

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, 13 DECEMBER 2011 AT 6:00 PM.

D. KENNEDY
CHIEF EXECUTIVE

AGENDA

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
- 6. LIST OF CURRENT APPEALS AND INQUIRIES
Report of Head of Planning (copy herewith) A.
HOLDEN
X 8466
7. OTHER REPORTS
None.
8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
None
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
(A) N/2011/1001- NEW SHOP FRONT TO 140 ST JAMES ROAD J. MOORE
X 8345
Report of Head of Planning
(copy herewith)
Ward: St James
10. ITEMS FOR DETERMINATION
An Addendum of further information considered by the Committee is attached.
(A) N/2011/0458- ERECTION OF 3NO BED DWELLING G. WYATT
(ATTACHED) AND ERECTION OF PITCHED ROOF TO X 8912
THE EXISTING GARAGE (AS AMENDED BY REVISED
PLAN RECEIVED 25 OCTOBER 2011) AT 1 ANSELL WAY,
HARDINGSTONE
Report of Head of Planning
(copy herewith)
Ward: Nene Valley

- (B) N/2011/889- ERECTION OF 4 TWO-BEDROOMED DWELLINGHOUSES AND CAR PARKING AT LAND AT REAR OF 32-38 NORTHWOOD ROAD
- Report of Head of Planning
(copy herewith)
- R.
NALLAMIL
LI
X 8161

Ward: Headlands

- (C) N/2011/1003- CHANGE OF USE FROM COMMUNITY CENTRE (USE CLASS D2) TO TATTOO STUDIO (USE CLASS SUI GENERIS) AT 11 CORONATION COURT, ASHBROW ROAD
- Report of Head of Planning
(copy herewith)
- A.
HOLDEN
X 8466

Ward: Delapre and Briar Hill

- (D) N/2011/1062- ERECTION OF 5NO 3 BED TERRACED HOUSES WITH ASSOCIATED ACCESS AND PARKING (AS AMENDED BY REVISED PLANS RECEIVED ON 29 NOVEMBER 2011) AT EASTERN DISTRICT SOCIAL CLUB, CRESTWOOD ROAD
- Report of Head of Planning
(copy herewith)
- R.
SIMPSON
X 7848

Ward: Talavera

11. ENFORCEMENT MATTERS

None

12. APPLICATIONS FOR CONSULTATION

- (A) N/2011/1074- DEMOLITION OF EXISTING BECTIVE WORKS AND JEBEZ HOUSE AND THE ERECTION OF 406NO STUDENT ACCOMMODATION BUILDING INCORPORATING A 288SQM RETAIL UNIT, 17NO SPACE LOWER GROUND FLOOR CAR PARK AND SERVICING SPACE; NEW VEHICULAR AND PEDESTRIAN ACCESS AND LANDSCAPING: ALTERATION, RESTORATION AND EXTENSION OF ENTERPRISE HOUSE FOR STUDENT COMMUNITY USE: BECTIVE WORKS, BECTIVE ROAD, NORTHAMPTON
- Report of Head of Planning
(copy herewith)
- B.
CLARKE
X 8916

Ward: Sunneyside

- (B) N/2011/1147- ERECTION OF SIX STOREY OFFICE BUILDING (USE CLASS B1) WITH THREE DISABLED PARKING SPACES, SERVICE BAY, CYCLE PARKING AND ASSOCIATED LANDSCAPING AT FORMER UNITED SOCIAL CLUB SITE, GREEN STREET, NORTHAMPTON
- Report of Head of Planning
(copy herewith)
- B.
CLARKE
X 8916

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>
A6796

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 15 November 2011

PRESENT: Councillor Flavell (Chair); Councillor Yates (Deputy Chair);
Councillors Aziz, N Choudary, Davies, Golby, Hallam, Hibbert, ,
Mason, Meredith and Oldham

1. APOLOGIES

Apologies for absence were received from Councillor Lynch.

2. MINUTES

The minutes of the meeting held on 18 October 2011 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: Messrs Davidson, Costello and Robeson, Mrs Gosling and Councillor Larratt be granted leave to address the Committee in respect of application no. N/2011/0323.

That Councillor Wire and Mr Croucher be granted leave to address the Committee in respect of application no. N/2011/0504.

That Mrs Biddle, Ms Wenham and Mr Ay be granted leave to address the Committee in respect of application no. N/2011/0928.

That Mr Rawlings be granted leave to address the Committee in respect of application no. N/2011/0865.

4. DECLARATIONS OF INTEREST

Councillor Oldham declared a Personal and Prejudicial interest in item 10a-N/2011/0323 as having publicly expressed an opinion on this application.

Councillor Golby declared a Personal and Prejudicial interest in Item 12a – Application for Consultation N/2011/0865 as a member of WNDC's Northampton Planning Committee.

Councillor Hallam declared a Personal non-prejudicial interest in Item 12a – Application for Consultation N/2011/0865 as a substitute member of WNDC’s Northampton Planning Committee.

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 the List of Current Appeals and Inquiries and elaborated thereon. He referred to the appeal of application N/2011/0195 that had been allowed by a Planning Inspector. He also referred to the decision in respect of N/2011/0195, which had been dismissed. He reminded members of the Committee that this planning application had been refused by the Committee against the officers’ recommendation and encouraged members to review the Inspector’s decision. It was noted that since the report had been prepared the appeal, in respect of N/2011/0270 had been dismissed

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/2011/0323-ENHANCEMENT OF MEREWAY CENTRE INCLUDING AN EXTENSION TO THE EXISTING FOOD STORE, ERECTION OF A NEW NON-FOOD RETAIL UNIT (AS REPLACEMENT FOR THE LOSS OF AN EXISTING UNIT), NEW BUS WAITING FACILITY, PROVISION OF NEW PEDESTRIAN FOOTPATHS, LANDSCAPE WORKS, LIGHTING WORKS AND REVISIONS TO THE CAR PARK LAYOUT AT TESCO SUPERSTORE HUNSBURY CENTRE, CLANNELL ROAD**

Councillor Oldham left the meeting in accordance with his declaration of interest given earlier in the meeting.

The Head of Planning submitted a report in respect of application number N/2011/0323, elaborated thereon and referred to the Addendum that included additional representations from objectors and should have included a reference to a representation from County Councillor Gonzalez de Savage. He reminded the Committee of the extensive discussions to date, the proposals, and what changes had been made, since the application had been refused at the Committee meeting

held on the 18th October 2011. It was noted that the Committee's previous concerns related to highways issues, especially traffic and pedestrian safety implications of the proposed change in vehicular access for Dot.com and the location and nature of an enlarged and traffic light controlled entrance to the Tesco Store from Clannell Road, both of which had been substantially revised by Tesco's.

Councillor Larratt, as Ward Councillor, commented that he was pleased Tesco's had made steps to improve the application. However, he confirmed that he was still concerned about litter and the landscape. He reported that the Highway Agency agreed that there was a need for a Section 106 agreement. He explained that his main concern was the revised access; especially the proximity to 28 Falconers Rise, which was already close to the highway. The problems would be further exacerbated by the installation of traffic lights and suggested that a roundabout or 'dog-leg' road be implemented and should the application be approved the Highway Authority be asked to consider this.

Mr Davidson, a resident of Falconers Rise, commented that he objected to the proposed installation of traffic lights and the location of the recycling facilities. Referring to other properties on Falconers Rise, he commented that the gardens of the properties acted as a buffer zone. However, his bungalow was directly opposite the proposed junction, which would be less than 2 metres from his bedroom window and the traffic lights within 1.5 metres. He commented that the location of the recycling centre was to allow for easy access of recycling vehicles to the M1 and he also expressed concern that the revised access would encourage rat running through the car park to / from the Mereway roundabout; the problem would only get worse and he requested that the exit be closed off completely.

Mr Costello reported that the position of Wootton and East Hunsbury Parish Council remained the same and they wanted the Committee to reject the application. He commented that the site had been described as a 'major development' and argued that as such, should not be developed further in a residential area. He noted that some of the amendments had gone some way to address the concerns of residents, but that they were not enough. He questioned the viability of the increase in floor space compared to the increase in actual retail space and asked the Committee to refuse the application.

Councillor Eldred, as Ward Councillor, commented that one of the main reasons for the application being refused last time was on the grounds of the anticipated increase in commercial vehicle movements in Sandhurst Close, this would still go ahead if the revised application was approved. He commented that there would be a large increase in traffic as it was suggested that there would be 137 extra deliveries per week and the close proximity to Danes Camp Leisure Centre posed an increase risk to children using these facilities. He further commented that not everyone had been informed of the 21-day consultation and thus some residents had not had enough time to look at the revised plans. The influx of extra traffic, the dangers that this posed to children and the original refusal, which related to concerns regarding Sandhurst Close, were further reasons for the Committee to again refuse the application.

Mr Robeson, the Agent on behalf of Tesco's, commented that should the junction on Clannell Road be moved further west, further advice would be needed from the

Highway Authority. Referring to the proposed yellow box in Clannell Road, Mr Robeson commented that this remained a possibility and funding would be made available for monitoring the need for it. He further commented that having a roundabout, instead of traffic lights at the junction with Falconers Rise would increase the potential for the road being used as a 'rat-run' and therefore would be less safe for pedestrians and residents. He noted that another consequence of the installation of a round-about would be the loss of approximately 100 metres of landscaping on the site, which would, once re-landscaped, take up to 10 years to re-grow. He commented that the access on to Sandhurst Close would not have a measurable impact and he further explained that the amendments made to the proposed application had been considered following dialogue with the local community.

In response to questions asked by the Committee, Mr Robeson explained that discussions and consultations with local residents had been ongoing for two years. He also stated that by relocating the dot.com business, as now proposed the landscaping could be reinforced adjacent to Sandhurst Close. Mr Robeson stated that if the Committee felt it necessary, a further condition to the application could be included to allow signage to be erected at Sandhurst Close, which would clarify the restricted vehicular access restrict access.

Mrs Gosling on behalf of Tesco's commented that the store was very busy and that the application was about increasing the service that it offered to its customers. She stated that it was a necessity to expand and they were committed to improving the local land and area and that Tesco's had spent over 2 years consulting with the community. In response to concerns previously expressed about litter, she stated that the manager of Tesco's had agreed to extend the area cleaned and inspected by Tesco's even though this was not a planning requirement. She explained the Tesco's were committed to investing over £1 million to the development and would sign legal agreements to this effect.

In response to questions, Mrs Gosling explained that the application was about providing a better service to customers due to overtrading and therefore there was a simply a question of expansion. In relation to the recycling vehicle access, she explained that there were two accesses that could adequately be used.

The Head of Planning referred to the photograph of Mr Davidson's bungalow and whilst expression sympathy for him, explained that it was not unusual to have traffic lights so close to a house. He commented that members might wish to consider conditions over and above those already recommended.

The Committee discussed the application.

