road Bridge

Further consideration has been given to changing the design of the railway bridge crossing the disused railway line in terms of its size, design, materials and external appearance. The Development Corporation recognise that this element of the scheme may alter depending on future negotiations with Network Rail. A condition is recommended to address materials.

CONCLUSION

Recommendation 1.2 set out in the original report is no longer required and is withdrawn. The Committee is recommended to agree Recommendation 1.1 of the report.

Agenda Item 10a



PLANNING COMMITTEE: 23 August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0305 **Conversion of a single dwelling into three flats: one two-bedroom and two one-bedroom (as amended by revised plan received on 4 July 2011) at 22 Watkin Terrace**

WARD: Castle

APPLICANT: Mr. C. Burnhope
AGENT: Stimpson Walton Bond Architects

REFERRED BY: Cllr. T. Clarke
REASON: Concerns over density of area

DEPARTURE: No

Note: this application was one transferred from WNDC on 1st April 2011.

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL with conditions for the following reasons:

The proposed conversion to three self-contained flats will not cause substantially more harm to the amenity of the area than the permitted uses of the house, will bring a vacant property back into use and will not prejudice the established character of the area in accordance with Policies H24, H3, H6, E26 and H21 of the Northampton Local Plan and PPS3 – Housing.

2. THE PROPOSAL

2.1 This planning application was first reported to the Planning Committee at its meeting on 31 May 2011. The proposal was for the conversion of the property to four self-contained flats. Having debated the application and having conducted a Committee site visit, Committee resolved to defer determination of the application so as to allow the Head of Planning to discuss with the applicant the issues raised by the Committee.

2.2 In accordance with the Committee resolution officers have engaged in negotiations with the applicant. These discussions have led to the submission of revised plans which reduce the number of proposed flats from four to three.

2.3 The current proposal is therefore for the conversion of this single dwelling into one two-bedroom flat at basement/ground floor level, and two one-bedroom flats at first floor and second floor/attic level, with no external alterations to the property.

3. SITE DESCRIPTION

3.1 22 Watkin Terrace (a cul-de-sac) is a three-storey house in a row of 25 similar properties dating from the mid 1800's within a residential area, with the Racecourse adjacent to the north. The property has rear bay windows, a rear balcony and a rear garden on the north side overlooking the Racecourse, and to the front it faces directly onto the street, with light wells and railings. The site is within the Kingsley Conservation Area and this property is currently vacant.

4. PLANNING HISTORY

4.1 No recent history; information from local residents is that the property has been in use as a single dwelling house for many years.

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

PPS3 – Housing

PPS5 – Historic Environment

PPG13 – Transport

5.3 Northampton Borough Local Plan

E19 – Implementing new development

E20 – New Development

E26 – Conservation Areas

H6 – Housing Development within Primarily Residential Areas

H21 & H23 – Conversion to flats

H24 – Basement flats

- 5.4 **Supplementary Planning Guidance**
Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS / REPRESENTATIONS

Consultations: (both those received by NBC and WNDC)

- 6.1 **NBC Built Conservation** – no objections as there are no proposed alterations to the exterior of the property, therefore impact on the Conservation Area will be neutral.
- 6.2 **NBC Environmental Protection** – no objections to principle of proposal, but suggests that any approval is subject to a condition requiring that the bin storage area is installed in accordance with details submitted on drawing ref.2011/08/101 rev.B.
- 6.3 **Town Centre Manager** – no comments
- 6.4 **NCC Highways** – referred to Standing Advice. Covered secure cycle parking is to be provided and secured by condition prior to first occupation of the development.
- 6.5 **Northamptonshire Police** – no objections, but recommended various security measures as Watkin Terrace suffers from rowdy and inconsiderate behaviour, criminal damage to buildings and some burglaries.

Representations: (both those received by NBC and WNDC)

- 6.6 Representations have been received from **24, 28 & 44 Watkin Terrace (2 letters); 13 & 51 Beaconsfield Terrace; 32 (3 letters), 46 (2 letters) & 50 Watkin Terrace; 25, 33 & 57 Beaconsfield Terrace.** These letters raise objections that centred on the following:
- character of the conservation area will be further lost;
 - insufficient parking causing a big problem, unsustainable situation, have received parking tickets as had to double-park; unsafe situation for a woman not able to park near her residence;
 - problem of household waste from multi-occupancy dwellings left on street, due to insufficient space for rubbish to be stored, causing risk to health, vermin problems and will be detrimental to resident's amenity.
 - fly-tipping on street of abandoned items by tenants/landlords as tenants change in multi-occupancy dwellings;
 - noise pollution with loud music blaring at night;
 - anti-social behaviour with people in the street who don't care about the environment or community;
 - parking congestion in area/street will cause difficulty for emergency vehicles;
 - close-knit community in the street is not contributed to by occupants of rented flats on a short tenure, and increasing number of flats will upset balance;
 - over-development of the street.

- A number of the large houses in Watkin Terrace be converted into flats over the years. It is understandable given the size of the houses. However the number converted in the street has reached saturation point in terms of the impact on the local amenity.
- There are already see large amounts of rubbish left out from the current flats in the area as well as a continual parking problem in the street. Clearly the conversion of another single dwelling into 4 flats will potentially add a number of additional cars into the street all trying to find a parking place as well as add to the volume of rubbish being created.
- Watkin and Beaconsfield Terrace are excluded from The Mounts residents parking scheme so attract cars parking here during the day when the rest of the area is covered by the parking scheme. The situation in the street has been getting worse and worse over the years as the number of residents in the street increases as houses are converted into flats. There are numerous instances of residents double-parking in the evenings which makes it impossible for emergency vehicles to access all the properties in the street should the worst happen. In fact I have witnessed an ambulance getting stuck because of this scenario. Whilst there are some spaces alongside The Racecourse these soon get taken up and trying to park in the area in the evening is an absolute nightmare. Potentially another 4 vehicles from this development cannot be accommodated in the current parking arrangements for the street.
- There are disabled people living in the street – they need to be able to park close to the house and not streets away – they cannot ride bicycles.
- Most of the Mounts area is permit parking except for Watkin Terrace and we can't just go and park in other streets hence we are forced to double park even though we are at risk from ticketing.
- Women who work late have to park their cars streets away and feel unsafe and vulnerable.
- No 34 Watkin Terrace has only been renovated on the outside – the inside will be done later on in the year and so we do not yet feel the impact of yet another four flats coming onto the street.
- It has been highlighted in some residents letters that Watkin Terrace/Beaconsfield Terrace is a cul-de-sac and this further impacts on the infrastructure of the street and we are forced to double park making it is very difficult to manoeuvre and turn around and blocking access. Cul-de-sacs are to have street lighting turned off from July 2011 and this will be so very dangerous.
- Gardens of the Watkin Terrace are very small and there is nowhere to put all this rubbish without it impacting onto neighbouring houses.
- Once the flat conversions are made the individual units are very small and you get large numbers of people living in a small contained area resulting in bags and bags of rubbish being put out onto the street at any time.

6.7 Also a **petition of 48 signatures in objection** was received in response to the re-notification of the amended plan, objecting to the proposal on the basis that it will exacerbate the level of rubbish on the street (photos attached), parking problems, anti-social behaviour, and be detrimental to the character and appearance of the Conservation Area. A plan submitted with the petition shows a breakdown of use density in the street.

- 6.8 Email received from Cllr Danielle Stone stating that she fully supports the objectors in opposition to further multi-occupancy dwellings in Watkin Terrace.
- 6.9 A copy of a letter that was sent to Eric Pickles, MP, Secretary of State for Communities and Local Government outlining concerns of residents as noted above in paras. 6.6 and 6.7 was received from Clare Conrad, 44 Watkin Terrace.

7. APPRAISAL

- 7.1 The main issues to consider are the acceptability of the property for conversion to flats and its impact on the character of the area, and the potential impacts of the development on amenity and parking in the area.

Principle of conversion

- 7.2 Local Plan Policy H23 states that in order for a dwelling to be suitable for conversion to flats, it should have a combined ground and first floor area of not less than 100m² and a frontage of not less than 4.7m.
- 7.3 It is noted that the combined internal floor measurement of the ground and first floor of this property does not meet the 100m² requirement of the policy (being approx. 87m²), although the frontage exceeds the required 4.7m. With reference to its preamble, Policy H23 is intended to prevent the conversion of small terraced properties that are not readily capable of conversion and securing an adequate standard of residential environment for future occupants as flats. It is not considered that the development would conflict with the objectives of the Policy due to its size (with eight bedrooms). Moreover, there will be access for all three flats to the rear garden (which is a requirement of national planning policy), which also provides bin and cycle storage areas.

Amenity

- 7.5 Local Plan Policy H6(a) for housing in residential areas, states that permission will be granted except where the development would be at a scale or density which would be detrimental to the character of the surrounding area or would result in over-intensive development of the site.
- 7.6 Policy H21 of the Local Plan states that permission will not be granted for the conversion of a house to flats where it is considered that the introduction of or increase in the number of conversions would prejudice the character or amenity of a particular locality, irrespective of whether the house is suitable for conversion.
- 7.7 Local Plan Policy H24 states that permission for flats in basements will be granted only where adequate self-contained access is provided and where there is adequate natural daylight and where the outlook is not unduly obstructed.

- 7.8 In assessing this proposal against Policies H6 and H21, the character of the street has to be determined. Watkin Terrace on the north side consists of 25 terraced properties, and the other side of the street (Beaconsfield Terrace) consists of traditional Victorian terraced houses, none of which have permission for conversion to flats/HIMOs, although the plan submitted with the petition shows that some of the properties in Beaconsfield Terrace have been converted to flats and HIMOs. Therefore, it is reasonable to assume that, of the 55 properties on the street, there is a fairly equal split between single family dwellings and flats.
- 7.9 It is evident from the comments received from neighbours (paragraph 6.6 above) that they consider that the amenity of the street is being detrimentally affected by domestic waste/rubbish on the street, parking congestion, and anti-social behaviour such as loud noise/music late at night, and they consider that this proposal would exacerbate these problems, by further increasing densities and altering the character of the street.
- 7.10 Para. 3.44 of the Local Plan discusses the issue of the 'cumulative effect' of conversions of houses to flats. It must be acknowledged that a dwelling of this size could potentially house a large family (with, perhaps, 2-3 cars), or such a house could be used as a House In Multiple Occupation with up to six people living communally with perhaps 4-6 cars, with both uses also potentially generating significant rubbish, without planning permission under the current prevailing planning controls.
- 7.11 It is therefore considered that the proposal would not significantly alter the established character of the street beyond how it could be lawfully used, and it will be bringing back into productive use an under-utilised building in a central location, in accord with national policy (PPS3) which encourages the re-use of previously developed land.
- 7.12 In order to address the potential issue of on-street refuse storage, a bin storage area is proposed in the rear garden, which is sufficiently large to acceptably accommodate such facilities. This is in accordance with Policy H19, which states that planning permission will only be granted where any adverse effect of a development is allowed for or mitigated against. The policy goes on to say that the amenities made necessary by the development will either be in existence or will be provided by the developer.
- 7.13 In assessing the proposal against Policy H24, the amended plan shows that the basement area now forms part of the ground floor flat. It is considered that the opening up of the ground floor will significantly increase light/outlook to the kitchen/living areas in the basement, therefore satisfying the requirements of this policy.

Parking

- 7.14 The response from the Highway Authority refers to Standing Advice, and its response to WNDC calls for secured covered cycle parking to be provided on site, to be secured by condition.

- 7.15 In two other fairly recent applications in this terrace for conversion to four flats that were approved by WNDC, (no. 34 - 09/0102/FULWNN and no. 14 - 07/0142/COUWNN), it was considered that the existing parking congestion problem in the area was mitigated sufficiently by the sustainable location of the site, and by the required provision of on-site cycle parking facilities. It is acknowledged that these two factors do help to mitigate the problems of parking congestion in the area. When the case officer visited the site during the middle of the day, it was evident that there is a high demand for the limited on-street parking available. Nonetheless, it is considered that the proposal would not exacerbate the problem significantly more than the other possible uses of the house (as noted above in paragraph 7.6). For these reasons and with reference to the advice of the Highway Authority, it is not considered that the proposal could be resisted on highway grounds.