RESOLVED: That the application be approved for the reason set out below, subject to the conditions set out in the appendix to the report and any additional conditions considered necessary by the Head of Planning in liaison with the Chair of Planning Committee and, with an informative note regarding the applicant's duties under the Wildlife and Countryside Act; subject to prior completion of planning obligations on terms acceptable to the Council's Head of Planning and the Borough Solicitor within three calendar months of the

resolution to so grant conditional planning permission. In brief, the relevant planning obligations should address:

- a) Notwithstanding the proposed internal floor uses indicated on submitted drawings; the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and the Town and Country Planning (Use Classes) Order 1987 (as amended) or, any future enactments to similar effect, the net retail sales area within the proposed major store as proposed to be enlarged shall at no time exceed 7,894 sq metres. In addition, the net retail sales area used for the display and sale of all goods other than “convenience goods” shall at no time exceed 3,470 sq metres.
- b) Prior to the new element of the enlarged building being brought into use, an agreed payment for the enhancement of cycle routes which link the Tesco Mereway store to other destinations within 1.7 kilometres of the application site. And,
- c) Prior to the bringing into use of the new road access from Sandhurst Close being brought into use, an agreed payment to Northampton County Council to be used to enact and implement measures to prevent future on-street parking congestion on Sandhurst Close and, the installation of a suitably located pedestrian crossing. And,
- d) Prior to the new element of the enlarged building being brought into use, the Applicant shall make a payment to Northampton CC for the better provision of public bus services to and from the Development. Such services to be as considered appropriate by NCC. And,
- e) Prior to the new element of the enlarged building being brought into use, an agreed and scaled payment will be made towards local fire and rescue service infrastructure costs to reflect the net additional floor space proposed. And,
- f) With effect from the date of the relevant planning permission, Tesco shall use reasonable endeavours to establish and facilitate a landowners’ and operators (including bus operators) forum (“The Mereway Forum”). That Forum will drive forward initiatives to better use existing and improved facilities. Membership of the Forum should be limited to owners and operators within Mereway as defined above. The public and other relevant parties may, as appropriate, be invited to its meetings. The Forum will liaise with and consult with statutory and other stakeholders (for example the Borough Council, the County Council, the West Northamptonshire Development Corporation and Parish Councils on matters that involve their roles and functions as those relate to Mereway Forum). The Forum would expect to be consulted by those bodies on initiatives being brought forward that directly or indirectly affect the operation of the Mereway Forum and its constituent operators. Tesco will fund and facilitate meetings for a

period of no less than five years; providing meeting accommodation and a secretariat, using all reasonable endeavours to ensure that the future Mereway Forum meet not less than three times a year. And,

g) Prior to occupation of the enlarged development as hereby permitted, Tesco shall prepare and submit to Northampton Borough Council, the Wootton and East Hunsbury Parish Council and the future Mereway Forum, a written Method Statement describing management measures, waste bins and other measures which shall be implemented to routinely and frequently cleanse and remove litter and detritus from the exterior of the application site and its wider environs (including the car park, peripheral landscaped areas and nearby pedestrian routes). And,

h) From the commencement of new development Tesco shall fund, manage and proactively implement measures described in the “Green Travel Plan” submitted with the planning application. And,

i) Tesco will facilitate the use and availability of their car park for visitors to other uses within the Mereway Centre for a period of up to three hours without charge and, prominent signage shall be erected throughout that car park and fronting Sandhurst Close to make this off-street parking facility apparent to the public, including those attending the Dane’s Camp Leisure Centre and the Simon de Senlis Primary School. And

j) Prior to the new element of the enlarged building being brought into use, an agreed payment for improved pedestrian crossing facilities north of the Mereway underpass – subject to design criteria in compliance with DfT Local Note 1.95.

For the reason that:

The site is within an existing centre identified in Northampton Local Plan and therefore a sequential assessment under PPS4 is not required. The proposal would have a negative impact on Northampton town centre; however this would not be significant and would be outweighed by the benefit of introducing control over the level of comparison floorspace in the enlarged store. Given the location, scale and nature of the development, combined with mitigation secured via legal agreement and conditions, the proposed development would not adversely affect highway safety, the free flow of traffic or residential amenity, would promote the use of alternative modes of transport and improve energy efficiency / carbon emissions of the store. The proposal therefore accords with Policies 1, 2, 3, MKSM SRS Northamptonshire 2 and MKSM SRS Northamptonshire 3 of the East Midlands Regional Plan and Policies E20, E19, E40 and T12 of the Northampton Local Plan and the aims and objectives of national planning policy, notably PPS1, PPS4, PPG13 and PPS24.

OR, if planning permission is not granted in the above terms within three calendar months, REFUSE PLANNING PERMISSION on the grounds that the applicant has not secured adequate mitigation through the Sec 106 for appropriate reasons, the framing of which is hereby delegated to the Council's Head of Planning.

Councillor Oldham rejoined the meeting.

(B) N/2011/0504 DEMOLITION OF EXISTING SCHOOL BUILDINGS AND ERECTION OF 14 DWELLINGHOUSES AND ASSOCIATED ACCESS ROAD AND CAR PARKING. (AS AMENDED BY REVISED PLANS RECEIVED 21/09/2011) AT FORMER ST JAMES C OF E LOWER SCHOOL, GREENWOOD ROAD

The Head of Planning submitted a report in respect of application number N/2011/0504 elaborated thereon and referred to the Addendum and the comments of the Highway Authority including an additional requested condition re the highway layout. The layout of the car park would be reconsidered by the application of the Highway Authority. He commented that the application was for 14 houses, located on land next to St James Church which is a former school site, fronting onto Greenwood Road. Each property would have its own rear private garden and there would be on-site parking for 16 cars. He commented that there were no planning reasons to prevent the development.

Councillor Wire, as Ward Councillor, referred to a number of concerns raised by local residents, notably that a small part of the area had been earmarked for Community use. He stated that there had already been a loss of heritage to the St James' area and commented that it would be aesthetically more pleasing if some of the original features were to be maintained and requested that consideration be given to the inclusion of the use of school frontage be a condition placed on the application. He commented that the current site was in a state of disrepair but hoped that consideration be given to the heritage and history of the St James' area.

Mr Croucher, on behalf of St James Residents Association, commented that St James had lost a lot of its heritage and would like to see the preservation of as much of the fabric of the building as possible. He also reported that there was an area of curtilage, which was listed as being part of the church, and was owned by the Diocese of Peterborough. He also expressed concern about the parking problems currently experienced and stated that this would be further exacerbated by the new development.

The Head of Planning commented that the building was not listed in its own right nor curtilage listed for the reasons set out in the report and thus an application for Listed Building Consent would not be required. Therefore this was not a ground for rejecting this application for conversion into flats. He added in respect of the building referred to by Cllr Wire that there had been pre-application decisions about the potential use of this building for community purposes but that it did not form part of the current planning application and was not within the application site.

The Committee discussed the application.

RESOLVED: 1. That the application be approved in principle subject to the prior completion of a S106 legal agreement and conditions set out in the report as the proposal would represent the affective reuse of previously developed land and would not unduly impact upon the amenities of surrounding occupiers. As a result of this, the proposal complies with the requirements of PPS1, PPS3, PPS5, PPS23, PPS25, PPG13 and PPG24 and Local Plan Policies E20, E40 and H6

The S106 agreement shall secure a payment to fund the provision of primary school education within the vicinity in order to meet the future needs of occupiers of the proposed development.

2. That in the event that the S106 legal agreement is not secured within three calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.
3. That delegation be given to the Head of Planning to revise the conditions with regards to the use of bricks from the former site and the erection of a plaque to mark the heritage of the school and to secure further control over the highway layout.

(C) N/2011/0928 CHANGE OF USE OF PART OF GROUND FLOOR FROM RETAIL (USE CLASS A1) TO RESTAURANT (USE CLASS A3) INCLUDING ALTERATIONS TO SHOP FRONT AND CONVERSION OF UPPER FLOOR INTO FIVE RESIDENTIAL FLATS (1X 2 BED AND 4 X 1 BED). RE-SUBMISSION OF APPLICATION N/2011/0791 AT CHURCH CHINA, 44-54 ST GILES STREET

The Head of Planning submitted a report in respect of application number N/2011/0928 and elaborated thereon. He commented that the application sought permission to convert part of the ground floor of the building to a restaurant unit – the upper floor would consist of five flats.

Mrs Biddle, on behalf of the Town Centre Conservation Advisory Committee, commented that the property was a large retail shop, which was included in the Central Area Action Plan (CAAP). She expressed her concerns about the non-retail use of the shop and the adverse impact that it would have on the conservation area. She stated that she objected to what she considered the over-development of the site and suggested that five flats were too many for the locality.

Ms Wenham commented that St Giles was a great street and that the loss of 'Churches' china had impacted on the area with a decrease in footfall. She commented that as a result of the proposed application, should it be approved, one retailer had stated that they would close. She stated that the proposed changes would have a detrimental affect on the Street and that the Council should be encouraging people to shop there and therefore not allow the application.

Mr Ay, the applicant, commented that the property had been empty for almost three years and over that time, the Council had lost considerable rental income from the property. He stated that there were an increasing number of empty shops and that St Giles Street was not as active as the high street and that the application had respectfully taken in account the requirements of the Derngate Conservation Area.

The Committee discussed the application.

RESOLVED: That the application be refused for the following reason: The proposed change of use of the ground floor of the application premises from shop (Class A1) to restaurant (Class A3) would harmfully affect the character and appearance of the Derngate Conservation Area contrary to Policy E26 of the Northampton Local Plan and the aims and objectives of PPS5.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

(A) N/2011/0865 OUTLINE APPLICATION FOR A WAREHOUSE AND DISTRIBUTION DEVELOPMENT WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING. ALL MATTERS RESERVED EXCEPT ACCESS. (WNDC CONSULTATION) AT THE CATTLEMARKET, LILIPUT ROAD

Councillor Golby left the meeting in accordance with his declaration of interest recorded above.

The Head of Planning submitted a report in respect of application number N/2011/0865 and elaborated thereon and referred to the Addendum and commented that the proposal for two units were deemed too much of an encroachment on the green space area and provide an appropriate response to this sensitive gateway location adjacent to the open countryside in terms of siting, mass and general design / appearance, and should therefore be rejected. However, he further commented that the second recommendation as stated in the report, provided a positive way forward.

Mr Rawlings, the agent, commented that the application was a £25 million investment of both regional and national significance. The draft National Planning Policy Framework encouraged the planning system to be less complex and more accessible, and to promote sustainable growth and therefore the application should be considered on its merits. He stated that the benefits that the application, if approved, would consist of an increase in employment, investment, trade and an additional spend to the Northampton economy. In response to a questions, Mr Rawlings explained that he was conscious that the area of development was a 'gateway' approach to Northampton and that many of the suggestion made by NBC had already been discussed; it was a document subject to ongoing work.

The Head of Planning confirmed that Mr Rawlings had been pro-active with regards to engaging with the Council in that a meeting had already been arranged for the following week between officers of the Borough Council WNDC and representatives of the applicant.

The Committee discussed the application.

RESOLVED: That WNDC be informed that the Council objects to the application in its current form for the following reasons:

- Having regard to the details submitted it is apparent that the applicant has aspirations for a large scale form of development that encroaches into designated Greenspace and would conflict with development policies, notably E1, E14 and E6 of the Northampton Local Plan.
- Although there would be economic development benefits to be gained from the proposed development it is unlikely that these would outweigh the apparent Policy conflicts.

And requests that WNDC work with the applicant and NBC officers to identify an indicative form of the development that would clearly comply with the prevailing policies. The indicative proposals must pay due regard to the requirements of the Development Plan notably Local Plan Policies E1, E6, E14 and D1 as well as Policy B8. To this end it is recommended that revisions to the proposal be sought to:

- Limit the scale of floor space.
- Secure elevations / built form appropriate to this prominent entrance to the town in accordance with the objectives of Policy E14 of the Northampton Local Plan.
- Secure a reduction in the visual scale of the development generally and specifically by not encroaching into the Greenspace designation and its visual impacts upon adjacent open countryside and, at a greater distance, impacts upon the character and appearance of the Great Houghton Conservation Area.

The meeting concluded at 20.52

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



List of Appeals and Determinations – 13th November 2011			
Written Repls Procedure			
Application	Del/PC	Description	Decision
N/2009/0566 APP/V2825/A/10/2123568	DEL	Change of Use to 4no. bedsits at 1 Humber Close, Northampton – Retrospective.	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	ALLOWED
N/2011/0493 APP/V2825/D/11/2158529	DEL	Erection of railings to parapet wall and existing extension at 261 Billing Road	DISMISSED
N/2011/0270 APP/V2825/A/11/2158240	DEL	Change of use of ground floor from light industrial/warehouse (Use Class B1/B8) to Dance studio (Use Class D1) at 13 Ryehill Court	DISMISSED
N/2011/0195 APP/V2825/D/11/2159578	COM	Two storey and single storey front extensions and single storey rear extension at 50 Abington Park Crescent	ALLOWED
N/2010/0906 APP/V25825/A/11/2160380	COM	Erection of two storey visitors centre at base of tower. (As amended by revised plans received 06th December 2010) at the National Lift Tower	AWAITED
N/2011/0588 APP/V2825/A/11/2160261	COM	Change of use of part of doctors surgery (class D1) to pharmacy (Class A1) at Abington Health Complex	AWAITED
N/2011/0277 APP/V2825/A/11/2160368	DEL	Application to vary condition no.4 of planning permission N/2010/0887 to extend opening hours to 00:00 Sunday to Thursday and 02:00 Fridays & Saturday at 200 Wellingborough Road	AWAITED
N/2010/0320 APP/V2825/E/11/2160382	COM	Erection of two storey visitor centre at the base of tower (as amended by revised plans received on 13 October 2010 and 06th December 2010) at the National Lift Tower	AWAITED
N/2011/0628 APP/V2825/H/11/2161774	DEL	Change of use of Memorial Hall to provide for wine bar (Use Class A4) with kitchen facilities at The Memorial Hall, 17 Castilian Street	AWAITED
N/2011/0631 APP/V2825/H/11/2161778	DEL	Internally illuminated freestanding double sided totem sign at Co-op, 14 Bushland Road	AWAITED
N/2011/0630 APP/V2825/H/11/2161777	DEL	Two internally illuminated wall mounted poster signs at Co-Op, 76 - 78 St Leonards Road	AWAITED
N/2011/0701 APP/V2825/A/11/2163499	DEL	Demolition of existing garages and erection of new two storey dwelling (resubmission) at Garages adjacent to 9 South Street	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

Agenda Item 9a



PLANNING COMMITTEE: 13 December 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/1001 **New shop front to
140 St James Road**

WARD: **St James**

APPLICANT: **Northampton Borough Council**

REFERRED BY: **Head of Planning**
REASON: **Council owned property**

DEPARTURE: **No**

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 **APPROVAL** subject to conditions and for the following reason:
The proposed development by reason of its scale, siting and design would have no adverse impact on the street scene or character of the wider area. The proposal would therefore comply with Policies E20 and E29 of the Northampton Local Plan and aims of PPS1 and guidance in the Council's Shop front Design Guide.

2. THE PROPOSAL

- 2.1 Planning permission is sought for installation of new shop front.

3. SITE DESCRIPTION

- 3.1 The application site consists of a modern retail unit (use class A1) along a parade of commercial units in St James ward. The parade includes 5 units including a gun shop, library, convenience store, vacant shop unit and the application site (a baby shop).

4. PLANNING HISTORY

- 4.1 Planning permission was granted in 2007 for change of use to coffee shop. This has been implemented and converted back into a retail unit.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development

5.3 Northampton Borough Local Plan

E20 – New Development

E29 - New shop fronts

5.4 Supplementary Planning Guidance

Northants Shop front Design Supplementary Planning Document 2011

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Access Officer** No objection, recommend that access be level and there be delineation of the doorframe and handles.

7. APPRAISAL

Main issues

- 7.1 The principal considerations are the impact on the appearance and character of the host building and street scene and whether there would be satisfactory access for all.

Policy context

- 7.2 The Council's Adopted Shopfront Design Guide SPD outlines the requirements and considerations when assessing proposals to replace or install new shop fronts.
- 7.3 The Design Principles emphasise the importance of incorporating safe and easy access to the premises for everyone and the need for good design as well as respecting design cues from existing features and the scale and proportion of doors and windows respecting the established character of the streetscape.

- 7.4 Saved Policy E20 of the Northampton Local Plan is also relevant especially part 'a' which encourages good design. Policy E29 relates specifically to shop fronts and stresses that planning permission for new shop fronts will be granted where the quality of design complements the character of the building, materials complement the townscape and the proposal does not detract from the appearance and character of the street scene.

Impact on appearance and character of the locality

- 7.5 The proposed replacement shop front would consist of an additional set of double doors the same design and size as those on the existing front building façade.
- 7.6 The street comprises a parade of units all with modern shop fronts and it is considered that the proposal would not detract from the appearance of the locality given that the design and general appearance would be consistent with the existing street scene.
- 7.7 In visual terms, the proposed alterations would also complement the parent building and are of a general scale and proportions considered acceptable in design.
- 7.8 The proposal would therefore comply with Policies E20 and E29 of the Northampton Local Plan and advice in the Council's own SPD on Shop fronts in respect of character and appearance.

Access for All

- 7.9 The Council's Access Officer comments that the proposed access should be level threshold to allow accessibility for all. This is to be agreed and secured by condition on any approval with an informative to the applicant to draw their attention to the necessity for the doorframe and handle to be delineated.

8 CONCLUSION

- 8.1 For the reasons cited the proposed development is considered acceptable and compliant with local and national policy and is recommended for APPROVAL subject to the conditions below.

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 new entrance shall be level access unless otherwise agreed in writing by the Local Planning Authority

Reason - To ensure access for all in accordance with PPS1.

10. BACKGROUND PAPERS

10.1 N/2011/1001.

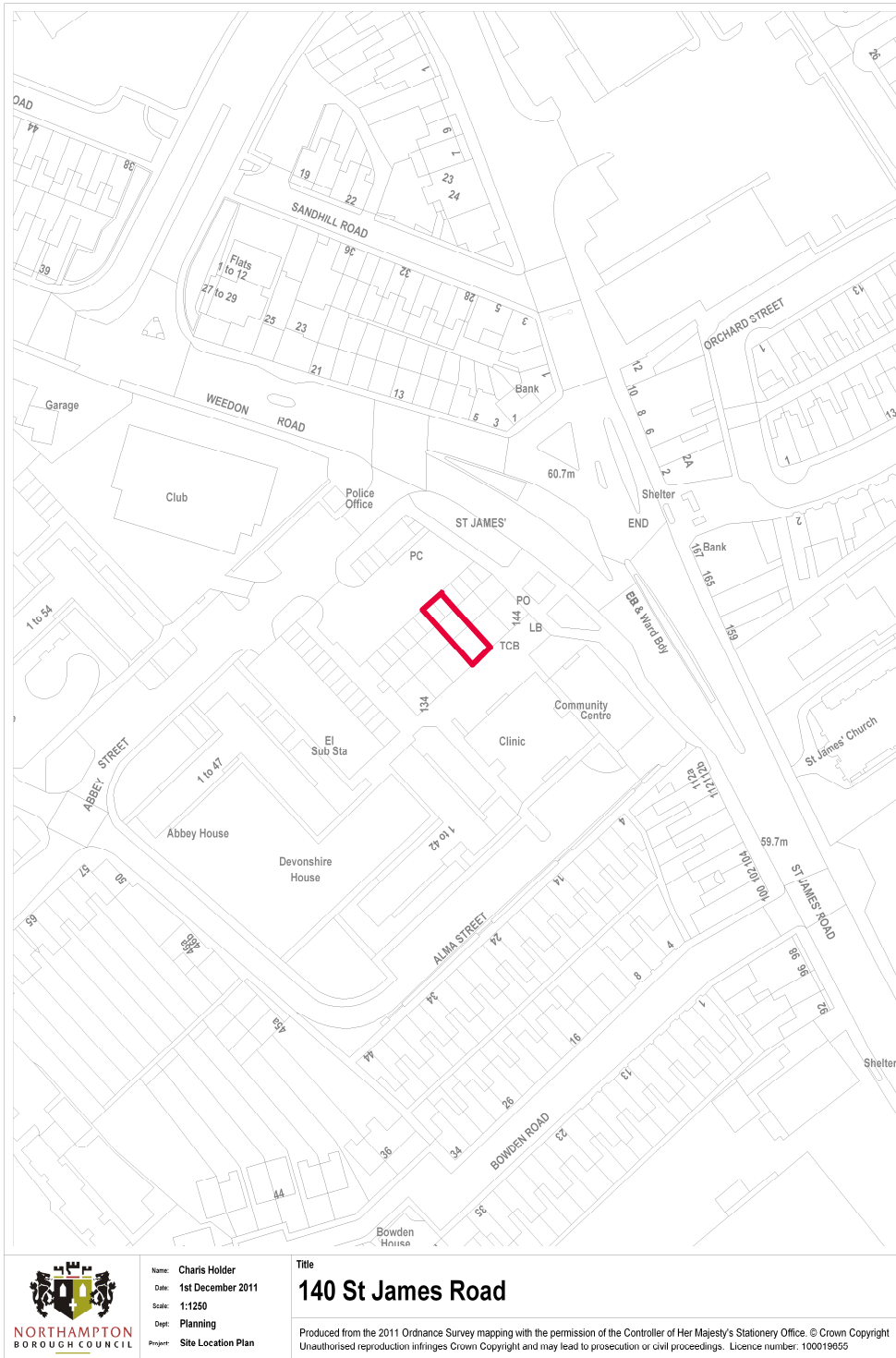
11. LEGAL IMPLICATIONS

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:	Jonathan Moore	17/11/11
Development Control Manager Agreed:	Gareth Jones	25/11/11



Name: Charis Holder
 Date: 1st December 2011
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
140 St James Road

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: 100019855



Addendum to Agenda Items Tuesday 13th December 2011

Items for Determination

ITEM 9a
N/2011/1001

New Shop Front at 140 St James Road

Nothing to add

ITEM 10a
N/2011/0458

Erection of 3no bed dwelling (attached) and erection of pitched roof to the existing garage. (as amended by revised plan received 25th October 2011) at 1 Ansell Way, Hardingstone

Additional Representations:

32 Martins Lane – although we are unable to attend the Committee we send our apologies and confirm that they are strongly opposed to the application which is proposed to be built in Martins Lane not Ansell Way.

2 Ansell Way – Support the proposal. The removal of the trees has also opened up the junction and new dwelling will have no affect on the immediate and surrounding area.

28 Martins Lane – No objection and support this application for a house on this plot

11 Martins Lane – can see no reason to object and are in favour of the application being approved. Make further reference to:

- The removal of trees representing a significant improvement to the visual aspect and highway visibility,
- As the side elevation would have a signal window at first floor there would be no impact from overlooking to residents on the opposite side of Martins Lane
- It would not result in a major infill of village greenspace,
- These are parents who've lived in the village for a decade providing,
- affordable accommodation for their off-spring
- Off street parking is provided

The applicants have also submitted a copy of a letter addressed to them from a Chartered Town Planner which responds to the points raised in the letters of objection. The general contents of the letter and its conclusions are consistent with the matters covered in the Appraisal section of the officer's report.

ITEM 10b
N/2011/0889

Erection of 4 two-bedroomed dwelling houses and car parking at land rear of 32 – 38 Northwood Road

Nothing to add

ITEM 10c
N/2011/1003

Change of use from Community Centre (use class D2) to tattoo studio (use class SUI Generis) at 11 Coronation Court, Ashbrow Road

Nothing to add

ITEM 10d
N/2011/1062

Erection of 5No 3 bed terraced houses with associated access and parking (as amended by revised plans received on 29 November 2011) at Eastern District Social Club, Crestwood Road

Additional Representations

NCC Highways:

If the development was to remain private, a carriageway width of 4.8m from the existing adopted road to the new road (leading into the development) will subject to an agreement with Northampton Borough Council (NBC) officers. Most of the land within the vicinity of the development is owned by NBC. For the information and record, the proposed road will be serving ONE residential (5 Houses) and THREE commercial developments at the above location.

If the road requires to be adopted, then the applicant will need to construct the new road to an adoptable standard and will be required to continue at the same width of the existing highway from Crestwood Road. The minimum acceptable width for the above carriageway is 5.5 m.

- 1) The proposed new path leading into the site will need to be an approximately 90 degrees from the existing footpath. This is in order to ease the pedestrian walkway.
- 2) The new road to be constructed in such a way that the Fire and the Refuse vehicles can access and egress easily.
- 3) The proposed refuse collection will need to be agreed with cleansing department for the development.
- 4) A Planning Condition is to be implemented requiring full details of all roads and drainage including cross-sections, longitudinal sections, highway boundaries and proposed ground floor and first floor levels shall be submitted and approved by the Council prior to commence of any construction work on site.
- 5) A Planning Condition is to be implemented requiring NO development shall take place until details in respect of improvement to the new carriageway &

new Footways have been submitted and approved by the Council and the approved details have been implemented unless otherwise agreed in writing by the Council.

NBC Public Protection: no further comments to revised plans

British Sub Aqua Club: object for the following reasons:

Access over land

Claim that application is based on access over their land and on land owned by them (although NBC Estates say that the land is owned by Northampton Borough Council and the Sub-Aqua Club along with the two other users have shared rights to access over the land only).

Over use of access land

State that the access road is extensively over used and that houses the houses will aggravate the use.