Information received from NCC Highways indicates that this street is in a designated Permit Parking area, and that application could be made to the Senior Traffic Engineer by the residents in this regard.

Conservation Area

- 7.16 As no external changes to the property are proposed and with reference to the advice of the Council's Conservation team it is considered that the development would have a neutral impact on the Conservation Area.

8. CONCLUSION

- 8.1 In weighing all of the above factors, it is considered that the proposal is acceptable as the proposed use as self-contained flats will not cause substantially more harm to the amenity of the area than the permitted uses of the property as a family house or a shared house. The proposal would also bring a vacant property back into use, and would not prejudice the established character of the area. The application is therefore recommended for approval subject to the following conditions.

9. CONDITIONS

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

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

- (2) The refuse and recycling bin storage area shall be installed in accordance with the details specified on drawing ref. 2011/08/101 rev. B prior to the first occupation or bringing into use of the building, and thereafter maintained at all times.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E19 of the Northampton Local Plan.

- (3) Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted. The approved facilities shall be

fully implemented prior to the development being first brought into use and retained at all times thereafter.

Reason: To secure the provision of adequate facilities in accordance with Policy E20 of the Northampton Local Plan.

Informative notes:

Northamptonshire Police recommend the following security measures which if implemented will reduce the likelihood of crime and disorder occurring:

- Basement front door and ground floor front and back doors be upgraded to certificated PAS23-1:1999 and PAS24:2007 or WCL1.
- Basement and ground floor windows should be tested and certificated to BS7950:1997 or WCL4, and should incorporate key lockable hardware unless designed as emergency egress routes. Laminated glazing in ground floor and basement windows will reduce the likelihood of access being gained to the premises via smashed glazing.
- Individual doors to flats should be upgraded to PAS24:2007 standard.
- An access control system is required on the front door with electronic door release and entry phone linked to the flats.
- The gate leading down to the basement flat and the gate leading into the back garden from the Racecourse should both be fitted with mortice locks, and the rear perimeter should be upgraded so that access to the garden from the park is as difficult as possible.
- Details of secure bicycle storage can be found at www.bikeoff.gor/design or www.securedbydesign.com
- advice on secure storage facilities for wheelie bins can be obtained from Arson Task Force, and Northamptonshire Fire and Rescue also strongly recommends the installation of sprinklers, contact Northamptonshire Fire and Rescue on 01604 797150.

10. BACKGROUND PAPERS

10.1 None.

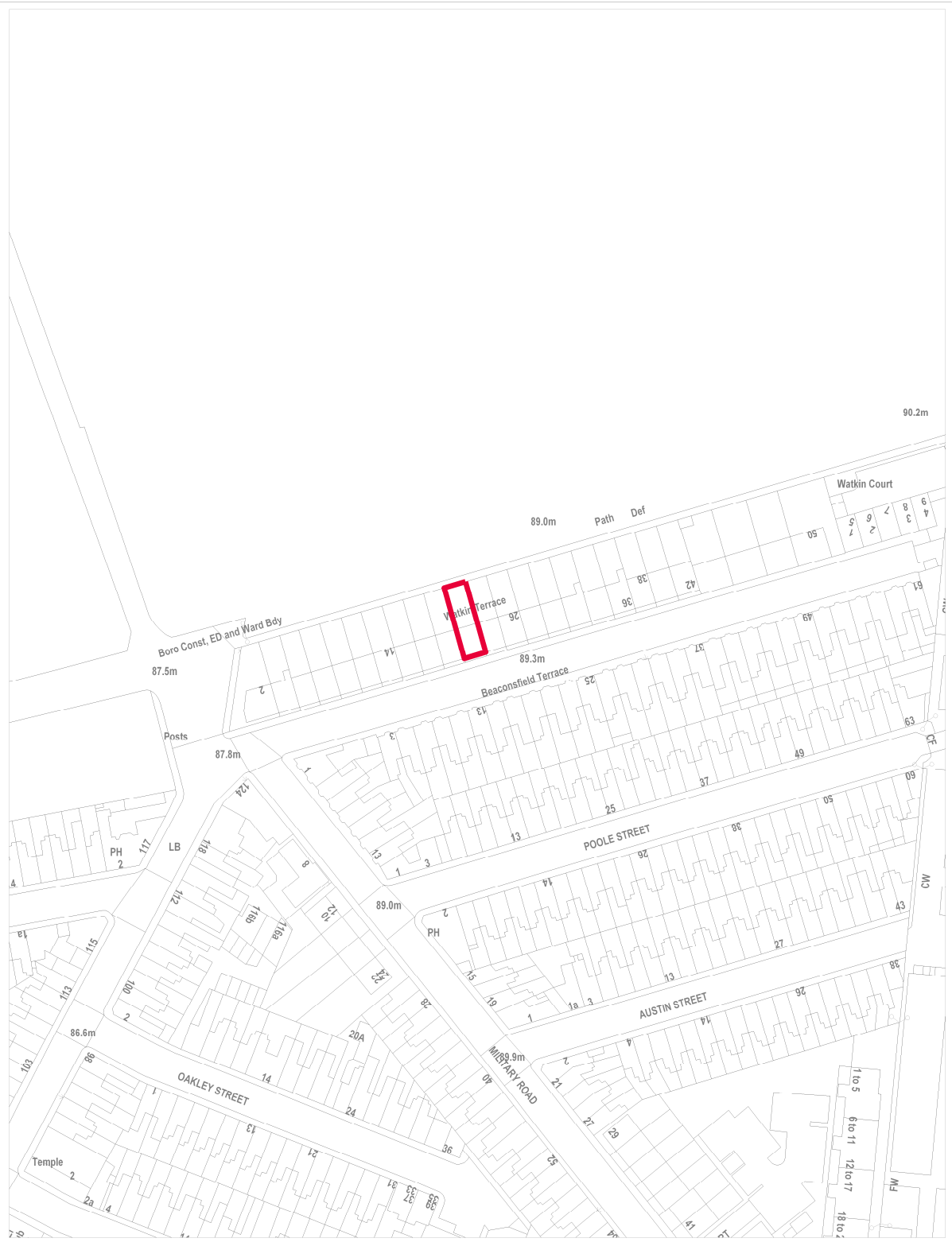
11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	Ellie Williams	22/7/2011
Development Control Manager Agreed:	Gareth Jones	28/7/2011



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

Title
22 WATKIN TERRACE

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PLANNING COMMITTEE: 23rd August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0437: Erection of five dwellings – outline application
Land to the rear of 29-31 and 33 Ash Lane, Collingtree, Northampton

WARD: Nene Valley

APPLICANT: Mr. S. Holton
AGENT: Mr. P. Johnson, Berrys

REFERRED BY: Cllr. M. Hill
REASON: Concerns regarding the scale of the development, its relationship with adjacent properties and the impact on the conservation area

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

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

1.2 The proposed development would not adversely impact upon the character and appearance of the locality, the amenities of the occupiers of surrounding properties and highway safety. The proposal therefore complies with the requirements of PPS1, PPS3 and PPG13 and Policies H6 and H10 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The application seeks outline planning permission to erect five dwellings within this backland site. These would comprise four bungalows and one house. Access to the site would be via a new private driveway, which would run from the road between the existing dwellings at 29-31 and 33 Ash Lane. All matters are reserved with the exception of access, meaning that, if approved, a further reserved

matters application or applications would need to be submitted covering appearance, landscaping, layout and scale.

3. SITE DESCRIPTION

- 3.1 The application site is a backland site located on the periphery of Collingtree Village and currently forms part of the private rear garden of 33 Ash Lane. The southern boundary of the application site is approximately 22m from the top of embankment adjacent to the M1 motorway. The area to the east of the application site is in use for residential purposes, generally comprising houses that were constructed over the last few decades. The application site is approximately 100m from the western boundary of the Collingtree Conservation Area. A reserved matters application was approved in 2003, which granted planning permission for three dwellings on the land to the west of the site.

4. PLANNING HISTORY

- 4.1 N/2010/0328 – Outline application for five dwellings with access – Withdrawn
N/2010/0502 – Outline application for three dwellings with access – Approved
- 4.2 The first 2010 application was withdrawn in the light of Environmental Health advice outlining concerns due to the potential negative impacts from noise and air quality issues resulting from the proximity of the motorway.
- 4.3 The approved scheme from 2010 included three dwellings that were located within a smaller area, albeit further away from the motorway. The site area that is the subject of this application is the same as that included with the previously approved scheme, although the indicated scale of the dwellings has been reduced.

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
PPS3 – Housing
PPS23 – Planning and Pollution Control
PPG13 – Transport

PPG24 – Planning and Noise

5.3 **Northampton Borough Local Plan**

E12 – Protection of trees and hedgerows

E20 – New Development

E40 – Planning and crime and anti-social behaviour

H6 – Residential Development

H10 – Backland Development

5.4 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards

Planning Out Crime in Northamptonshire

6. **CONSULTATIONS/REPRESENTATIONS**

6.1 **Environmental Health (NBC)** – There are concerns regarding the submitted noise assessment, given that it has been carried out during periods when the M1 was not at its busiest. The main concerns regarding the development relate to air quality, as it is possible that the boundaries of the Air Quality Management Area could vary to include the development site. Furthermore, recent discussions into best practice call into question the findings of the submitted Air Quality Assessment. It is questioned whether all five dwellings could be constructed in areas, where the level of air quality is acceptable. Although there is an extant consent for three dwellings on the site, it is considered that this offers greater flexibility to overcome this issue.

6.2 **Arboricultural Officer (NBC)** – The submitted arboricultural report and tree constraints plan identify a number of trees to be retained at the site and means for their protection during the development process. These recommendations should be subject to conditions.

6.2 **Highway Authority (NCC)** – There should be a 0.5 break on each side of the site entrance to allow for the clearance of vehicles. There should be a physical separation between all three vehicular entrances. In addition, the first five metres of the access road should be surfaced with a bound material.

6.3 **Councillor M. Hill** – Requests that the application be determined by the Planning Committee on account of the proposal's scale and impacts on adjacent properties, visual amenity and the conservation area.

6.2 **Collingtree Parish Council** – The proposal is for a development that is of a density that is significantly higher than the surrounding area. The poor air quality would prevent a satisfactory standard of residential accommodation from being secured and past decisions do not set a precedent for this proposal. The air quality issues may make it difficult to sell the dwellings, meaning that in future a proposal may be made for more building on site. Extra traffic, combined with the layout of Ash Lane would adversely impact upon highway safety.

6.3 Letters of objection from the occupiers of **21, 23, 25, 27, 32** and **34 Ash Lane**. Comments can be summarised as:

- The vicinity of the application site is characterised by large, detached houses with similarly sized gardens. This creates an open feel to the vicinity, which would be eroded by the proposed development due to its scale and density.
- The previously approved scheme does not set a precedent for this application on account of it being for dwellings that were of a scale that were comparable to the prevailing vernacular.
- There have been recent changes to the planning policies with regards to the building on garden land
- The proposed development would not take advantage of any opportunities to improve the area
- The proposed dwellings would lead to a loss of outlook, have an overbearing affect and lead to a loss of privacy.
- The proposal would be detrimental to residential amenity as a result of increased noise and disturbance from the use of the access way
- The site contains a number of important trees and hedgerows and create a significant wildlife habitat.
- The trees on the site contribute to amenity levels and form an important buffer between Collingtree and the motorway. The number of trees has already been reduced, which has increased noise. The number of trees would be reduced further.
- Compared with the existing dwellings, car parking is limited and parking on Ash Lane would have a detrimental impact on highways safety.
- Ash Lane is hazardous for traffic and pedestrians due to the blind corner. Furthermore, three accesses to this road would be created in close proximity to one another.
- Growth in Collingtree has put a strain on the original road layout.
- The submitted air quality and noise level assessments do not include details of the prevailing meteorological conditions and these would have an impact on its findings. Usage of the M1 may increase, which would have a negative impact on air quality.
- The development would exacerbate health problems within the area
- Further applications may be submitted for larger developments
- If the application were approved, it is recommended that conditions removing permitting development rights be applied and restricting building heights, removal of trees and providing adequate parking.