Width of access road

State that the road is narrow and consider that passing traffic will constitute an increased traffic problem and danger for members accessing the club.

Change of use of land

State that the application is for a change of use of the land which was intended for social and sporting clubs only and housing was not covered in the lease agreement signed by all parties involved.

Recommendation

In light of the additional advice of the Highway Authority, the **recommendation to grant planning permission** is confirmed subject to the following recommended 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) Prior to the commencement of development details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan
- (3) Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved by the Local Planning Authority and implemented prior to the occupation of the dwelling hereby permitted and retained thereafter.
Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.
- (4) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft

landscaping for the site.

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

- (5) Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no dormers shall be constructed in the roof of the dwellings hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To safeguard the privacy of neighbouring residents in accordance with Policy E20 of the Northampton Local Plan

- (6) Notwithstanding the provisions of the Town and Country (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 buildings without the prior written consent of the Local Planning Authority.

Reason: To safeguard the privacy of neighbouring residents in accordance with Policy E20 of the Northampton Local Plan

- (7) 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 and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme, which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation reports shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with contained in PPS23 Planning and Pollution Control.

- (8a) Prior to development commencing the applicant shall assess the Noise Exposure Category(ies) of the site due to its exposure to transportation noise. This must take into account, where appropriate, Roads or Railways that may not be immediately adjacent to the site and the likely growth of traffic over the next 15 years.

- (8b) The applicant shall also submit for approval a scheme to protect the site where its noise exposure exceeds NEC A. The scheme shall include a site plan showing the position, type and height of the proposed noise protection measures together with the resultant NEC(s) for the site.

- (8c) Where noise protection measures for the site are impractical or do not reduce the NEC for all amenity areas, all facades or all floors of the proposed dwellings to NEC A the plan shall clearly indicate the site layout and the predicted NEC for all facades.

- (8d) Where facades or floors do not fall into NEC A a noise insulation scheme, which will require the provision of mechanical ventilation, shall be submitted

for approval by the local authority and implemented prior to the properties being occupied.

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

(9) The parking spaces shown on the submitted layout plan shall be constructed and completed prior to the first occupation of the dwellings hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with PPG13.

(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and/or re-enacting that order with or without modification), no fences, hedges, gates, walls or any other means of enclosure shall be erected without the prior written consent of the Local Planning Authority, other than those expressly authorized by this permission.

Reason: In order to define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with Policy E20 of the Northampton Local Plan.

(11) 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 and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with the approved details and the measures shall be retained for the duration of the construction period.

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

(12) No development shall take place until full details of all roads and drainage including cross-sections, longitudinal sections, highway boundaries and proposed ground floor and first floor levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy H6 of the Northampton Local Plan.

(13) No development shall take place until full details in respect of the new carriageways and new footways have been submitted to and approved in writing by the Local Planning Authority and completed prior to the first occupation of the dwellings hereby approved. Thereafter the development shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy H6 of the Northampton Local Plan.

Applications For Consultation

**ITEM 12a
N/2011/1074**

Demolition of existing Bective works and Jebez House and the erection of 406 no. student accommodation building incorporating a 288sqm retail unit, 17 no. space lower ground floor car park and servicing space. New vehicular and

pedestrian access and landscaping. Alteration, restoration and extension of Enterprise House for student community use. (WNDC Consultation).

A **Transport Assessment** has been carried out, which concludes that the site is accessible by bus, cycle and on foot; that the site is located within reasonable walking and cycling distances from academic campuses; that there are suitable routes available from the application site to the town centre and academic campuses for cyclists and pedestrians to use; and that the proposal would have no material impact upon the local highway network.

**ITEM 12b
N/2011/1147**

Erection of 6 storey office building (use class B1) with 3 disabled parking spaces, service bay, cycle parking and associated landscaping. (WNDC Consultation).

NBC Conservation Section – No objections on account of the design being of a suitable type and scale for the location and respects the positioning of historic buildings. The scheme will also assist in providing a greater understanding of Northampton's past due to the concurrent archaeological programme. Although the use of ironstone is appropriate due to its prevalence within the local vernacular; however, there are concerns regarding the rate of erosion of this type of stone, which may reduce its appeal over time.



PLANNING COMMITTEE: 13 December 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0458 **Erection of three-bedroom dwelling house and erection of pitched roof to existing garage (As amended by revised plan received on 25 October 2011).
Land to the side of 1 Ansell Way.**

WARD: **Nene Valley**

APPLICANT: **Ms. M. Brandley**
AGENT: **Mr. P. Corbett**

REFERRED BY: **Called in by Cllr Nunn**
REASON: **Proposed dwelling would have a detrimental impact on the street scene and highway safety.**

DEPARTURE: **No**

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL for the following reason and the conditions attached to this report:

The principle of a residential development in an existing residential area is acceptable and in accordance with Policy H6 of the Northampton Local Plan. The siting, design and appearance of the proposed dwelling will compliment the existing street scene and will not be detrimental to visual or residential amenity or highway safety in accordance with Policies H6 and E20 of the Northampton Local Plan and the guidelines contained within PPG13.

2. THE PROPOSAL

2.1 The proposed house would have two-storeys and three-bedrooms and measure 7m wide by up to 8m deep. It would be built off the side gable

wall of no1 Ansell Close thereby forming a row of three houses as nos. 1 and 3 currently form a pair of semis. The property would be constructed of brick with a tiled roof to match the host building.

- 2.2 There is an existing double garage to the rear of the site accessed off Martins Lane. This garage has a flat roof at present, which would be altered to a shallow pitched roof as part of the proposed development thereby raising its height from 2.9m to 3.3m to the ridge.

3. SITE DESCRIPTION

- 3.1 The application site consists of the side garden of No. 1 Ansell Way measuring over 30 metres deep and 12 metres wide. The land is situated at the junction of Martins Lane and Ansell Way. The site is in an existing residential area, which has a variety of built design of both dwellings and bungalows within the vicinity of the site.

4. PLANNING HISTORY

- 4.1 None relevant.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPG13 - Transport

5.3 Northampton Borough Local Plan

E20 – New Development
E19 – Implementing Development
H6 - Housing Development within Primarily Residential Areas

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

6.1 27 Martins Lane – objection –

- Will not be in keeping with the existing estate (change the building from a pair of semis to a terraced row),

- Will be sited outside the building line
- 6.2 **3 Ansell Way** – objection –
- Exceeds the existing building line
 - Converts the existing semis into a terrace, in no way complementary to the area / out of keeping
 - Is of excessive size for the location
 - Will result in an increase in traffic
- 6.3 **32 Martins Lane** – objection most strongly –
- Context of the environment will be spoilt by the house in a line of bungalows
 - Building would come considerably beyond the building line
 - Will invade privacy of residents opposite
 - Will be increase in traffic generation / hazard with vehicles turning at the junction would have more restricted views. Martins Lane can be a busy road and suffers from speeding vehicles
 - Residents opposite would encounter extra hazards with vehicles parking opposite
 - Previous occupants wanted to extend but were not able to do so
 - There are a number of elderly neighbour and do not need this hassle.
 - There is no need for the development
 - Question whether the land is in the applicant's ownership and suggest that it may be owned by the Borough Council.
- 6.4 **30 Martins Lane** – objection –
- Ignores the building line and would be wrong to change the visual aspect of the neighbourhood by squeezing a new house in
 - Fencing in of the site would have a huge detrimental impact
 - Fencing the area would also restrict visibility at the junction
 - Additional parking will also be detrimental to highway safety and make it awkward for NDDS mini bus service and meals on wheels
 - Would completely change the outlook from no 30
 - Would caused overlooking of no30 / loss of privacy
- 6.5 **15 Martins Lane** – objection –
- The government has said no more homes would be erected in people's gardens
 - Beyond the existing building line to the detriment of residents and car drivers
 - The fencing may lead to the loss of the trees and would adversely affect visibility to the detriment of road safety. The fence could also be increased in height in the future
 - Increased parking would make the junction even more dangerous
 - Will result in an increase in disruption during construction
 - Proposed garden is unrealistically small and would be likely to be increased resulting in further reduction in visibility and harm to highway safety

- 6.6 **17 Martins Lane – objection –**
- Ignores the building line and would be wrong to change the visual aspect of the neighbourhood by squeezing a new house in
 - Fencing in the site would have a huge detrimental impact on a green area
 - Once built the rest of the garden would soon be enclosed
 - Fencing the area would also restrict visibility at the junction
 - Additional parking will also be detrimental to highway safety and restrict visibility at the junction and at the driveway of no 17
 - The proposed house and garage would cut out light to no 17
 - As a elderly person who can't get out much the disruption would have a huge impact
- 6.7 **5 Ansell Way – objection –**
- Ignores the building line and would be wrong to change the visual aspect of the neighbourhood by squeezing a new house in
 - Fencing in the site would have a huge detrimental impact on a green area
 - Once built the rest of the garden would soon be enclosed
 - Additional parking will also be detrimental to highway safety and restrict visibility at the junction making it more dangerous
 - Not in keeping with the current development having an unacceptable impact
 - Additional traffic will also make access to / from Ansell Way more hazardous
 - Will result in an increase in disruption during construction
- 6.8 **34 Martins Lane – objection –**
- Detrimental to the outlook from nearby properties
 - Highway safety due to the blind corner.
- 6.9 **5 Ansell Way - objection**
- Will be out of keeping with the locality
 - Will create highway safety problems
 - Will result in noise and disturbance problems during construction
- 6.10 **Hardingstone Parish Council - objection**
- The proposed dwelling would be too dominant and have a detrimental impact on the street scene. Also there would be parking issues
 - The proposed house would appear to contravene all building lines in Martins Lane and Ansell Way and greatly affect the visual aspect of both roads in breach of Local Plan Policies E20, H6 and H10.
- 6.11 **Cllr M Hill - I have looked at the objections to the proposed extension at 1 Ansell Way, and I have to say that I find them without foundation. There are three specific areas where I would wish to comment:**

1. Firstly, it is said that the site is not big enough for what is being proposed. There is in fact a considerable amount of land between the present building and Martins Lane and I do not consider what is being proposed to be over development. Moreover some of the other properties in Martins Lane lie far closer to the highway than does the proposed new build.
2. I do not consider the proposal to be out of character. Martins Lane has a wide mix of properties, from substantial detached properties to quite modest bungalows, and the proposed building would not look out of place in such a varied street scene.
3. Re visibility for drivers exiting Ansell Way. The new building is, as I said earlier, set well back from the road and visibility would be perfectly acceptable. Indeed it will be better than it was when the trees at the edge of the site (which have been demolished) were there.

For these three reasons I wish to support the recommendation that approval for the new building be granted.

7. APPRAISAL

- 7.1 The originally submitted drawing showed a much larger dwelling which included a single storey front extension. That proposal was considered unacceptable due to its scale and unsympathetic design and revised plans were submitted with a smaller footprint and a design that better reflected the existing properties at 1 and 3 Ansell Way. This scheme was further amended to reduce the width of the proposed dwelling as currently proposed.
- 7.2 The site is considered large enough to accommodate a dwelling of comparable size to other properties in the vicinity and still leave the existing dwelling with sufficient garden and amenity space. Notwithstanding the concerns expressed in the representations received as set out in section 6 above, the principle of a residential development is acceptable as the site is allocated in an existing residential area as identified in the Local Plan and as evidenced by numerous recent appeal decisions in the Borough there is no government embargo on the development of garden land for new homes.

Siting and design

- 7.3 The property has been designed to echo the existing dwelling at 1 Ansell Way with similar fenestration and UPVC cladding on the exposed side elevation. The front elevation has been set back 0.6m from the principal front elevation of the host building thereby giving it a shallower footprint and reducing the ridge height compared to the existing pair of semis.

- 7.4 Local residents have concerns over the siting of the new dwelling in front of the existing “building line” of properties in Martins Lane as well as the overall scale of development proposed. The proposed building would extend closer to Martins Lane than the existing dwellings in the vicinity of the site. Nonetheless, there would remain a separation distance of some 6m between the proposed dwelling and the public highway verge in Martins Lane. Due to its orientation and attachment (both physical and visual in terms of its design), the building would appear as an extension of the properties in Ansell Way rather than those in Martins Lane. The potential prominence of the development is also reduced by the fact that the site is located on the outside curve that exists in Martins Lane.
- 7.5 These factors combined with the reductions in the scale of the development proposed secured by officers through negotiation with the applicant, mean that it is considered that the proposed house would have a neutral impact on the character and appearance of the streetscene and the host building in accordance with Policies H6, E19 and E20 of the Local Plan.
- 7.6 The Parish Council has also referred to Local Plan Policy H10. However as this policy is concerned expressly with ‘backland’ development where the proposed dwelling is located to the rear of the host dwelling it is not applicable to the determination of planning applications for the type of development proposed in this instance.

Neighbour Amenity

- 7.7 The development conforms to the Council’s adopted space around dwellings guidance such that it would not give rise to any significant detriment to neighbour amenity.
- 7.8 Due to its siting and very limited scale the proposed alterations to the existing rear garage would have a neutral impact on neighbour amenity.
- 7.9 For these reasons the proposal complies with Policies H6, E19 and E20 of the Local Plan in respect of neighbour amenity.

Highway Issues

- 7.10 Both the existing dwelling at no.1 and the new dwelling would have on-site parking provision for two cars for each of the two houses by way of the garages and driveway to the rear of the site. This level of provision is considered to be sufficient for these two dwellings and is likely to prevent any significant parking on the public highway.
- 7.10 Concerns have also been raised regarding highway visibility at the junction of Ansell Way and Martins Lane. The siting of the dwelling would not impinge on the required sight lines at this junction which

have been enhanced by the recent removal of the trees on the highway boundary.

- 7.11 Some representations also express concern about the site becoming enclosed by fencing. The proposals do not involve enclosure of the front garden (i.e. to Ansell Way) and the rear garden side fence would be sited in line with the side elevation of the proposed house (i.e. some 6m back from the highway verge of Martins Lane). For these reasons highway visibility would be maintained to an acceptable and safe standard and the open character of the locality would be retained.
- 7.12 The proposal therefore accords with Local Plan Policy H6 and PPG13 in respect of highway safety and the free-flow of traffic.

8. CONCLUSION

- 8.1 Although there have been a significant number of objections to this application, the site is considered large enough for the proposed dwelling and with a design to reflect the existing dwelling at 1 Ansell Way it would blend in with the street scene.
- 8.2 The dwelling is to be situated nearer to the public highway than the existing properties in Martins Lane but the proposed building would appear as being part of Ansell Way and due to the configuration of Martins Lane and the scale and design of the proposed building it would not detrimentally affect the character of the streetscene. Neighbour amenity would also be protected due to the proposed building's siting and separation from neighbouring dwellings.
- 8.3 This proposal provides on-site parking for both the new and existing dwellings at No. 1 Ansell Way. Highway safety would not be prejudiced at the junction of Martins Lane and Ansell Way as there is sufficient visibility for vehicles entering and leaving Ansell Way.

9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason - To comply with Section 91 of the Town and Country Planning Act 1990.
2. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason - In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.
3. Full details of the method of the treatment of the external boundaries of

the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building (s) hereby permitted and retained thereafter.

Reason - To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or any means of enclosure or similar structures shall be erected or constructed in front of the main wall of any dwelling or of any other principal building of the estate nor in front of the line of any flank wall of any dwelling where the flank boundary of the curtilage abuts a highway.

Reason - To ensure that the open character of this residential development is maintained in the interests of visual amenity in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

- 10.1 N/2011/0458.

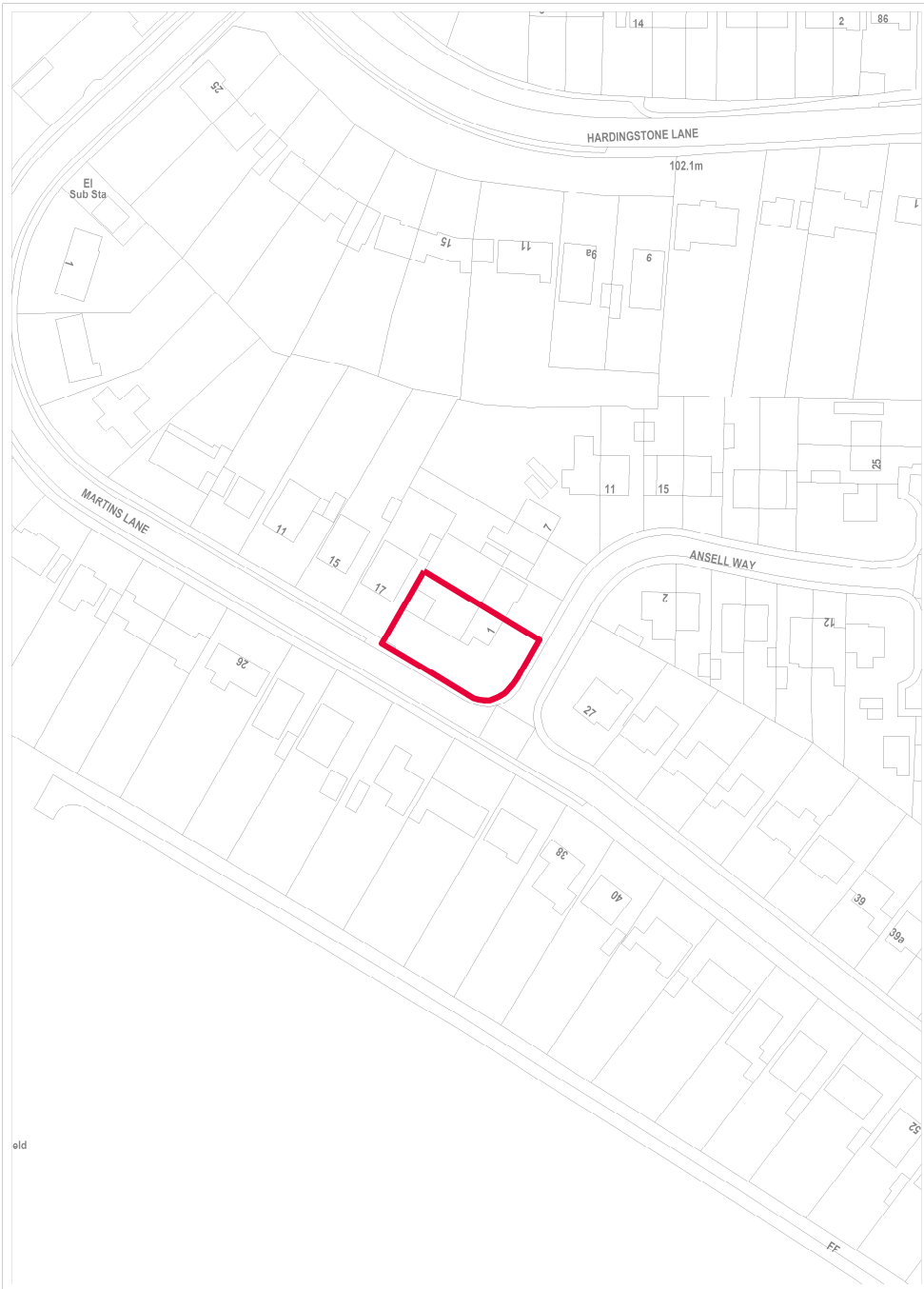
11. LEGAL IMPLICATIONS


- 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:	Geoff Wyatt	24/11/2011
Development Control Manager Agreed:	Gareth Jones	01/12/2011



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	Name: Charis Holder Date: 1st December 2011 Scale: 1:1250 Dept: Planning Project: Site Location Plan	Title 1 Ansell Way
	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: 100019855	

Agenda Item 10b



PLANNING COMMITTEE: 13 December 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/02011/889/FUL **Erection of 4 two – bedroomed dwellinghouses and car parking at land rear of 32 – 38 Northwood Road**

WARD: **Headlands**

APPLICANT: **Life Space Developments Ltd**

REFERRED BY: **Head of Planning**
REASON: **Site owned by Borough Council**

DEPARTURE: **No**

APPLICATION FOR DETERMINATION :

1. RECOMMENDATION

1.1 Approval subject to conditions and for the following reason;

The proposed development would respect the character and appearance of the locality and would not significantly adversely impact upon the amenities of surrounding residential and would not be prejudicial to highway safety. For these reasons, the proposal would accord with the thrust of saved Policy H6 of the Northampton Local Plan and PPS1, PPS3 and PP13.

2. THE PROPOSAL

2.1 Applicant proposes to erect a terraced block of 4 two bedroomed dwelling houses onto a site previously occupied by lock up garages.

2.2 Each dwelling would have the following layout;

- Ground Floor – hall; lounge/dining room, kitchen, wc.
- First floor – 2 double bedrooms and bathroom.

- 2.3 In terms of design and appearance, the proposed dwellings would be constructed from traditional materials involving brick walls and pitched tiled roofs. Porches would be added to the entrances of each front door and decorative brick detailing would also be provided.
- 2.4 Each dwelling unit would have a maximum width of 4.4 m, a depth of 9.8 m and a height 7.7 m. The development would be served by 6 parking spaces, laid out to the front of the properties. Vehicular and pedestrian access would be achieved from the current access off Northwood Road. Each property would have a rear garden, which would vary in length between 7.5 m to 12.5 m.
- 2.5 A Design and Access Statement has been submitted with the application.

3. SITE DESCRIPTION

- 3.1 The site is located to the rear of 32 – 38 (evens) Northwood Rd and originally formed a parking area for local residents. The site is within a predominantly residential Area and surrounded by the rear gardens of dwellings fronting Northwood Rd, Fullingdale Rd and Danefield Gardens.
- 3.2 The site is rectangular in shape with a long drive off Northwood Rd and is currently secured by metal gates. The site is now substantially overgrown.

4. PLANNING HISTORY

- 4.1 Site originally contained lock garages, which have subsequently been demolished.

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
PPG13 - Transportation

5.3 Northampton Borough Local Plan

E19 – Implementing Development
E20 – New Development

H6 - Housing Development within Primarily Residential Areas

5.4 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATION**

6.1 **Northamptonshire Police** has no formal objection to the application but suggest if the scheme is implemented, measures to further reduce the likelihood of crime occurring which include provision of metal gates over the access and the use of mortice locks.

6.2 **Highway Authority** – raise no objection subject to an adequate road width and visibility spays being provided.

7. **REPRESENTATIONS**

7.1 Nearby residential occupiers were notified. Three letters of representation have been received from the occupiers of, **53, 55 and 57 Fullingdale Road**. These residents are primarily concerned that they would still have access to the existing access road to gain access to the rear of their dwellings and if appropriate utilise garages.

7.2 A separate letter from the occupiers of **51 Fullingham Road** raises no objections subject to no liability issues arising from possible future damage arising from branches falling from a tree in their garden to the site and adequate security measures being provided. Damage arising from trees/branches would be a civil matter.

7.3 A letter of objection has also been received from the occupiers of **7 Danewood Gardens**. They raise the following concerns that:

- The existing alleyway will be reused as a rat run, leading to anti social behaviour;
- A first floor side-facing window would overlook their property and garden; and
- Noise and disturbance would occur from the construction work.

8. **APPRAISAL**

8.1 The key issues in connection with this application relate to the impact of the proposed development on the character and appearance of the locality and the amenities of surrounding residential occupiers.

Impact on Character, Design and Appearance

8.2 PPS1 and PPS3 seek to ensure that developers provide attractive, usable, durable and adaptable places to live based on achieving and promoting sustainable goals. The local plan policies seek to ensure

that new development respects the character of its surroundings and protect residential amenity.

- 8.3 The application site is currently vacant having been previously occupied as a parking facility containing lock up garages. The principle of residential development on the site is acceptable given the site's location in an existing residential area.
- 8.4 The proposed development is entirely two storey and this height reflects the 2 storey nature of surrounding residential properties. The proposed dwellings are in a terrace block which is also in keeping with its surroundings. The design of the houses includes porches, stone window heads and cills and brick detailing, which includes soldier courses, this emulates the vernacular of surrounding properties.
- 8.5 The height, design, layout and appearance of the proposed dwellings are satisfactory and in keeping with the locality. Adequate parking provision has been provided. It is concluded that the general layout and elevational treatment of the houses proposed would respect the content of its surroundings. The use of enhanced boundary treatment/landscaping and tree planting presents an opportunity to protect and enhance the site.
- 8.6 The police have noted a need for a gate to be provided to prevent unauthorised access to the development. However in this instance this option is not considered to be a good design solution. Gated communities would go against the ethos of created integrated communities and is not necessary. Planting would be required as part of a comprehensive landscaping scheme both at the front and rear of the proposed dwellings. Details of all fencing and boundary treatment would be secured by condition.