7. APPRAISAL

Principle of the development

- 7.1 The site is allocated within the Local Plan as being suitable for residential development. Furthermore, the application site is identical to that, which was gained planning permission in 2010 for three dwellings. The proposal would lead to the loss of garden space to 33 Ash Lane. However, given the size of the garden it is considered there would be sufficient (in excess of 780m²) private garden space retained within the curtilage of no.33. Therefore the principle of the subdivision of the site is acceptable.
- 7.2 The indicative layout drawing submitted with the application indicates that there would be a level of car parking consistent with the requirements of the SPG on car parking. In addition, a satisfactory level of private amenity space is indicated to be included within the curtilage of each dwelling and as such the proposal is compliant with the requirements of PPS3 – Housing and Local Plan Policy H6 of the Northampton Local Plan.
- 7.3 Policy H10 of the Northampton Local Plan indices that backland developments should not be permitted in instances where undue disturbance would be created for the occupiers of existing properties. In this instance, it is considered that due to the main parts of the neighbouring existing dwellings at 29-31 and 33 Ash Lane being set back from the access roads, it is considered that the proposal would not create any undue noise and disturbance to these residents. In the case of the dwellings to the east of the site, it is considered that on account of the screening effect of a mature hedgerow along the eastern site boundary there would be no significant loss of amenity. It is also noteworthy that the proposed access is essentially the same as that approved under extant planning permission N/2010/0502, albeit that that scheme is for two fewer dwellings, and that the Council's environmental health service has raised no concerns over this aspect of the proposed development.
- 7.4 It is noted that objections have been raised regarding the density of the proposed development. However, the proposed density of 25 dwellings per hectare is not significantly different from that within the immediate vicinity and therefore the proposed development would not have a significant adverse impact upon the character of the site's immediate environs. As the site is approximately 100m from the western boundary of the Collingtree Conservation, it is considered that the proposed residential development would not have a significant adverse impact upon the character and appearance of the Conservation Area and as a result of this, it is considered that the proposal would not breach the requirements of PPS5 – Planning for the Historic Environment and Policy E26 of the Northampton Local Plan.

Access and highways considerations

- 7.5 As set out previously, the matter of access to the site is to be considered within this application. The access arrangements are a

replication of that previously deemed acceptable (N/2010/0502). Whilst it is acknowledged that the number of dwellings has been increased by two from three to five, it is considered that on account of the reduction in scale of the dwellings combined with the substitution of houses with bungalows, there need not be a significant intensification in the use of this access or the number of residents when compared to the previous approval. The Highways Authority has raised no objections to the proposed increase in the numbers of dwellings, subject to improved access arrangements as set out below. As a result of this, it is considered that the requirements of PPG13 – Transport have been complied with.

- 7.6 The proposal includes the provision of adequate visibility splays, which would ensure that vehicles entering and exiting the site would have adequate opportunities to observe other road-users and pedestrians within Ash Lane. In order to secure a satisfactory standard of development, a condition is recommended that would require that details of the surface treatment be submitted to and approved by the Local Planning Authority.
- 7.7 The proposed indicative layout includes the provision of a suitable turning head adjacent to plots four and five. This is considered necessary in order to alleviate the need for vehicles to either reverse onto or off of Ash Lane. In terms of car parking, it is noted that the indicative layout shows that each dwelling has two car parking spaces (of a combination of driveway and garage spaces), which is the equivalent to the maximum amount specified within the Supplementary Planning Guidance – Parking. As a result of this, it is considered that the likely parking demands would be accommodated within the development without detriment to the safety of Ash Lane.
- 7.8 It is noted that NCC Highways have requested that 0.5m of the hedgerow adjacent to Ash Lane be removed. In order to ensure an adequate level of visibility in the interests of highway safety, a condition to this effect is considered necessary and reasonable.
- 7.9 For the foregoing reasons, it is considered that the proposed development would not give rise to circumstances prejudicial to highway safety or the free-flow of traffic in accordance with requirements of PPG13 – Transport.
- 7.10 Although the proposal would necessitate the removal of the garage from 29 and 31 Ash Lane, it is considered that on account of the large scale of the driveway, there would be sufficient room to accommodate the parking requirements of this dwelling, without detriment to highway safety.

Design, layout and impact on neighbours

- 7.11 Whilst this is an outline application, with the design and layout being reserved for future consideration, indicative parameters have been

submitted. The submitted details indicate that the dwellings on Plots 1-4 (i.e. those adjacent to the eastern boundary) would be no more than 6m in height and no windows in the gable ends of plots 1 and 2. It is considered that this arrangement would prevent any significant loss of amenity to the occupiers of neighbouring properties by reason of the restricted height combined with the existing and future boundary treatment which can be controlled via condition. Conditions covering the maximum height of these dwellings are recommended.

- 7.12 Although the dwelling proposed on Plot 5 would be larger as it is a house, it is considered that on account of the larger separation distance to the existing dwellings to the north and east and those unconstructed, but approved on the adjacent site to the west there would be no undue detrimental impact upon residential amenity despite the larger scale of this element of the proposal.
- 7.13 It is noted that observations have been submitted regarding the density of the proposed development. However, this is comparable to the existing dwellings within the immediate vicinity of the site. Although the proposal constitutes backland development, it is considered that due to the limited views into the site from public viewpoints, combined with likely future landscaping and a comparable density, the overall impacts on the character of the area would be neutral.
- 7.14 Although officers have concerns regarding the relationships between the proposed dwellings situated on Plots 1 and 2 and Plots 4 and 5, it is considered that these matters could be adequately addressed during the reserved matters application, without detriment to the character of the area or amenities of surrounding occupiers.
- 7.15 It is considered that many of trees within the site make a significant contribution to the site's character. An assessment of the site's trees has been carried out and, following review by the Council's Arboricultural Officer, a number have been identified for retention. In order to maintain the mature Horse Chestnut tree that is located adjacent to the western boundary, a condition is recommended that would ensure that no development is carried out within 10m of this tree. Retention and protection of all trees to be retained can be adequately controlled by condition. This would ensure that the development is in accordance with the requirements of Local Plan Policy E12.

Environmental Health matters

- 7.16 Although the number of dwellings has been increased from the previous approval from three to five units, the separation distance between the dwellings and the M1 has been maintained. In order to ensure a satisfactory level of residential amenity and compliance with PPG24 – Planning and Noise, a condition is recommended that would require an assessment of noise to be carried out each plot and

a scheme to be agreed for the attenuation of noise within the buildings. This accords with the advice of the Council's Environmental Health service.

- 7.17 The site is located in close proximity to the M1 and adjacent to an Air Quality Management Area. The concerns of the Environmental Health Service are noted and it is understood that the cause of their concerns is that questions have been raised regarding the best practice for carrying out air quality assessments in the intervening period since the granting of the 2010 permission. Furthermore, the boundaries of the Air Quality Management Area may be revised in the future, which could potentially create a conflict with the residential accommodation.
- 7.18 In response to these comments, weight must be given to the extant outline consent, which was approved under the same planning policy context, in which this application is being considered. A further reserved matters application would need to be submitted for the development and in principle this would offer an opportunity to respond to concerns regarding air quality through the layout and detailed arrangement of internal accommodation. However, due to the size of the site, its shape and proximity to the motorway, in reality there is relatively little scope to do so beyond that offered by three unit fallback scheme because the relative position of the dwellings to the motorway is unchanged between this and the preceding application. For these reasons therefore the issue of air quality cannot be given a significant amount of weight.
- 7.19 The consultation response from Environmental Health comments that the position of the dwellings approved within the 2010 outline planning may need to be revised in order to ensure a satisfactory level of air quality and that by incorporating five dwellings within the site any flexibility would be lost. Whilst it is acknowledged that the precise site layout has yet to be formally approved, an indicative layout was included within the previous application. By reason of the prospective size of the proposed dwellings and the need to maintain suitable separation distances between dwellings, it is considered that there is little flexibility to achieve significant variations in the positioning of dwellings within that proposal.
- 7.20 Although there is likely to be some variation in the number of residents that could be housed within the approved and proposed developments, it is considered that as a result of the reduction in scale of the dwellings as now proposed between this proposal and that approved in 2010 means that there is unlikely to be a significant increase in the number of residents.
- 7.21 As a result of these scenarios, it is considered that the increase from three to five dwellings would not create a significantly worse residential environment than that permitted in 2010. As a result of this, it is considered that refusal on these grounds would be unreasonable and could not be sustained.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the proposed development would not unduly impact upon the character and appearance of the wider area, highway safety or residential amenity. As a result of this, it is considered that, subject to conditions, the scheme is acceptable and compliant with national and local planning policies.

9. CONDITIONS

(1) Approval of the details of appearance, landscaping, layout and scale (the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: This permission is in outline only granted under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

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

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(3) Notwithstanding the details submitted, full details of the surface treatments to the access road 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 visual amenity and highway safety in accordance with PPS1 and Policy E20 of the Northampton Local Plan.

(4) Notwithstanding the details submitted, no development shall take place within 10m of the Horse Chestnut tree adjacent to the south western boundary and identified as T1 within the submitted Tree Assessment Report dated June 2010.

Reason: In the interests of general amenity and in accordance with Policy E11 of the Northampton Local Plan.

(5) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the details as submitted within the Tree Assessment Report dated June 2010 including the retention of the trees identified to be retained therein.

Reason: In the interests of general amenity and in accordance with Policy E11 of the Northampton Local Plan.

(6) All trees to be retained as required by conditions 4 and 5 above

shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials nor waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E11 of the Northampton Local Plan.

(7) Notwithstanding the details submitted provide a noise scheme for each of the plots which shows the acoustic protection to be used in the building envelopes and at all openings shall be submitted 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 and to ensure compliance with PPG24 - Planning and Noise.

(8) Notwithstanding the details submitted a scheme detailing a strategy for ensuring a satisfactory level of air quality within the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the provision of a suitable ventilation system. Development shall be carried out in accordance with the approved details and retained thereafter.

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

(9) The development hereby permitted shall be for no more than five dwellinghouses.

Reason: For the avoidance of doubt in the interests of the amenity of future occupiers and occupiers of neighbouring properties and protecting the character and appearance of the locality in accordance with Policy E20 of the Northampton Local Plan and H6, and PPS1 – Delivering Sustainable Development, PPS3 – Housing, PPS23 - Planning and Pollution Control and PPG24 - Planning and Noise

(10) Unless otherwise agreed in writing by the Local Planning Authority, the height of the dwelling hereby permitted and located on Plot 1-4 shall be limited to a maximum height of 6m above finished floor level.

Reason: In order for the local planning authority retain adequate control of the development to ensure that it harmonises with the scale and character of development in the vicinity of the site and to protect the amenities of neighbouring occupiers in accordance with Local Plan Policies E20 and H6 and PPS1 and PPS3

(11) Unless otherwise agreed in writing by the Local Planning Authority, the height of the dwelling hereby permitted and located on Plot 5 shall be limited to a maximum height of 7.4m above finished floor level.

Reason: In order for the local planning authority retain adequate control of the development to ensure that it harmonises with the scale and character of development in the vicinity of the site and to protect the amenities of neighbouring occupiers in accordance with Local Plan Policies E20 and H6 and PPS1 and PPS3

(12) Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan.

(13) Notwithstanding the details submitted, full details of site visibility splays shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the development hereby permitted being first brought into use and retained thereafter.

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

10. BACKGROUND PAPERS

- 10.1 N/2010/0328
N/2010/0502

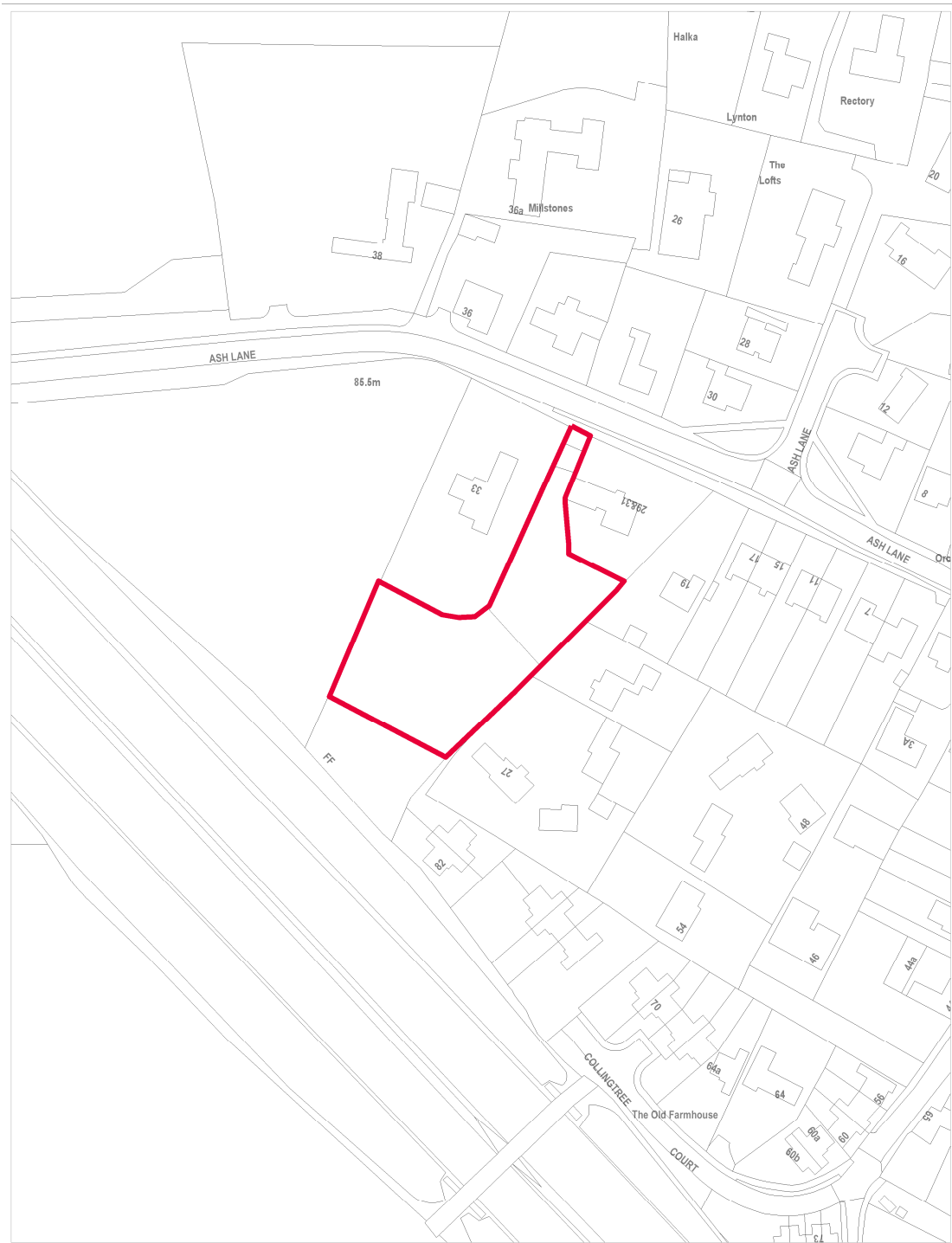
11. LEGAL IMPLICATIONS

- 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	29/7/11
Development Control Manager Agreed:	Gareth Jones	02/8/11



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Name: SW Date: 5th July 2011 Scale: 1:1250 Dept: Planning Project: Site Location Plan</p>	<p>Title</p> <h2>Land to the rear of 29-33 Ash Lane</h2> <p>Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655</p>
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PLANNING COMMITTEE: 23rd August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0588: Change of Use of part of Doctors Surgery
(Use Class D1) to Pharmacy (Use Class A1)
Abington Health Complex, Beech Avenue,
Northampton

WARD: Phippsville

APPLICANT: Mr. T. Nawaz, Beech Avenue Ltd
AGENT: Mr. B. Waine, Calnan Cox

REFERRED BY: Head of Planning
REASON: The application should be considered by the
Planning Committee due to the level of public
interest

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

1.1 **REFUSAL** for the following reason:

1.2 By reason of the proposed operating hours, intensification of use and proximity of the site to residential properties, the proposed development would have a significant detrimental impact upon residential amenity as a result of increased noise and disturbance. The proposal therefore fails to comply with the requirements of PPG24 – Planning and Noise.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to change the use of part of the existing doctors surgery to form a pharmacy. The proposal incorporates a floorspace of 25m². No external alterations to the building are proposed. The application states that the pharmacy would be open between the hours of 8am and 10:30pm on Mondays

to Fridays, 8am to 10:30pm on Saturdays and 8am to 6:30pm on Sundays, Bank Holidays and Public Holidays.

3. SITE DESCRIPTION

- 3.1 The application site is located within a complex containing a doctors surgery, clinic, opticians, dentists and a pharmacy. The immediate vicinity contains residential accommodation and a primary school located adjacent to the western boundary. The Birchfield Road East Local Centre is located approximately 100m to the south of the application site. Although a local centre, there are few late night uses beyond a relatively small number of hot food takeaways.

4. PLANNING HISTORY

- 4.1 An application for a comparable proposal was submitted in 2010 (application reference number N/2010/0700); however, this was withdrawn prior to a decision be issued. Subsequent to this, an application for a Certificate of Lawfulness for a Proposed Use (reference: N/2011/0338) was submitted as the applicant contended that planning permission was not required for the proposal. This application was also withdrawn.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development
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

5.4 Northampton Borough Local Plan

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 **Environmental Health (NBC)** – There are strong concerns that the proposed development would have an adverse impact upon amenity as a result of increased noise from customers entering and leaving the property, particularly during the latter part of the evening.
- 6.2 **Northamptonshire Police Crime Prevention Design Advisor** – As a pharmacy can be a target thieves (on account of the storage of drugs and money), designing out the risk of crime should be a priority. A series of informative measures are therefore recommended.
- 6.3 **Highways (NCC)** – No objections
- 6.3 **Michael Ellis MP** – Shares his constituents concerns regarding the impacts of the proposed change of use, particularly as there is a nearby pharmacy that has proven to be successful and is making a contribution to the Northampton economy.
- 6.4 Letters of objection from the occupiers of **17 Abington Park Crescent; 4 Ambleside Close; 116 Ashburnham Road; 1 Ashley Close, Moulton; 56, 74, 89, 90, 92, 106, 127 and 128 Beech Avenue; 146, 166, 271 and 424 Birchfield Road East; 19 Briton Terrace; 284 Broadmead Avenue; 84 Broadway; 89, 93, 121, 125, 127, 131 and 177 Broadway East; 39 Booth Lane North; 89 and 101 Booth Lane South; 16 Burford Avenue; 44, 45, 48, 160 and 169 Bush Hill; 11 Cambria Crescent; 29 and 160 Cedar Road; 118, 120, 130 and 136 Cedar Road East; 42 and 45 Cherry Close; 10 Churchill Avenue; 2 Coniston Avenue; 70 Coppice Drive; 51 Conyngham Road; 16 Cottingham Drive; 11 Cranmere Avenue; 40 Danefield Road; 15 Dane Ridge; 8 Deansway; 7 Debdale Road; 8 Dryaland Road; 44 Ecton Lane, Sywell; 25 Ekins Close; 17 and 27 Elizabeth House; 32 Elmhust Avenue; 6 Fieldway; 22 and 110 Fullingdale Road; 5 Gable Court Mews; 82 Grange Road; 37 Grangewood; 7 Halswell Court; 4, 11, 29, 21, 22 and 35 Hawthorn Road; 69 Highlands Avenue; 7a High Street, Great Houghton; 9 Holmfield Way; 29 Homestead Way; 12 James Lewis Court; 310 Kettering Road; 56 Kingsley Park Terrace; 20, 32, 33 and 34 Lime Avenue; 4, 64, 91 and 93 Lindsay Terrace; 63 Longland Road; 1a Lumbertubs Lane; 27 Mistletoe Close; 42 Oaklands Road; 20 Overstone Road, Sywell; 86 Park Avenue North; 25 Pine Trees; 1 Queenswood Avenue; 15 and 23 Ridgeway; 9 Sandiland Road; 10, 12 and 21 Sheraton Close; 163 Sherwood Avenue; 31 Silverdale Road; 129 Spinney Hill Road; 11 Stanfield Road; 15 Station Road, Little Houghton; 6 The Avenue; 5 The Close; 53**

and **113 The Drive**; **24, 75** and **228 The Headlands**; **5 The Meadow**; **17 Upland Road**; **12** and **22 The Vale**; **28 Weston Way**; **1 Williton Close**; **6 The Willows** (two letters); **18 Wheatfield Terrace**; **26 Whitegates** (two letters); **3 Whitelands Road**; **10 Whiteland Road**; **32 Woodland Walk**; **Abington Pharmacy** (two letters); **Fleetland Farm, New Duston** and **Garden House, Ecton**; **Heath Bank, Lower Harlestone** and two letter from unknown properties within **Lodge Road, Little Houghton**. Comments can be summarised as:

- The proposed opening hours would have a detrimental impact upon residential amenity as a result of the increase noise and disturbance
- There is a discrepancy between the hours applied for and those included with the PCT contract application
- The proposal is inappropriate given the surrounding land uses, including a school and residential accommodation
- The proposal would provide retail facilities and should not be confused with a dispensary as a pharmacy could offer a full range of products for sale.
- A new retail use would adversely impact upon the viability and vitality of other centres
- Parking is already difficult and this would be exacerbated by the proposed development.
- If the security gates are locked outside of the normal operating hours of the complex, there is no indication as to where patrons will park
- There are a number of comparable pharmacies already in existence within reasonable travelling distances. As a result, there is no need for the proposed pharmacy.
- Public transport to Weston Favell (where there is a comparable facility) exists for the extent of the proposed opening hours
- The proposal would encourage anti-social behaviour within the vicinity of the application site. This would also create problems with regards to noise levels.
- Leaving the site entrances open for longer will impinge upon the security of the site's other uses
- The proposal would have a detrimental impact upon the viability of the existing pharmacy within the complex. The existing pharmacy provides a good service and is of particular use to those without cars
- It is likely that only one member of staff would be on duty at any time, which could potentially be unsafe.
- There would be a deterioration in the quality of service offered at the application site as a consulting room would be removed and the restricted size of the proposal may reduce the number of products carried.

6.5 **A petition has been submitted**, raising objections to the proposal, which has been signed by 897 individuals.

- 6.6 Letters of support from the occupiers of **94 Beechland Avenue** and three unaddressed letters have been received. Comments can be summarised as:
- There is a need for services to be provided to meet changes in demand
 - The proposal would offer improved service and be open when other pharmacies are closer
 - Parking would not be a problem due to the size of the existing car park
- 6.7 A **petition has also been submitted** in favour of the proposal, which has been signed by 504 individuals.

7. **APPRAISAL**

- 7.1 Whilst it is recognised that the proposed development is broadly complementary to the existing use of the building as a doctors surgery, there are concerns that due to the extent of the proposed opening hours, the development would have an adverse impact upon residential amenity as a result of increased noise and disturbance. This would emanate from an intensification in the use of the building, resulting in a greater number of people visiting the premises outside of the hours most commonly associated with the operation of the various activities within the complex. By reason of the predominantly residential character of the surrounding area, it is likely that background noises and activities are likely to be low, particularly during the early morning/late evening, which would increase the prominence the level of intrusiveness of such activities. Therefore, it is considered that the proposal fails to comply with the requirements of PPG24 – Planning and Noise.
- 7.2 Although the original planning permission for the Health Complex did place any restrictions on opening hours, it is likely that the bulk of the existing uses would not have cause to be open during early morning/late night periods. As a result of this the opening hours of the proposed pharmacy and the levels of activity associated with are a relevant material consideration and for the reasons previously identified, it is considered that the proposal would give rise to an unacceptable impact upon residential amenity.
- 7.3 During the consideration of the application, the proposed opening hours of the business were revised to 7.30am to 10.30pm on Mondays to Fridays, 8am to 10.30pm on Saturdays and 8am to 6.30pm on Sundays and Bank Holidays. This replicates those hours applied for within the PCT contract application. As these hours are not significantly different to those originally applied for, it is considered that they would not create any substantially different impacts upon amenity to those previously identified. However, it should be noted that these revised opening hours have not been the subject of formal public consultation. Therefore, if the Committee are

minded to approve the application, it is requested that the consideration of the application be deferred to enable such consultations to take place.