Impact On Residential Amenities

- 8.7 Objections have received from the occupiers of 7 Danefield Gardens concerned primarily with loss of privacy through overlooking, the lack of overall security by excluding a pedestrian access from the application site and noise nuisance arising from construction work.
- 8.8 In response to these concerns the applicant has submitted revised plans. The revised layout plan now incorporates a disused passage way sited at the side of Numbers 7 & 8 Danefield Gardens into part of the private amenity area of the one of the proposed individual dwellings. The elevational drawings have also been amended such that first floor side facing bathroom intended to be sited in each of the gable walls of the proposed block have been replaced with high level obscurely glazed windows. These windows would both serve bathrooms. This would address concerns in relation to loss of privacy through overlooking. With regard to disturbance from construction

noise, the applicant has been made aware of this matter and proposes to carry out work sensitively between during normal working hours.

- 8.9 It is noted that the site is surrounded by residential properties with long rear gardens backing onto the boundary of the site. Properties fronting Northwood have rear garden lengths of 22 m and properties along Fullingdale Rd have garden lengths exceeding of 34 m. The private and gardens of the proposed development vary in size from 7.8 to 12.5 metres long and are considered commensurate with the house types being provided. Plot 1 would be sited facing towards the rear the garden area of 8 Danefield Gardens at a right angle to the rear elevation of no 8. Plot 1 would achieve a rear garden length of only 7.8m due to the irregular boundary line with no.8, which juts somewhat into the application site. Although this arrangement is not ideal it is considered that sufficient garden space would be secured for future occupants of Plot 1 and the relationship would not result in any undue harm to the occupants of no .8. It is also noteworthy that the occupiers of 8 Danefield Gardens have been consulted and raised no objections. Furthermore, neighbour amenity would benefit in terms of the successful regeneration of an under utilised site which is prone to tipping and potential antisocial behaviour would be secured by the proposed development. The applicant has agreed to provide an enhanced boundary treatment and planting to help mitigate this situation further. A condition to secure this is recommended. For these reasons the layout is considered satisfactory.
- 8.10 With regard to the access concerns raised by residents of Fullingdale Road, the applicant has contacted residents and provided safeguarding assurances.
- 8.11 For the reasons set out above, the proposed development would accord with the thrust of saved Policies E19, E20, H6 and E20 of the Local Plan.

9. CONCLUSION

- 9.1 Overall, as an exercise of judgement, taking the development plan policies as a whole, and having given careful consideration to the application and supporting information, the consultation responses and other material considerations referred to above, it is reasonable to conclude that the proposed development is acceptable on and should be permitted subject to conditions.

11. 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) Within three months of the commencement of the development hereby permitted, samples of the materials to be used in the construction of the external finish of the proposed development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with saved Policies E19, E20, H6 of the Northampton Local Plan and PPS1 and PPS3.

(3) Within three months of the commencement of the development hereby approved, following consultation with local residents whose rear gardens abut the development site, details of hard and/or soft landscape works including boundary treatment shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include (proposed finished levels or contours, means of enclosure, hard surfacing materials, minor artefacts and structures, proposed and existing functional services above and below ground, fully annotated planting plans to a scale of 1:50 showing, where used, locations of individually planted trees, areas of shrubs, hedges, bulbs, and areas of grass. Within ornamental planting areas, plans should be sufficiently detailed to show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include planting schedules, noting species, plant sizes and proposed numbers / densities and details of the proposed planting implementation programme. All hard and/or soft landscape works shall be implemented in accordance with the approved details. The works shall be implemented in the first planting and seeding seasons following the occupation of the first dwellinghouse or the completion of the development, whichever is the sooner, or in accordance with the programme agreed with the Local Planning Authority and thereafter maintained. Any trees or shrubs which, within a period of five years from the completion of the development, die, are removed or become seriously diseased or damaged, shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with saved Policies E19, E20 and H6 of the Northampton Local Plan and PPS1 and PPS3.

(4) Within three months of the commencement of the development hereby approved, following consultation with local residents an enhanced landscaping and boundary treatment along the rear boundary of plots 1 and 2 with the rear garden boundary of 8 Danesfield Road shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with saved Policies E19, E20 and H6 of the Northampton Local Plan and PPS1 and PPS3.

(5) Within three months of the commencement of the development hereby approved, details of raised block pavements to be provided at the junction of the access road and Northwood Rd shall be submitted to and approved in writing

by the Local Planning Authority and these works shall than be carried out as approved.

Reason: In the interests of highway safety in accordance with Policy E20 of the Northampton Local Plan

(6) The parking spaces shown on the submitted layout plan shall be constructed and completed prior to the first occupation of the dwellings hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with PPG13.

(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and/or re-enacting that order with or without modification), no fences, hedges, gates, walls or any other means of enclosure shall be erected without the prior written consent of the Local Planning Authority, other than those expressly authorized by this permission.

Reason: In order to define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with Policy E20 of the Northampton Local Plan.

(8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order amending, revoking and/or re-enacting that order, with or without modification), no enlargement, improvement or other alteration of a dwellinghouse or its roof shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In order to maintain an adequate area for amenity space at the rear of the dwellings define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with Policy E20 of the Northampton Local Plan.

(9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order amending, revoking and/or re-enacting that Order, with or without modification, no structures, satellite antenna, apparatus or plant of any sort (including structures or plant in connection with any use for telecommunication systems) are to be installed on any roof or within the curtilage of the premises without the prior written approval of the Local Planning Authority.

Reason: In order to define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with saved Policies E19, E20 and H6 of the Northampton Local Plan and PPS1 and PPS3of the Northampton Local Plan.

(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and/or re-enacting that order with or without modification), no windows/dormer windows shall be constructed other than those expressly authorised by this permission.

Reason: In order to define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with saved Policies E19, E20 and H6 of the Northampton Local Plan and PPS1 and PPS3 of the Northampton Local Plan.

(11) 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 and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with the approved details and the measures shall be retained for the duration of the construction period.

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

Informatives from Northamptonshire County Council's Transportation Team

- 1) A vehicle access should seek to achieve have a minimum width of 4.5m for the first 10m from the Highway Boundary.
- 2) The vehicular access area should be paved with a hard bound surface material for the first 5mts from the highway boundary.
- 3) A vehicular visibility splay of 2.5m x 45m should be sought on Northwood Road.
- 4) A Pedestrian visibility splays of 2.4m x 2.4m should be sought at both sides of the access at all the time.

11. BACKGROUND PAPERS

11.1 N/2011/0889.

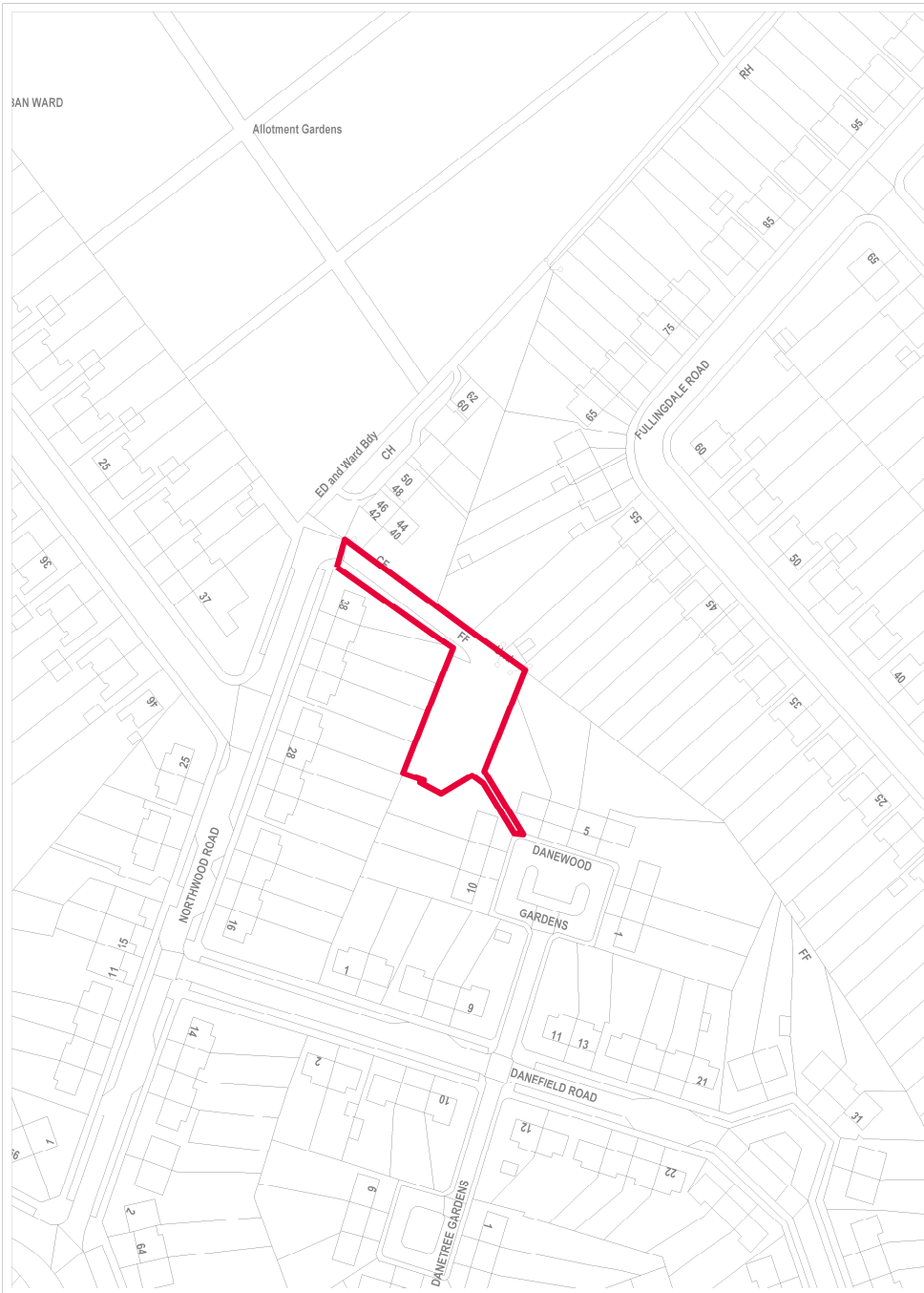
12. LEGAL IMPLICATIONS

13.1 None Identified.

14. SUMMARY AND LINKS TO CORPORATE PLAN

14.1 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:	Reddy Nallamilli	24/11/ 2011
Development Control Manager Agreed:	Gareth Jones	01/12/2011



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Name: Charis Holder Date: 1st December 2011 Scale: 1:1250 Dept: Planning Project: Site Location Plan</p>	<p>Title Land behind 32 - 38 Northwood Road</p>
	<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: 100019855</p>	



PLANNING COMMITTEE: 13 December 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/1003: Change of use from Community Centre (use class D2) to Tattoo Studio (use class Sui Generis) at
11 Coronation Court, Ashbrow Road

WARD: Delapre and Briar Hill

APPLICANT: Mr Martin Yates
AGENT: None

REFERRED BY: Head of Planning
REASON: Council Owned Property

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed change of use would bring back into use a unit which has been vacant for a considerable time, thereby enhancing the vitality and viability of the shopping centre, in accordance with PPS4 - Planning for Sustainable Economic Growth.

2. THE PROPOSAL

2.1 Change of use from community centre (Use Class D2) to tattoo studio (Sui Generis).

3. SITE DESCRIPTION

3.1 Vacant unit within a small shopping centre, in what were the outbuildings of Briar Hill Farm. The former farmhouse is listed Grade II and the building containing this unit is therefore curtilage listed.

4. PLANNING HISTORY

- 4.1 The creation of the shopping centre including this unit was approved in 1970.
- 4.2 The change of use of the unit to a community access centre, together with listed building consent for associated alterations, was approved in 2001.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development.
PPS4 - Planning for Sustainable Economic Growth.