- 7.4 The car parking within the Health Complex is outside of the control of the applicant. As a result of this, it is likely that any demand for car parking spaces would be met through the provision of on street spaces. On account of the likely short transaction times, it is considered that the proposal would not require a large number of spaces, as it is likely that patrons will only require spaces for short periods of time. Whilst this means that the proposal is unlikely to have a significant, detrimental impact upon highway safety, it is considered that this pattern of trading is likely to increase the level of noise and disturbance to the occupiers of surrounding residential properties due to the increased level of activity that would take place during potentially un-neighbourly hours.
- 7.5 Whilst it is noted that the proposal could provide some community benefits by reason of the type of business to be carried out within the proposal, it is considered that this is outweighed by the detrimental impact upon residential amenity and could not form a reason for approving this application.
- 7.6 The application site and its immediate environs are surrounded by a metal fence and gates that provides some security to the site. Should this application be permitted, the pedestrian gate, at least, would need to be left open in order to provide access to the proposed pharmacy. By reason of the proposal being operational during the early morning and late night periods, it is considered that natural surveillance of that car park areas would be minimal and this could give rise to increased anti-social behaviour. Whilst there are no objections to this from Northamptonshire Police's Crime Prevention Design Advisor, it is considered that there would be no breach of Local Plan Policy E40; however, such activities would contribute to the heightened noise and disturbance associated with the proposal.
- 7.7 It is noted that a number of observations have been submitted that raise concerns regarding the impacts of various services, such as the inappropriate disposal of pharmaceutical products. Although these concerns are acknowledged, it is considered that provided that the services carried out fall under the definition of a pharmacy, these impacts are essentially site management issues and therefore cannot be taken into account within the planning process.
- 7.8 Although the proposed use would represent the creation of a retail facility outside of an established centre, the relatively small floorspace of the retail facility (25m²) means that it is unlikely that this would provide a significant, detrimental impact upon the viability and vitality of the existing hierarchy of centres within Northampton. As a result of this, it is considered that the proposal does not breach the requirements of PPS4 – Planning for Sustainable Economic Growth.

It is noted that a number of observations have been submitted regarding the impacts of increased competition to the existing pharmacy within the complex. Whilst these comments are noted, competition between competing businesses is not a matter, which can be given any weight within the planning process.

7.9 Although the proposal would not affect residential amenity through matters such as light, outlook and privacy, it is considered that this does not outweigh the harm as previously identified.

8. CONCLUSION

8.1 In conclusion, it is considered that the proposed development is unacceptable on account of the increase noise and disturbance that is likely to arise from the intensification of the site's use, particularly during periods where background noise and activity is likely to be low. As such the proposal would have a significant and detrimental impact upon residential amenity.

10. BACKGROUND PAPERS

10.1 N/2010/0700
N/2011/0338
N/2011/0588

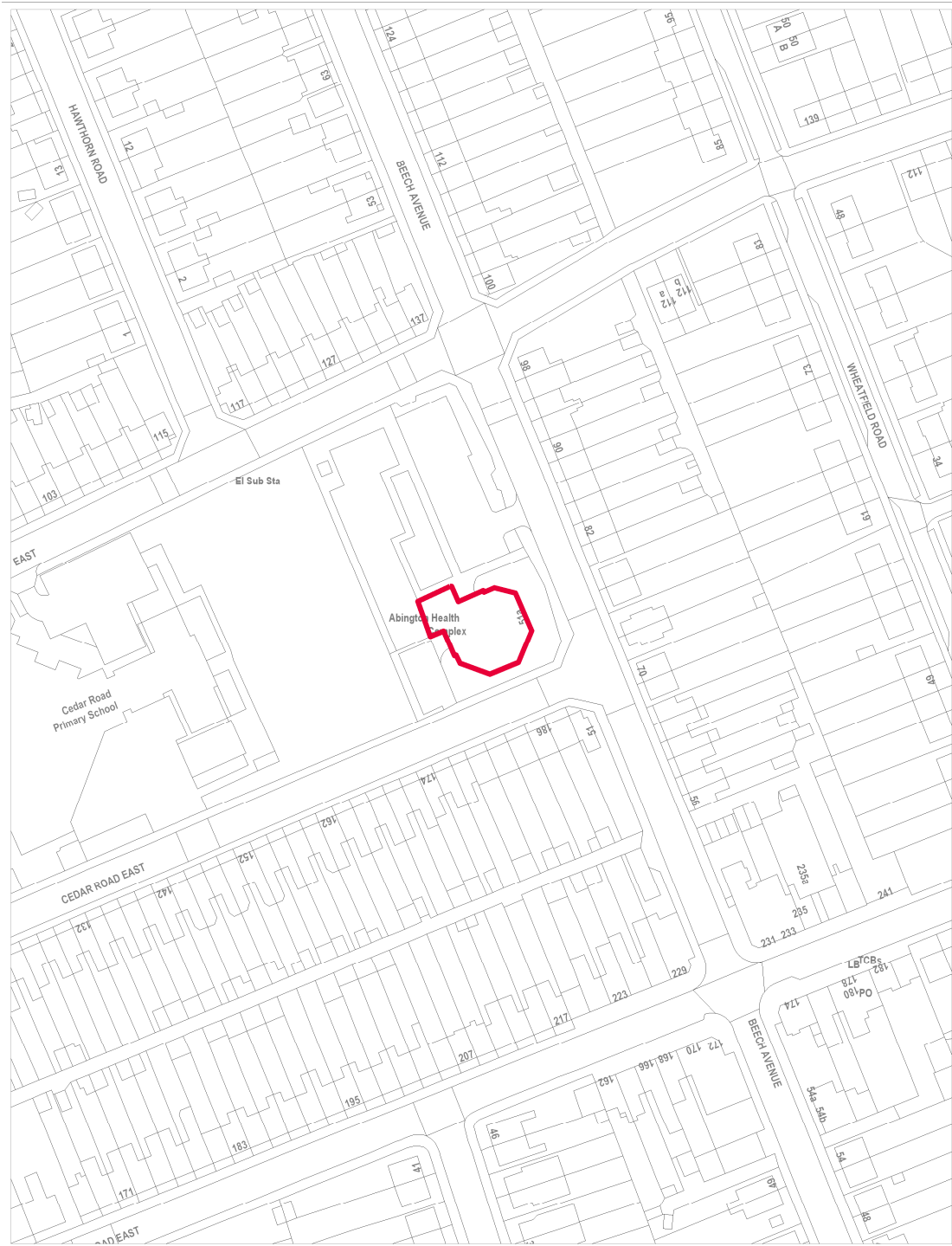
11. LEGAL IMPLICATIONS

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	29/7/11
Development Control Manager Agreed:	Gareth Jones	02/8/11



Name: LZ
 Date: 11th August 2011
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title

Abington Health Complex, Beech Avenue

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PLANNING COMMITTEE: 23 August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0622: Two storey side extension (As amended by revised plans received 27/07/2011).
4 Blackwell Hill Northampton NN4 9YB.

WARD: West Hunsbury

APPLICANT: Mrs C Johnson

REFERRED BY: Head of Planning
REASON: The applicant is related to a current employee of Northampton Borough Council.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and for the following reason:

The impacts of the proposed development on the character of the original dwelling, street scene and residential amenity is considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan and Residential Extensions Design Guide.

2. THE PROPOSAL

2.1 The applicant seeks permission for a two storey side extension with an integrated carport and a rear conservatory following demolition of the existing detached garage.

3. SITE DESCRIPTION

3.1 The property is a detached two storey dwelling located in a primarily residential area with similar dwellings within the cul-de-sac.

- 3.2 The dwelling is set back from the main part of Blackwell Hill together with the property at 6 Blackwell Hill.
- 3.3 An existing detached garage is situated to the side of the property and is set back from the existing front elevation. There is a small driveway and area outside the front elevation, which can accommodate two vehicles.
- 3.4 The rear garden extends around the side of the property and is bounded by panel fencing about 1.8 metres in height. An approximately 1.8 metre high fence also forms the boundary between 2 and 4 Blackwell Hill.

4. PLANNING HISTORY

- 4.1 The estate including the application premises was approved under a planning permission in 1983.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

Planning Policy Statement 1 – Delivering Sustainable Development

5.3 Northampton Borough Local Plan

E20 - New Development

H18 - Extensions

5.4 Supplementary Planning Guidance

Residential Extensions Design Guide (2004)

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 A representation was received from the occupiers of the neighbouring property at **2 Blackwell Hill**, who expressed concern that the 'Proposed New Build' plan indicated that the two storey side extension would be 4.2 metres in width and thereby would extend across the plot boundary into the rear garden of 2 Blackwell Hill.
- 6.2 Subsequently the plans have been amended so that the proposed extension remains within the curtilage of 4 Blackwell Hill. Officers have re-consulted on the revised drawing. At the time of drafting the report no further representations had been received however the consultation period does not lapse until 11 August. In the event that any additional

representations are received these, along with any associated changes to the report / recommendation, will be report to Committee via the Addendum.

7. APPRAISAL

Design and Appearance

- 7.1 The proposed side extension would project approximately 3.9 metres from the original side wall and have an overall depth of about 9.93 metres. The proposed side extension would match the existing front elevation of the property and extend beyond the existing rear elevation of the original dwelling by about 3.3 metres. Therefore the proposal would not project beyond the existing rear building line of the detached garage. The proposed side extension would have a dual pitched roof with the eaves and ridge height matching the existing. In addition at ground floor level the proposed front elevation and part of the side elevation would be open in order to accommodate a vehicle.
- 7.2 The proposed rear conservatory would match the rear projection of the proposed two storey side extension and have a mono-pitched roof.
- 7.3 The proposed side extension could potentially have a visual impact upon the street scene particularly along Ladybridge Drive. However, this impact would be mitigated by the fact the proposed development would be set back from Ladybridge Drive by approximately 8.5 metres and be partially screened by an existing 1.8 metre high fence. Consequently the prominence and visual impact of the proposed side extension within the street scene would be reduced.
- 7.4 It is considered, therefore, that the siting, scale and massing of the proposed development would be in keeping with the character of the existing dwelling and would not have a detrimental impact upon the wider street scene.

Impact on Neighbours

- 7.5 The proposed two storey side extension would be located to the south east of the neighbouring property at 2 Blackwell Hill. Therefore the proposed siting and massing of the proposed side extension could potentially cause some overshadowing and have an overbearing impact upon the neighbouring property at 2 Blackwell Hill.
- 7.6 The proposed side extension would be positioned approximately 11 metres from the existing rear elevation of 2 Blackwell Hill. Although marginal, given the backdrop of the existing house and general orientation, the proposed relationship would not have a significantly greater impact on habitable rooms of No.2. While the proposed side extension would cause some overshadowing and loss of light to the rear garden of the adjoining neighbour at 2 Blackwell Hill, this overshadowing would only occur during the winter months in the

morning and in summer would not significantly impact upon the adjacent property any more than the existing dwelling. Furthermore any overshadowing and overbearing impacts would be mitigated by the fact that the dual to pitched roof of the proposed side extension slopes away from the rear boundary of the adjoining neighbour at 2 Blackwell Hill.

- 7.7 In light of the above it is considered that the impact upon residential amenity and the neighbouring properties, in terms of overshadowing and overbearing impacts, would not be significantly adverse so as warrant a refusal.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the proposed development would be in accordance with Policies E20 and H18 of the Northampton Local Plan (1997) and the Residential Extensions Design Guide as there would not be a significant impact on the street scene, residential amenity or the adjoining properties.

9. CONDITIONS

- 9.1 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) The external walls of the conservatory hereby approved shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

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

(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows shall be installed in the north western elevation of the proposed side 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 Application file N/2011/0622.