5.3 Northampton Borough Local Plan

E20 – New Development
R9 – Districts and local centres: change of use from shops

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS

- 6.1 **Conservation (NBC)** - Having assessed the scheme it is not considered that the proposal to change the use of this retail premises has the capacity to impact detrimentally on the character or setting of the principal listed building. As such there are no objections to the scheme.

7. APPRAISAL

- 7.1 The main issues to consider are the impact on the shopping centre, on the amenities of nearby residents and on the character of the curtilage listed building.
- 7.2 The premises were previously in use as a community access centre but this use has been discontinued for some considerable time; reportedly seven years.

- 7.3 Local Plan Policy R9 refers to changes of use within centres identified the Plan. It applies exclusively to change of use from Class A1 (Shop) use. As the existing lawful use does not fall within Class A1 the policy cannot be applied.
- 7.4 Whilst it is considered that an A1 use would generally be more appropriate for a shopping centre location, in this case the local community's needs are already adequately provided for by the other units in the centre in the form of a convenience store, a hairdressers and a takeaway. It is difficult to envisage a further A1 use that could usefully add to this, which would mean that any A1 use would be a specialist retail use which would not specifically serve the local community. This perspective is supported by the fact that the unit has remained vacant for several years.
- 7.5 On balance it is considered that the introduction of a new use would be preferable to the premises remaining vacant and that the proposed use would increase footfall and the general vitality of the centre.
- 7.6 Given the nature of the use and its siting it is not considered that any adverse impact on neighbouring residents would result.
- 7.7 The unit is located within a curtilage listed building. This has the original stone walls of what was an outbuilding to the farm but has been fitted with a modern shopfront, which would remain. The change of use would not, in any event, result in itself in any alterations to the building and it is not considered, therefore, that any detrimental impact on the listed building or its setting would occur.

8. CONCLUSION

- 8.1 The proposed change of use would bring back into use a unit which has been vacant for a considerable time, thereby enhancing the vitality and viability of the shopping centre.

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.

10. BACKGROUND PAPERS

- 10.1 N/2011/1003.

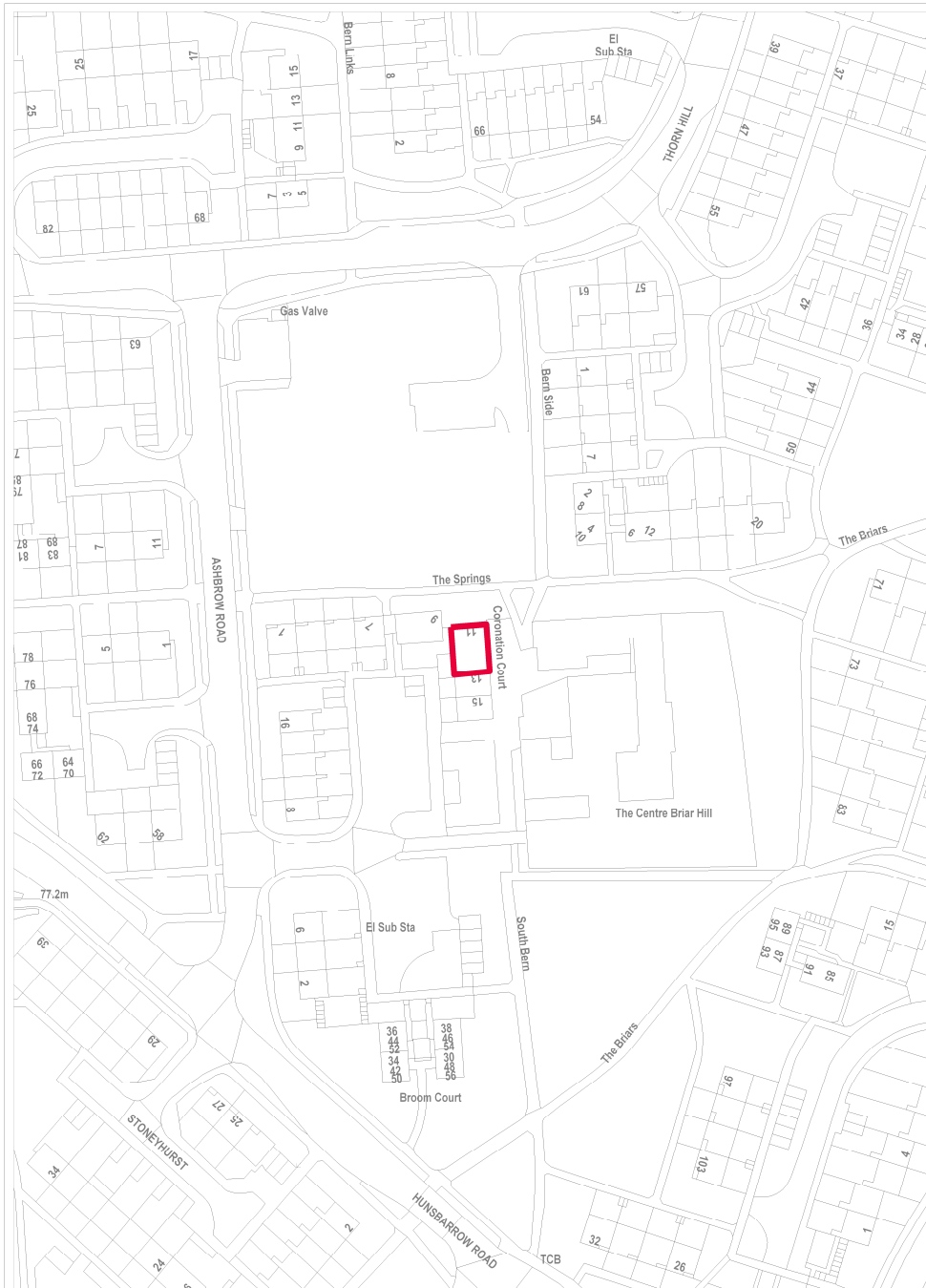
11. LEGAL IMPLICATIONS


- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	A Holden	24/11/11
Development Control Manager Agreed:	G Jones	25/11/11



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Name: Charis Holder Date: 1st December 2011 Scale: 1:1250 Dept: Planning Project: Site Location Map</p>	<p>Title 11 Coronation Court, Ashbrow Road</p>
	<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: 100019855</p>	

Agenda Item 10d



PLANNING COMMITTEE: 13 December 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/1062: Erection of five three bedroomed terraced houses with associated access and parking at Eastern District Social Club, Crestwood Road

WARD: Talavera

APPLICANT: Eastern District North Social Club
AGENT: Ron Sheffield

REFERRED BY: Head of Planning
REASON: The Borough Council owns part of the application site

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVE** planning permission subject to the outstanding highway matters being satisfactorily resolved and for the reason:

The proposed development would respect the character and appearance of the locality and would not significantly adversely impact upon the amenities of surrounding residential and would not be prejudicial to highway safety. For these reasons, the proposal would accord with Policy H6 of the Northampton Local Plan and PPS1, PPS3, PPS5 and PP13.

2. THE PROPOSAL

2.1 Full planning permission is sought for the erection of 5 no. 3 bed houses arranged in a two-storey terrace with access and parking, to be built on surplus land adjacent to the existing Social Club which is situated within the Lodge Farm Community Centre Buildings.

3. SITE DESCRIPTION

- 3.1 The application site lies to the west of Lings Way but is accessed from Crestwood Road to the north via a private road. This road also serves buildings occupied by the Social Club, the British Sub- Aqua Club and a telecoms depot. All of these sites are owned and leased by Northampton Borough Council.
- 3.2 The application site is located to the south of the community centre on land which once formed additional car parking for these premises but which became the subject of misuse and is now overgrown. To the east of the site is the telecoms depot. The access road to the depot runs to the north of the application site. To the south of the site is a terrace of two storey dwellings in North Paddock Court and to the west is an area of open space (identified as existing recreation/leisure in the Northampton Local Plan). A network of public footpaths runs across this land.
- 3.3 The application site is allocated as a primarily residential area in the Northampton Local Plan and adjoins a site identified as a community facility.

4. PLANNING HISTORY

- 4.1 N/2010/1083 – Erection of 5no. 3 bed terraced houses with associated access and parking – Withdrawn
- 4.2 N/2008/0870 – Change of use from car park to car hand washing including landscaped area - Refused

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
PPS 3 – Housing
PPS 5 – Planning for the Historic Environment
PPG13 – Transport
PPG 24 – Planning and Noise

5.3 Northampton Borough Local Plan

E20 – New Development

E19 – Implementing Development
E40 – Crime and Vandalism
H6 - Housing Development within Primarily Residential Areas

5.4 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS / REPRESENTATIONS**

6.1 **Anglian Water** – no comments received.

6.2 **NCC Highways:** (response to original plans):

- 1) As agreed in the past with my colleagues, the applicant will be required to construct a new footpath to an adoptable standard to match with the current footpath along the Western edge of the road.
- 2) The applicant will be required to construct a new carriageway to an adoptable standard and will be required to continue at the same width of the existing highway from Crestwood Road. The current proposed carriageway width of 4.8m is not adequate. The minimum acceptable width for the above carriageway is 5.5 m.
- 3) As a part of this development, the applicant is also required to construct a new footpath to an adoptable standard along the Eastern edge of the carriageway.
- 4) A standard turning head is required at the Southern end of the existing Highway and the Eastern end of the new access Road leading into the development. The turning heads will also be surrounded by the footpath.
- 5) A Planning Condition is to be implemented requiring full details of all roads and drainage including cross-sections, longitudinal sections, highway boundaries and proposed ground floor and first floor levels shall be submitted and approved by the Council prior to commence of any construction work on site.
- 6) A Planning Condition is to be implemented requiring NO development shall take place until details in respect of improvement to the new carriageway & new Footways have been submitted and approved by the Council and the approved details have been implemented unless otherwise agreed in writing by the Council.

6.3 **NCC Archaeology** - The application site is located towards the north eastern edge of Northampton, on the western side of Lings Way. Several sites are indicated in the county Historic Environment Record in the vicinity of the site. Possible prehistoric activity is recorded east of Lings Way, and finds of Roman and medieval date have been identified to the west and south west. An Iron Age/Romano British settlement is known further to the east. There is the potential for archaeological remains to survive on the site, albeit in a truncated state. PPS5, HE8.1 stresses the importance of pre application discussions in order to assess the significance of potential heritage assets. Normally, the assessment would take the form of a field evaluation prior to

determination; however, in light of the probability of truncation and the background evidence for archaeological remains, in this instance an archaeological condition will be acceptable. I note from other consultee comments that an investigation into ground contamination may need to be carried out, and I would suggest that if test pitting is to take place it should do so with archaeological monitoring; this may then give an indication of how much further archaeological work would be appropriate. The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. Suggests a condition for a programme of works.

- 6.4 **NBC Access Officer** – no comments received.
- 6.5 **NBC Public Protection** – no objections but require conditions relating to site investigation and noise from road traffic.
- 6.6 **NBC – Arboricultural Officer** – no tree protection issues as the trees at the site have low amenity value and could easily be replaced with better more suitable plantings.
- 6.7 **NBC Estates and Valuation Section** – no comments received.
- 6.8 **Crime Prevention Design Adviser** – have serious concerns about the proposal as the 2 wards which the site straddles have been identified as 2 of the top 10 wards in the county for serious acquisitive crime (burglary, robbery and vehicle crime). Considers that the applicant has failed to adequately address crime prevention measures and suggests that a condition is added to any consent for a scheme detailing the security standards for the site.
- 6.9 **Neighbouring properties and site notice** – no comments received.

7. APPRAISAL

Policy Context

- 7.1 The site lies within a primarily residential area as identified in the Northampton Local Plan where in planning policy terms the principle of development is normally acceptable providing the scheme is of an appropriate scale and density and in keeping with the character of the area, does not have an adverse impact on residential amenity and is acceptable in highway terms.

Site and surroundings

- 7.2 The proposed site is situated between Lodge Farm Community Centre to the north and housing to the south in North Paddock Court. This housing comprises two storey terraced dwellings built as Development Corporation houses in the 1970's. The proposed dwellings would 'side' onto the rear gardens of these properties at right angle to the existing terrace.