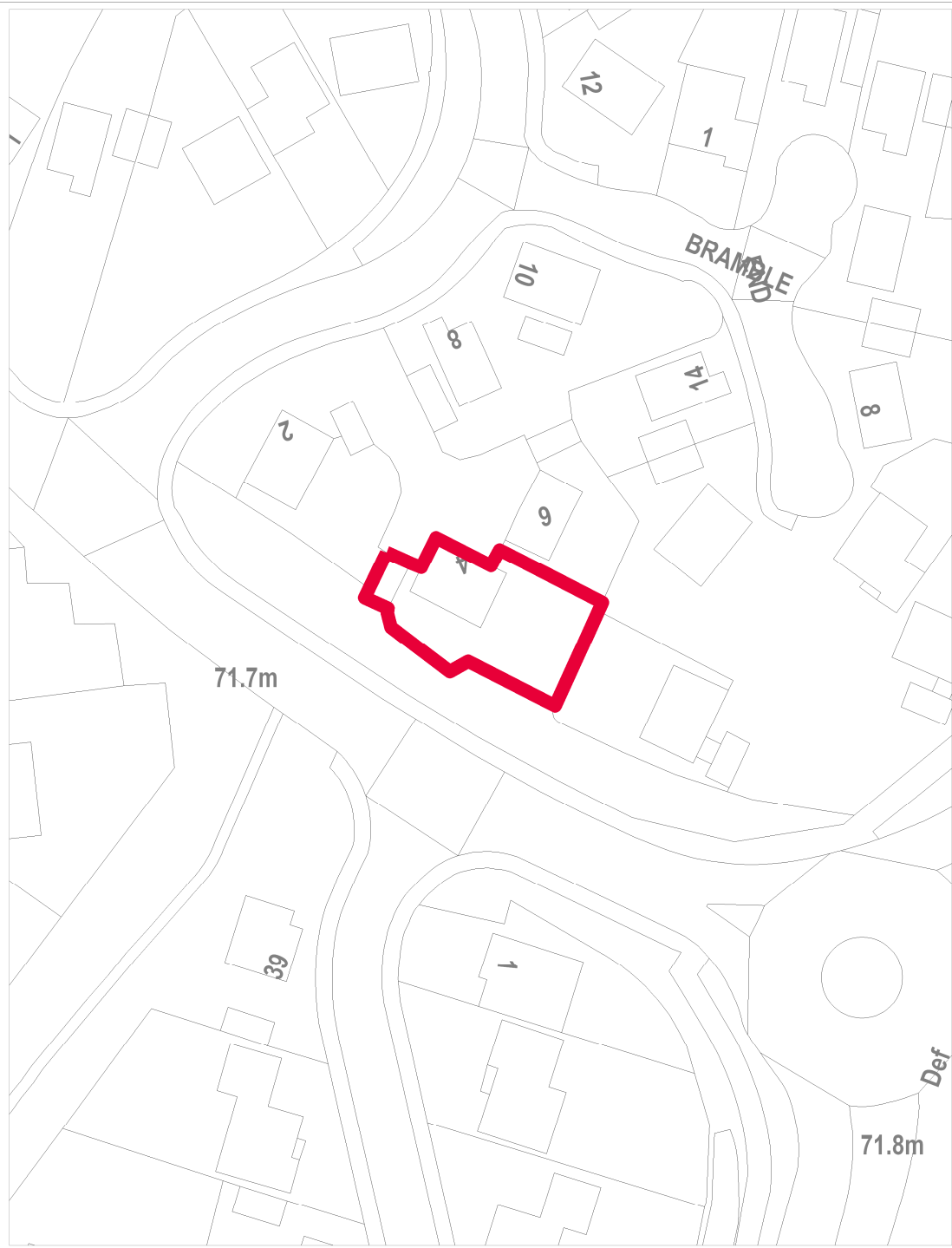
11. LEGAL IMPLICATIONS

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	02/08/2011
Development Control Manager Agreed:	Gareth Jones	02/08/2011



Name: LZ
 Date: 11th August 2011
 Scale: 1:500
 Dept: Planning
 Project: Site Location Plan

Title
4 Blackwell Hill

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PLANNING COMMITTEE: 23rd August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0694: Demolition of existing garage, erection of two storey front, rear and side extensions and erection of garage buildings to front of dwelling. Shalimar, Wellingborough Road, Northampton NN3 9BQ

WARD: Billing

APPLICANT: Mr Nilesh Parekh
AGENT: None

REFERRED BY: Head Of Planning
REASON: The applicant is a Borough Councillor

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL for the following reason:

The proposed development would have no adverse impact on the street scene or on the amenities of existing neighbouring residents. The proposal would therefore comply with Policies E20 and H18 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The proposal is to demolish the existing attached garage and extend the property to the front, side and rear, totally transforming the appearance of the property. The application differs from the previous approval in that it now includes the insertion of 2 solar water panels on the roof to the rear and includes the erection of a large detached garage on land to the front of the dwelling.

3. SITE DESCRIPTION

- 3.1 The site is located on the south east side of Wellingborough Road at the south west end of a cul-de-sac which serves 8 other properties. The site comprises a detached dwelling with large front and rear gardens. To the south west of the application site is a large area of currently undeveloped land beyond which lies the Pearce's factory..

4. PLANNING HISTORY

- 4.1 **98/0526** – Replacement garage and 2 storey side extension – Approved 24-09-1998
- 4.2 **N/2010/0793** - Two storey front, rear and side extensions, demolition of existing garage (as amended by revised plans dated 15th November, 2010) – Approved 19-11-2010

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:

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 3 – Housing

5.3 Northampton Borough Local Plan

E20 – New Development
H18 – Extensions

5.4 Supplementary Planning Guidance

Residential Extensions Design Guide

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Arboricultural Officer** - There is a band of trees within TPO e (G1) to the rear of the proposed garage. Following a site meeting it was agreed that tree protection barriers of 2 metres in height would be required to protect the underlying rooting areas. The submitted plan dated Aug 10 (revised 27/6/11) indicates where these barriers are to be located. I would recommend that this information is included as a condition..

6.2 **Billing Parish Council** – No comments received.

6.3 No representations received from neighbouring properties.

7. **APPRAISAL**

7.1 The issues to consider are the impact on the character and appearance of the street scene, and on the amenities of adjoining occupiers.

7.2 Properties within the cul-de-sac are individually designed and many have been extended. The cul-de-sac is largely screened from the main Wellingborough Road by trees and vegetation and the application site lies at a level 2-3 metres below the adjacent highway. The ground level of the existing dwelling is also 2 metres below that of the neighbouring property. The existing property is a chalet style dwelling with roof dormers and is faced in brick and hanging tiles.

7.3 The proposal to extend the property would totally alter the shape and appearance of the dwelling. It will be finished with white render with stone detailing and with aluminium door and window frames and guttering. The proposed property would be 3 metres higher than the existing.

7.4 As the property would be sited on a large plot and given the varied nature of the street scene it is not considered that any adverse visual impact would result from the proposed alterations.

7.5 The proposed dwelling would be sited 1.3 metres away from the boundary with the neighbouring property and with a ground level 2 metres lower. The neighbouring property has a garage and car port that adjoin the boundary with the application site. The proposed dwelling would not overlook or overshadow the neighbouring property due to the difference in ground levels and as there are no windows on the side elevations. Although the footprint of the proposed dwelling would extend 3 metres beyond the footprint of the existing this would only be 0.6 metres beyond the rear of the neighbours garage and would not adversely affect neighbouring amenity.

7.6 Originally a garage was proposed to be sited on land to the front of the dwelling but due to objections from the Arboricultural Officer regarding the impact on trees this element was omitted from the previous application.

7.7 Following the decision on the previous application a meeting was held with the applicant, the Arboricultural Officer and the Planning Officer which has resulted in the current application.

7.8 The proposal is now for a garage 12m wide and 6.06m deep. It will have a gabled roof 5m in height and be built of materials to match the proposed dwelling. The area where the garage is to be sited is

overgrown but there is a tree preservation order which covers some of the trees to the rear/side of the site. These will be protected during construction by a 2m high protective fence as agreed with the Arboricultural Officer and as required by condition.

- 7.9 Whilst the garage is large it will not be visible from Wellingborough Road due to the difference in levels and tree screening. A garage of a similar scale has been approved and partially built at a nearby property. The garage will not impact on neighbours in terms of overlooking or overshadowing. Shalimar is the end property in a cul-de-sac and at a lower level than all other properties in the cul-de-sac. The proposed garage will be partially obscured from view due to tree screening and in any event it's design, to match the proposed dwelling, is considered to be satisfactory. There is a turning area and off street parking for several cars at the site.

8. CONCLUSION

- 8.1 It is considered that due to its siting and design and the varied nature of the street scene, the proposed development would have no adverse impact on the street scene or on the amenities of existing neighbouring residents.

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) 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.

- (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 extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

- (4) The garage shall be used only for purposes incidental to and in connection with the use of the site as a dwellinghouse and no trade or business shall be carried out therefrom.

Reason: To protect the residential amenities of nearby properties in accordance with Policy H18 of the Northampton Local Plan.

- (5) All trees shown to be retained in the approved plans shall be protected for the duration of the development by a 2m high fence to be erected and maintained in accordance with the submitted plan no.10NP/07 REV. B before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials nor waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

- 10.1 Application files N/2011/0694, N/2010/0793

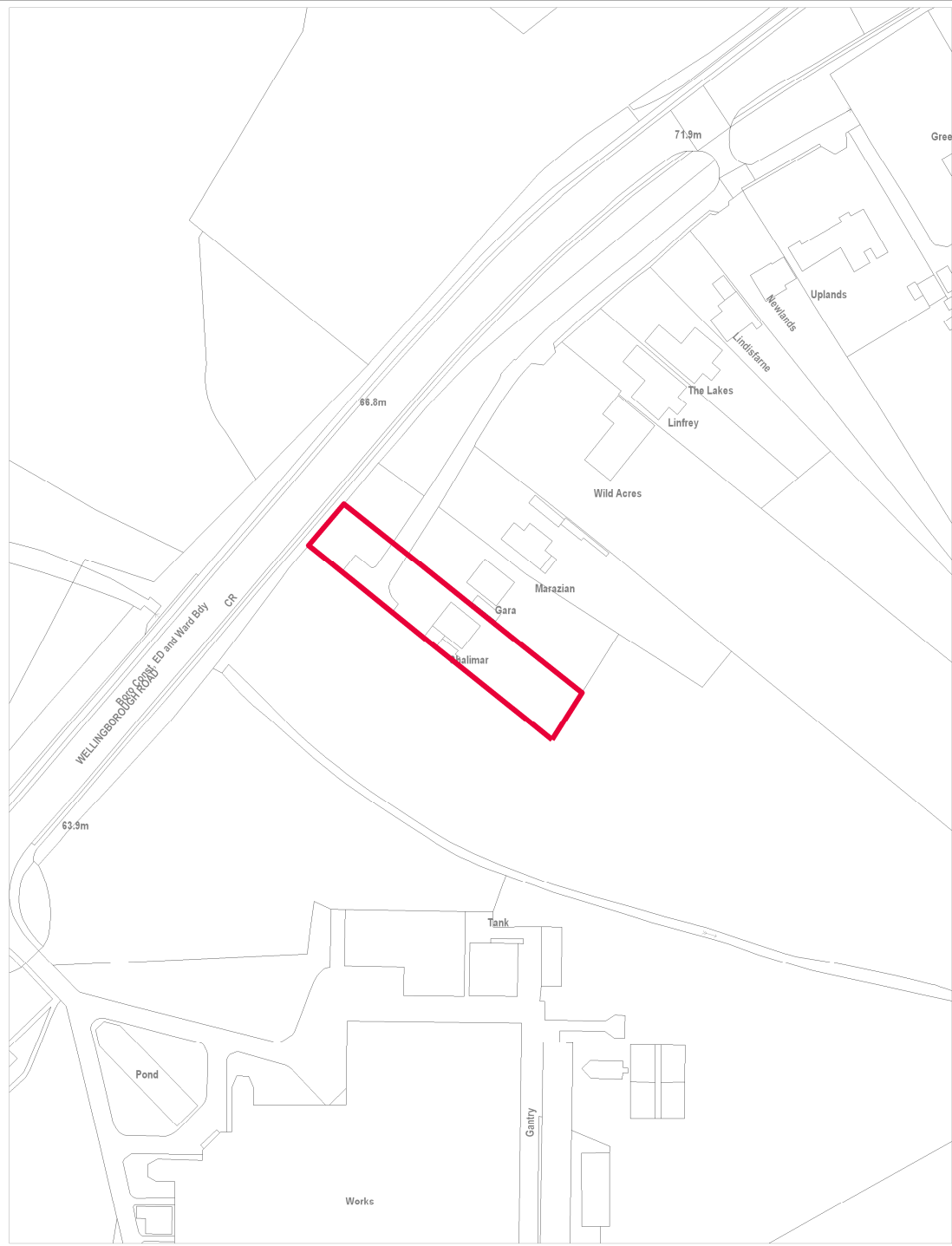
11. LEGAL IMPLICATIONS

- 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:	R Simpson	02/08/11
Principal Planning Officer Agreed:	A Holden	08/08/11



Name: LZ
 Date: 11th August 2011
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
Shalimar, Wellingborough Road

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PLANNING COMMITTEE: 23 August 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0558: Planning Application for a new road to link Nunn Mills Road with Ransome Road. The scheme incorporates three new bridges, including a single bridge over the existing rail crossing, together with improvements at the Bedford Road/Nunn Mills Road junction and reconfiguration to the existing public car parking located adjacent to Bedford Road. Nunn Mills Road/Ransome Road, Northampton

WARD: Delapre & Briar Hill

APPLICANT: West Northamptonshire Development Corporation
AGENT: Halcrow

REFERRED BY: Head Of Planning
REASON: Major Development

APPLICATION FOR CONSULTATION BY WNDC:

1. RECOMMENDATION

1.1 It is recommended that WNDC be advised that the Borough Council raises **NO OBJECTION TO THE PRINCIPLE** of the proposed development, provided that the issues below being fully addressed and the recommended planning conditions being attached to any grant of planning permission;

1.2 It is also recommended that should WNDC not give effect through planning conditions to the key areas of concern raised and agree to necessary S106 Planning Obligation to compensate for loss of open space in this report then the Head Of Planning be authorised to present the views of this Committee to the WNDC Northampton Planning Committee.

2. THE PROPOSAL

2.1 Applicant is seeking your Committees comments on a full planning application that seeks to provide a new highway connecting Ransome Rd with Nunn Mills Road.

- 2.2 Applicant seeks to provide a new highway connecting Ransome Rd with Nunn Mills Road to facilitate the larger regeneration of the area by opening up the locality for future commercial mixed use and residential developments. The entire route would have a length of 1.6 Km and would effectively provide a route linking Bedford Road with London Rd.
- 2.3 The intention is that the proposed development would be delivered in phases. An initial phase would involve upgrading the existing London Rd/Ransome Road junction and the specific upgrade of Ransome Road. Work on Ransome Road/London Road junction has commenced, this element forms part of a previous consent.
- 2.4 The current application relates to the second phase and seeks to specifically provide improvements to Nun Mills Road to provide a connection to Ransome Road. The proposal would also involve significant junction improvements at Bedford Road/ Nunn Mills Road.
- 2.5 The submitted scheme specifically includes two improvement schemes at the Bedford Road/Nunn Mills Road junction. These essentially seek to widen the road to improve traffic conditions at the junctions. Option one is considered to be an interim proposal and would involve being constructed initially and the second larger scheme would be constructed should future traffic growths request it.
- 2.6 Both of the proposed works involve the following works;
- An extended left turn lane from Bedford Road and:
 - An additional lane on Nunn Mills Road heading northwards over the river bridge
 - An additional left turn filter lane on Nunn Mills Road northbound, taken out of the signals, forming a give way priority with Bedford Road westbound.
- 2.7 The key difference between the first interim option and final stages of the proposed Bedford Rd westbound and Nunn Mills Road junction road design would be that in the initial phase would be the removal of the left turn filter lanes from Bedford Rd westbound and Nunn Mills Road northbound.
- 2.8 The interim improvement scheme is seeking to create a compact junction with reduced delays to pedestrians and cyclists and also seeks to minimise the amount of land taken up at the junction. Following advice from the Borough Council, further revised plans have been submitted to take the development way from Becketts Park and ensure that the existing mature trees, which align the boundary of the site, are retained.
- 2.9 The need for the final and second phase would therefore be re – assessed in the future.
- 2.10 The submitted proposal includes the following other key elements which would form part of the proposed works;

- The existing pay and display car park off Bedford adjacent to Midsummer Meadow would be extended into the open space and the existing access off Nunn Mills/Bedford Road junction would be closed and a new vehicular access would be provided off Bedford Road. The additional parking would utilise a grasscrete or reinforced grass involving a permeable plastic grid to minimise the paved area to the area.
- The width of Nunn Mills Road would be reduced between the Avon access and Ransome from 7.3 to 6.5m to provide a lower grade road. The speed limit at this part would be reduced from 30mph to 20 mph.
- A new bridge (Ransome Road Bridge) would be provided for access across the existing railway track. This would consist of 3 spans with a length of 47 m and constructed from pre cast concrete slabs. External features would include headwalls and parapets features. The bridge would contain brick arches as a feature. It would have a maximum height of 10.2 m, which includes 1.8 high parapets, and have a total length of approx 69 m.
- To meet with new highway standards a new replacement bridge (River Nene Bridge) is also proposed for the existing River Nene Bridge. This would span over the abutments/foundations of the existing bridge and designed to provide maximum clearance during periods of heavy flooding.
- Vehicular access to the Avon and Nunn Mills development sites would be provided via a new roundabout on Nunn Mills Road.
- Alterations in connection with the existing sluice gate bridge would involve the replacement of a small portion of the existing structure and the remaining part of the bridge remaining untouched. A dedicated vehicular access is to be also provided to enable the Environment Agency to maintain the sluice.
- Creation of a mini roundabout along Nunn Mills Rd to facilitate other junctions and open up the site and to allow for large vehicles to turn and manoeuvre.
- Environmental Improvements to the eastern section of Ransome Road.
- Development access to service existing uses on Nunn Mills Road.
- A new footpath and cycle path will be provided along the link route and this would involve part of the existing cycle/footpath outside the Avon site being realigned.
- Provision of a Mini roundabout at Nunn Mills Road to connect to Ransome Road.

2.11 With regard to drainage related matters, details have been submitted which relates to the drainage strategy, which includes storm water run off from neighbouring road catchments. The attenuation facilities would be sized to accommodate the increased run off which would ensure that the effect of the proposed road works on receiving water courses is no greater than at present, and takes into effect the impact of climate change. The road drainage design would cover any culverts required below the roadway to maintain connectivity with existing watercourses and those needed to serve future developments.

- 2.12 The proposal has been amended following discussions with your Borough Councils Officers the key changes include the submission of a Heritage Report and changes to the alterations to Bedford Road/Nunn Mills Road junction affecting Becket's Park and the Midsummer Meadow car park. The proposal has been revised to minimise the effect on Becket's Park and ensure the protection of major trees
- 2.13 The new road along Nunn Mills road would provide a 7.3 m wide carriageway between Bedford Road and Avon with a maximum speed limit of 30 mph. A 6.5m wide carriageway with a speed restriction of 20 mph would be provided between the Avon access and Ransome Road. The layout of the Nunn Mills Road/Ransome Road has been altered to provide a mini roundabout.
- 2.14 The application is accompanied with a Planning, Design and Access Statement, Transportation Assessment, Ecological Reports, Landscape and Visual Impact Assessment, Ecological Reports and a Phase 1 Geo – Environmental Audit. A Tree Survey and Methodology were separated on the 2 August and a Heritage Statement was submitted on 4 August, along with revised details plans.

3. SITE DESCRIPTION

- 3.1 The site lies to the south east of the town centre and covers an area of approximately 10 hectares. Vehicular access to the site is gained through Ransome Road from the South and Bedford Road to the north. The southern half of the site containing Ransome Road is presently disconnected from Nunn Mills Road and abuts the boundary of Delapre Conservation Area and the grounds of Delapre Abbey (Convent of St Mary De La Pré) which is listed Grade II*. Its Stable Block, Billiard Room, Garden Wall and Gateway, Game Larder, Coach House and Park House are recognised for their group value and listed Grade II.
- 3.2 The northern part of the site contains Nunn Mills Road, which is accessed off Bedford Road and is currently flanked by Becket's Road and Midsummer Meadow. Nunn Mills Road currently serves the former Power Station and the Avon Offices Head Quarters. Along the northern edge the River Nene flows through the northern part of the site under a road bridge and a sluice bridge on Nunn Mills Road.
- 3.3 The eastern and southern boundaries of the site run along the boundary of a designated Battlefield (Battle of Northampton - 1460).
- 3.4 The immediate area is industrial/commercial in nature, which includes a railway goods yard which crosses the. There is a former railway locomotive shed, constructed in 1873, which is listed Grade II. This building is located to the west of the development site and, now disused. The building is a rare example of a Midland Railway locomotive shed.

4. RELEVANT PLANNING HISTORY

07/0406/FUL/WNN Planning Application for construction of an access road from Bedford Road to the former Nunn Mills Power Station and Avon office sites was submitted by Persimmon Homes and Taylor Wimpey in December 2007. This was granted planning permission by WNDG granted in December 2008.

This consent included an improvement scheme at the Bedford Road/Nunn Mills Road Junction. This allowed for a signal-controlled junction to be provided.

WN/2006/0014 Outline Planning application for Mixed Use Development, incorporating residential, community facilities, local leisure and retail centre, plus access arrangements at Bedford Road and Southbridge Road, at Land at Avon and Nunn Mills. Resolution to grant planning permission given in January 2007 subject to the completion of S106.

The resolution involved planning permission for up to 1,250 dwellings, however only 650 dwellings can be delivered prior to the link being provided.

WN/2006/0016 Planning application for 800 Residential units, community facilities and associated development, access improvements and retention of operational railway line at land off Ransome Road. Resolution to grant planning permission given in January 2007 subject to the completion of S106.

However only 450 dwellings can be delivered prior to the opening of the link between Nunn Mills Road and Ransome Rd.

WN/2006/0171 Demolition of existing buildings and erection of five storey office building, new access, lower ground, decked and small surface level car park, landscaping and associated infrastructure works at Avon Cosmetics site, Nunn Mills Road. Planning permission granted 20 December 2007

5. PLANNING POLICY

5.1 Development Plan

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

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

5.2 **National Policies:**

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement 5 – Planning for the Historic Environment

Planning Policy Statement 9 - Biodiversity

Planning Policy Statement 23 -Planning and Pollution Control

Planning Policy Guidance 13 – Transportation

Planning Policy Guidance 24 - Planning and Noise

The Draft National Planning Policy Framework has recently been published and is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgment in each particular case.

5.3 **Northampton Borough Local Plan**

E6 - Green Space Policy

E20 – New Development

D17- Southbridge Area

The Southbridge Area policy states planning permission will be granted for a mixed use development and also retail uses at the Power Station site, all subject to the necessary infrastructure being provided.

5.4 **Supplementary Planning Guidance**

Planning out Crime in Northamptonshire SPG 2004

Nene Meadows Masterplan Nov 2010.

6.0 **Other Policy Considerations**

Planning Policy Statement: Ransome Rd/Nunn Mills Development Area (2003)

6.1 The Statement confirms the preferred form of development that the Borough Council expects to take place in the area as a pre – cursor to a formal Action Plan. It proposed that an Action Plan would form part of the New Local Development Framework for Northampton. On transportation matters for the development of the site it identified the following elements.

- Necessity for a road link between Bedford Road and London Road, necessary junction improvements and the construction of a bridge over the railway;
- Provision of public transport service between Eagle Drive and Ransome Road (subject to a need being established);
- A pedestrian bridge between the two sites and measures to promote sustainable modes of transport to the railway station and town centre;
- Provision of a public riverside walkway/cycle paths connecting existing developments and improved cycle links to Hardingstone and Brackmills and
- Measures to safeguard the rail line and a site for a new station

Northampton Central Area Action Plan Pre Submission Draft 2010

6.2 Policy 29 The Waterside: Avon Nunn Mills/Ransome Road recognises the site should be developed in a comprehensive and complementary manner to function as a new unified community. On Transportation related matters this includes the following objectives;

- Inclusion of a continuous street between Bedford Road and London Road designed not to encourage through traffic from the wider radial route and respect the wider residential character;
- Provide two new junctions at Cotton End/London Rd and Nunn Mills Road/Bedford Road that create good townscape and give priority to pedestrian and cyclists;
- Support improved public transport connectivity
- In the case of the Nunn Mills/Bedford junction it should respect the historic integrity of Becketts Park and its assets including its boundary walls and mature trees;
- Proposal should encourage suitable access to Delapre Lake, the Abbey and its environs.

Avon Mills Development Parameters Draft June 2011

6.3 This draft documents sets out various options on how the site can be sensibly developed and identifies key qualities and characteristics which would lead to the creation of a successful community and delivering a flagship mixed use development and in turn contribute to the wider growth and regeneration of

Northampton. The intention is that eventually this document will be adopted by the Borough Council as Supplementary Planning Document following discussion and consultation with the landowners and subject to the usual consultation as set out in the Council's Statement of Community Involvement.

7 THE SCHEME

- 7.1 The proposal is considered essential and acknowledged in both the Northampton Local Plan and the Central Area Action Plan that the appropriate road infrastructure should be provided to ensure that proper access is considered to maximise the potential land use available. The Central Area Action Plan sets out development principles to guide the scheme. It has always been envisaged that the Avon, Nunn Mills Road/Ransome Road site would be bought forward in a comprehensive manner.
- 7.2 WNDC has been negotiating with and is intending to help bring the site forward by promoting a Compulsory Purchase Order to ensure that the road infrastructure is provided in a proper and phased manner. However, by bringing the application for the road link forward in advance of a comprehensive master plan and development framework, a number of fundamental deficiencies are inherent in the scheme as a direct result of the road being bought forward as a stand alone infrastructure scheme.
- 7.3 Notwithstanding this, it is considered that given proper planning consideration to the key elements of the scheme and ensuring that proper safeguards are imposed through the recommended planning conditions being attached than this proposal can be supported.

8. KEY CONSIDERATIONS

TRANSPORTATION

- 8.1 The County Highway Authority should be satisfied that the solutions proposed to the improvements to the highway network are satisfactory both in highway safety and environmental terms and proactively seek to ensure compliance with the aims and objectives of Manual for Streets 1 & 2 and take into account the potential impact of the development in other locations associated with the growth agenda in a sustainable manner;
- 8.2 The proposed road link has been grossly engineered and does not reflect contemporary thinking in highway development and government policy. A Design Audit should be carried out and submitted to the Borough Council to demonstrate and ensure that the development accords with the advice in Department For Transport Manual For Streets 1 and Manual For Streets 2;
- 8.3 Details of all the pedestrian and cycles routes in terms of layout and desire lines being submitted, agreed with the Borough Council and delivered to a high standard. Details to include the design of street lighting, signage and other associated street furniture being agreed prior to their implementation;

- 8.4 That further consideration is given to changing the design of the railway bridge crossing the disused railway line in terms of its size, design, materials and external appearance and if applicable further changes and details be submitted and agreed to improve the appearance of the proposed bridge in terms of its effect on local heritage assets and terms of its materials and external appearance. The bridge should be well designed and of a residential scale;
- 8.5 Ensure the design of the proposed link road promotes and supports future buildings sited to enable a strong development active frontages being provided and ensure the design of the road facilitates and promotes an integrated network of streets and spaces;
- 8.6 Design the proposal to promote a new continuous residential street level site between Bedford Road and London Road designed not to encourage through traffic from the surrounding radial route ways that is consistent with the predominantly residential character of the locality.

FLOODING & DRAINAGE MATTERS

- 8.7 The Environment Agency should be satisfied that the development would not put existing and future potential occupiers in the vicinity at an unacceptable risk from flooding, or unacceptably increase the risk of flooding within the catchment of the River Nene and its tributaries, or adversely affect water quality;
- 8.8 Further details being submitted to the Borough Council and agreed on a sustainable urban drainage approach and all necessary mitigation measures are provided and maintained as fit for purpose in perpetuity. Swales should not be used as part of the drainage network on areas directly along the route of Nunn Mills Road and underground storm cells provided. Placing swales at this site would use up valuable development land and result in a poor urban design solution.

HERITAGE

- 8.9 Further details being submitted to the Borough Council to enable the impact on the Heritage Assets to be fully considered. In particular the relationship of the proposed railway bridge in terms of height and appearance on the setting of the nearby former railway locomotive shed, which is listed Grade II. The bridge should be of a residential scale and respect it's setting. A building condition survey on the listed building should be provided.

IMPACT ON TREES, LANDSCAPE AND OPEN SPACE

- 8.10 Safeguarding mitigation measures are provided with advice from the Borough Council to protect matures trees indicated for retention on Becketts Park and where appropriate replacement tree planting is provided;
- 8.11 Enhanced landscaping details are provided to the Borough Council, particularly relating to the Midsummer Meadow open space car parking area both within the existing car park and around it, including the Bedford

Road/Nunn Mills Road Junction to improve the approach from a major route way in addition to the extended car parking area;

- 8.12 The completion of a Section 106 Planning Obligation requiring compensatory provision for the loss of open space at Midsummer Meadow in connection with the revised parking.
- 8.13 That the development actively promotes a green corridor and a strong landscape framework to facilitate the linking of streets and spaces and semi matures trees are planted along the route of the proposed link road.

9. RECOMMENDED CONDITIONS

- 9.1 The following key areas are recommended for inclusion as conditions in the event that WNDC are minded to approve the application in addition to the completion of S106 Planning Obligation to provide compensation for the loss of open space. The Head of Planning be authorised to agree the detailed wording of such conditions with the applicant.
 - (1) No development shall commence until details of all hard and/or soft landscape works landscaping for the site have been submitted, which shall include details of the types, sizes, locations of the planting of semi – mature trees along Nunn Mills Road have been submitted to the Borough Council for agreement;
 - (2) A landscape management and maintenance plan, including a survey of the existing landscape and its condition, long term design objectives, management responsibilities and maintenance operations for all landscape be submitted to the Borough Council for agreement;
 - (3) No development shall take place until a masterplan for the site development has been submitted to the Borough Council for agreement;
 - (4) No development shall take place until details of measures to be taken to prevent spoil/mud from vehicles leaving the site during the construction works being deposited on the public highway have been submitted to the Borough Council for agreement.
 - (5) No development shall take place until full details of the proposed boundary treatment of the site have been submitted to the Borough Council for agreement;
 - (6) No development shall commence until a full construction details of the highway adjacent to Becketts Park at a scale of 1:200 and details of tree protection measures during the construction have been submitted to the Borough Council for agreement;
 - (7) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context, including alternative attenuation measures have been provided for the swales indicated along Nunn Mills Road of the development, have been submitted to the Borough Council for agreement;

- (8) No consent is granted for the drainage details relating to swales indicated along Nunn Mills Rd;
- (9) No development shall take place until a detailed design audit has been carried out to demonstrate accordance with Transport Manual For Streets 1 & 2 and submitted to the Borough Council for agreement;
- (10) No development shall take place until a desktop study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Borough Council for agreement;
- (11) Details including routes and siting of all the pedestrian and cycle routes shall be submitted to the Borough Council for agreement.
- (12) Details of the design and siting of all signage, street furniture, lighting and street furniture and CCTV provision shall be submitted to the Borough Council for agreement.
- (13) A further comprehensive detailed Heritage Assessment and Buildings condition survey on the listed Railway Locomotive Shed shall be submitted to the Borough Council for agreement.
- (14) Revised details of the design of Ransome Road Bridge, including materials, elevational details, height and length shall be submitted to the Borough Council for agreement.
- (15) No development shall take place until a written scheme of investigation for archaeological observation and recording during development shall be submitted to the Borough Council for agreement.
- (16) No development shall take place until all necessary consents, licenses, permits or agreements have been completed or obtained in respect of the proposed development.

10. CONCLUSION

- 10.1 The Avon/Nunn Mills/ Ransome Road site is an area of extensive area of vacant, derelict under utilized land of approximately 41 hectares in close proximity to the town centre. The site has been subject to a number of planning applications and master planning objectives. The principle of the development is consistent with the existing National and Local Framework policies. If the proposal were to be redesigned in accordance with good planning standards and therefore revised, it would have the potential to facilitate the larger regeneration of the area by opening up the locality for future commercial mixed use and residential developments leading to the creation of mixed-use sustainable neighbourhood.

11. BACKGROUND PAPERS

- 10.1 Initial Planning Submission and Ecological Reports, Heritage Statement and revised plans received 5 August 2011.

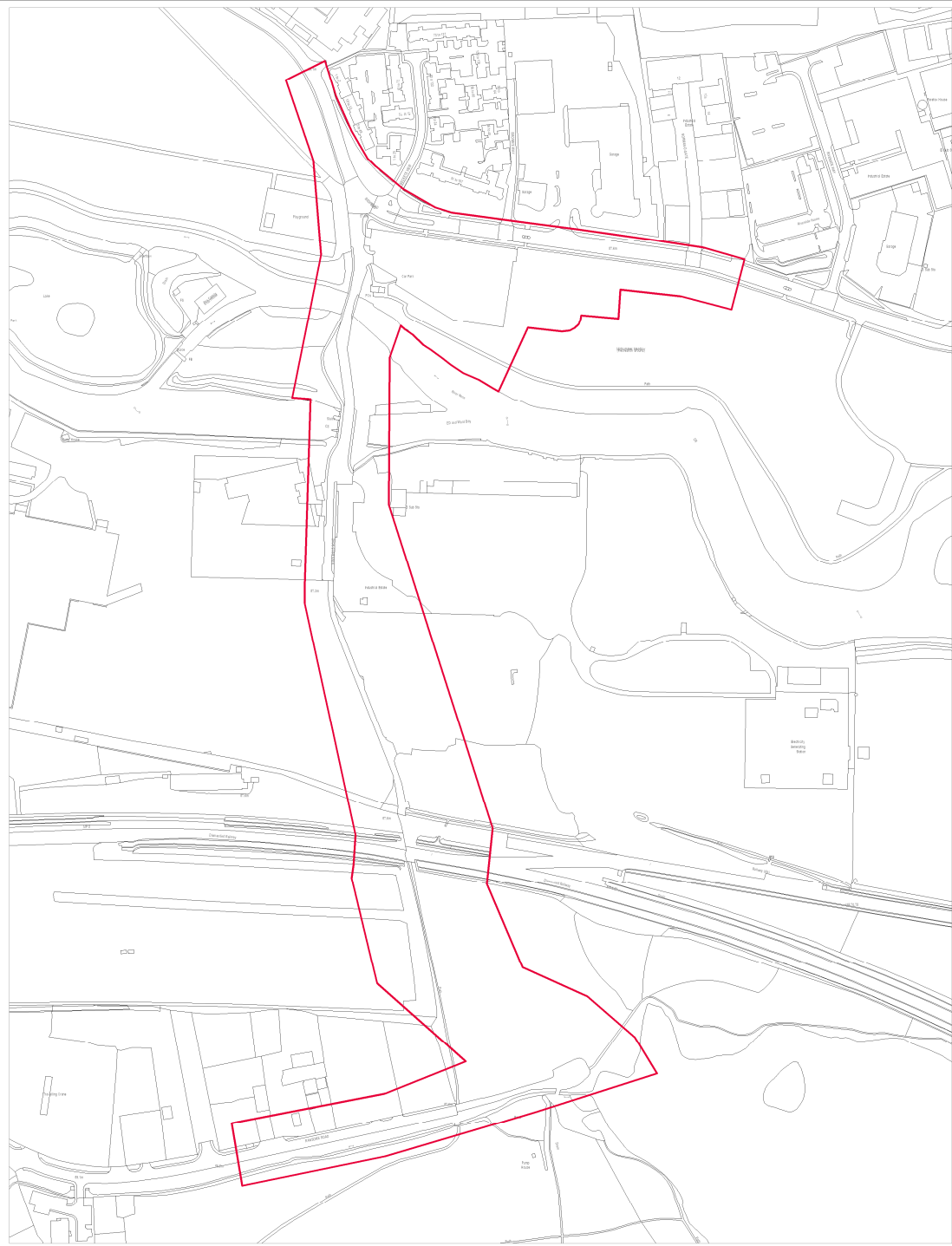
12. LEGAL IMPLICATIONS

11.1 None identified

13. SUMMARY AND LINKS TO CORPORATE PLAN

13.1 In considering the proposal regard has been given to securing the wider regeneration objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

Position:	Name/Signature:	Date:
Author:	Reddy Nallamilli	12/8/2011
Head Of Planning Services Agreed:	Susan Bridge	12/8/2011



Name: SW
Date: 11th August 2011
Scale: 1:3500
Dept: Planning
Project: Site Location Plan

Title

Nunn Mills Road

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