Design

- 7.3 The proposed dwellings would be two storey and have rear gardens of 10-11 metres in depth. Parking provision is located to the front of the dwellings and provides for 2 spaces per dwelling. In addition there are 2 visitor parking bays. A covered cycle and refuse bin store would be provided in the rear garden of the properties. The dwellings would be constructed from brick under a tiled roof and it is considered that their simple design is acceptable and in keeping with the character of the adjacent dwellings.

Impact on neighbours

- 7.4 Due to the separation distance between the proposed dwellings and the existing dwellings in North Paddock Court and as the development would be located to the north, it is considered that the proposed dwellings would not impact on the levels of outlook and light available to surrounding residents. This separation distance and the orientation of the proposed houses would also preserve privacy levels and mean that the development would not be overbearing.
- 7.5 The site is located close to the Community Centre car park. Due to the separation distance concerned and the presence of tree screening between the Community Centre and the proposed dwellings it is not considered that undue noise and disturbance will affect residential amenity.

Highways

- 7.6 The access road to the site is private and owned by Northampton Borough Council. The Sub Aqua Club, Social Club and Telecommunications Depot who lease their properties from NBC, all have rights of access across the land. A previous application was withdrawn when the British Sub Aqua Club claimed that they owned land which formed part of the access. This issue has been resolved and the Sub Aqua Club has not objected to the current application.
- 7.7 The access road is initially of adoptable highway width but it narrows as it approaches the application site to a width of 3m or less. Also the surface of the road becomes variable and at one point joins with the public footpath that is located to the west of the roadway. Initially the Highway Authority indicated that to comply with its requirements the applicant would need to construct a road to an adoptable standard

(minimum 5.5m width), provide adoptable standard footpaths to the east and west of the carriageway and turning heads surrounded by a footpath.

- 7.8 Following the receipt of these comments the applicants' agent met with representative of the Highway Authority with a view to resolving the issues and a potential agreement was reached whereby the access road remains as a private drive. Revised plans informed by the outcome of this meeting have been submitted. At the time of drafting the report the Highway Authority had not yet responded to the consultation on the revised plans. The recommendation at paragraph 1.1 above is based on the expectation that the revised scheme will be acceptable to the Highway Authority. However, it is recognised that the Highway Authority may maintain its concerns in which case the officer recommendation would change to either deferral or refusal for reasons relating to highway matters. Any alteration to the recommendation will be reported to the Committee via the addendum report.

Other matters

- 7.9 NCC Archaeology have indicated that there may be archaeological remains on the site. It is considered that a condition requiring a written scheme of investigation and programme of archaeological works could be applied to any consent.
- 7.10 As a result of comments received by the Crime Prevention Design Adviser it is considered that a condition should be added to any consent requiring that a scheme detailing the security standards for the site be submitted.

8. CONCLUSION

- 8.1 It is considered that the principle of developing this site for residential purposes is acceptable due to its allocation in the Local Plan, the character of the surrounding area and impact on neighbouring land uses. Following objections from the Highway Authority the applicant has submitted revised plans. The Highway Authority has been re-consulted and its comments are awaited. In the circumstances it is considered that it is reasonable to recommend approval of the application subject to the outstanding highway matters being satisfactorily resolved. In the event that they are not resolved the recommendation will be changed accordingly and this will be reported via the addendum report.

9. BACKGROUND PAPERS

- 9.1 N/2010/1083 and N/2008/0870.

10. LEGAL IMPLICATIONS

10.1 None.

11. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	Rowena Simpson	29/11/2011
Development Control Manager Agreed:	Gareth Jones	01/12/2011



Name: Charis Holder
 Date: 2nd December 2011
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Map

Title
Eastern District Social Club, Crestwood Road

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: 100019855

Agenda Item 12a



PLANNING COMMITTEE: 13 December 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/1074: Demolition of existing Bective works and Jebez House and the erection of 406 no. student accommodation building incorporating a 288sqm retail unit, 17 no. space lower ground floor car park and servicing space. New vehicular and pedestrian access and landscaping. Alteration, restoration and extension of Enterprise House for student community use. Bective Works, Bective Road, Northampton

WARD: Sunnyside

APPLICANT: Venulum Property Investments Ltd
AGENT: Mr. S. Avery; Bell Cornwell Ltd

REFERRED BY: Head of Planning
REASON: Major development

DEPARTURE: No

APPLICATION FOR CONSULTATION BY WNDC:

1. RECOMMENDATION

1.1 That the Council raise **OBJECTIONS** to the proposal for the following reason:

The proposed development, by reason of its siting, design and scale would have an adverse impact upon residential and visual amenity and therefore fails to comply with the requirements of PPS1 and PPS3 and Local Plan Policies E20 and H6.

1.2 Should WNDC be minded to approve the application, it is requested that the following matters be taken into account prior to a decision being reached:

- An updated contamination assessment be secured, taking into account recent changes to best guidance and potential changes

to the use of the land subsequent to the carrying out of the assessment. This is necessary to ensure that the proposal accords with the requirements of PPS23 – Planning and Pollution Control

- Any agreement requiring that the future occupiers of the development do not possess private cars is enforceable in order to ensure a satisfactory impact upon the amenities of the occupiers of surrounding properties and highway safety in line with the requirements of PPG13 – Transport.

2. THE PROPOSAL

- 2.1 The applicant has applied to the West Northamptonshire Development Corporation for full planning permission to provide 406 units (bedrooms) of student accommodation within a six storey building. The proposal also includes the provision of associated ancillary facilities including a retail unit, laundry, communal areas, kitchens and gymnasium. The proposal also includes the provision of 17 car parking spaces, within the lower ground floor. The proposed building would be broadly rectangular in footprint, but would include a number of internal atriums. The proposal would retain the Grade II Listed Enterprise House, which is located towards the north eastern corner of the site. It is proposed that both the Bective Works and Jebez House buildings be demolished, whilst the listed Enterprise House would be retained.

3. SITE DESCRIPTION

- 3.1 The application site is located within an area allocated within the Northampton Local Plan as being for residential purposes. The site is also adjacent to the Harborough Road Centre, as identified within the Northampton Local Plan, which includes a range of shops and services.
- 3.2 The application site is of 0.7ha in area and contains the building known as Bective Works. This is a predominantly brick built, single storey building with frontages onto both Bective Road and Yelvertoft Road. Part of the site has previously been redeveloped to create the parade of commercial units that front onto Harborough Road. The site also contains Jebez House, which is a single storey; split-level brick building located to the south east of the Bective works building. This fronts onto Yelvertoft Road. There is a small area of open space between this building and the residential dwellings in Yelvertoft Road.
- 3.3 To the rear of Jebez House and fronting onto Bective Road is Enterprise House, which is a Grade II Listed Building. This building was erected in 1902 and extended relatively soon after. The building is constructed from a combination of brick and stone and features a number of other architectural features.

4. PLANNING HISTORY

- 4.1 WN/2006/0028 – Demolition of existing Bective Works and Jebez House and the erection of 155no. residential units with associated landscaping and underground car parking – Approved
N/2011/0300 - Demolition of existing Bective Works and Jebez House and the erection of 155no. residential units with associated landscaping and underground car-park. (application for new planning permission to replace existing planning permission ref: WN/2006/0028 dated 01/11/2006 in order to extend the time limit for implementation) – Undetermined, application originally submitted to WNDC
- 4.2 The original application for 155 flats was considered by Northampton Borough Council and deemed acceptable in principle.

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
PPS4 – Planning for Sustainable Economic Growth
PPS5 – Planning for the Historic Environment
PPS23 – Planning and Pollution Control
PPG13 – Transport
PPG24 – Planning and Noise

5.3 Northampton Borough Local Plan

E20 – New Development
E40 – Crime and Anti Social Behaviour
H6 – Residential Development

5.4 Supplementary Planning Guidance

Northamptonshire County Council Parking Supplementary Planning Guidance (2003)
Northamptonshire County Council Planning Out Crime Supplementary Planning Guidance (2003)

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Conservation (NBC)** – It is clear that the proposed development has been designed with the setting of the listed building in mind and the new build structure steps down considerably in close proximity to the building. It is, however, difficult to mitigate for the impact that the sheer scale and mass of the building will have on the setting of Enterprise

House. It is, however, understood that a building of this scale and massing has already been accepted on the site.

- 6.2 **Environmental Health (NBC)** – More work is required to assess the parts of site that were previously looked at be cease of access of issues. The report itself is 4 years old and this means it is quite dated and may not represent the most recent uses that have been on site. The site investigation did not access all areas of the site, supplementary investigations should be carried out in those parts of the site not covered by the initial investigation. The site investigation and risk assessment was undertaken in July 2007, since that time there have been a number of changes to guidance and standards concerning land contamination and the risk assessment should be undertaken in accordance with current standards

7. APPRAISAL

Principle of the Development

- 7.1 By reason of the site's residential allocation and location in proximity to a number of other residential units, it is considered that the broad principle of redeveloping the site for residential purposes is acceptable; however, there are significant concerns regarding the scale of the development and the potential impacts that it would create.
- 7.2 The proposed development would feature a significantly high number of residents that result in a development that would be of a significantly higher density than the surrounding residential properties and higher than the development for flats, that has previously been proposed on this site. As a result of this, it is considered that the proposal could give rise to a significant detrimental impact upon residential amenity. In particular, this is likely to emanate from increased noise and disturbance as a result of heightened activity occurring within the site as well as from the likely demographic profile of residents within the proposed development (i.e. predominantly young, single people) Furthermore, the increased number of journeys made to and from the development is also likely to impact upon amenity. Local Plan Policy E20 states that new developments should adequately reflect the surrounding buildings in terms of form and scale; whilst Local Plan Policy H6 states that new developments should be of an appropriate scale and density.
- 7.3 It is noted that the proposed development is located adjacent to the Harborough Road Centre; however, given the scale of this centre, there are concerns that there would be insufficient background activities to adequately mask or absorb the impacts of the proposed development in conflict with the requirements of PPS24. It is noted that an acoustic impact assessment has been submitted with the application; however, this focuses on the communal spaces contained within the development (such as the gymnasium) and not on the wider impacts of the proposed development

- 7.4 Whilst the proposal would result in the loss of properties that could be utilised for commercial purposes, it is noted that they are predominantly vacant and the site is allocated within the Northampton Local Plan as being suitable for residential developments, the erection of accommodation on this site would not conflict with the aims and objectives of PPS4.
- 7.5 It is noted that the proposed development includes the provision of retail facilities with a floor space of 288m². Whilst it is acknowledged that the proposed development is outside the allocated centre, the site is immediately adjacent to the Harborough Road Centre. As a result of this relationship, combined with the relatively small scale of the retail unit, it is unlikely to fulfil all of the retail needs of the future occupiers of the development; it is considered that the shop would not have an undue detrimental impact upon the viability and vitality of this or any other centre.

Design and Appearance

- 7.6 It is considered that the residential area is characterised by the provision of relatively small scale, albeit densely developed terraced properties. This is in contrast to the very high density and multi storey accommodation that would characterise the proposed development. The guidance within PPS3 – Housing is of particular relevance where it is stated that the proposed developments should be well integrated with and complement existing buildings as well as the local area, in terms of scale and density. In addition, Local Plan Policy E20 states that new developments should adequately reflect the surrounding buildings in terms of form and scale; whilst Local Plan Policy H6 states that new developments should be of an appropriate scale and density.
- 7.7 Of particular concern is that the building is of a scale that would be detrimental to visual amenity. In particular, it is considered that large proportions of the building (up to approximately 22m in height) would result in the building having an overbearing affect upon the streetscene. Furthermore, the proposed development would be of proportions that are significantly greater than those within the vicinity and would therefore result in the building being an incongruous and strident feature when viewed from the wider area.
- 7.8 It is recognised that planning permission has previously been forthcoming to erect 155 flats upon the site; comprising 67 one bedroom apartments and 88 two bedroom apartments. This was accepted by the Council in 2006 and 2009. Whilst this proposed a large building, the current scheme is of greater proportions. In particular, the proposed development is taller (by approximately 4m) and has a considerably greater bulk than the previously permitted scheme. This is most noticeable on the Yelvertoft Road elevation, where the proposed building would feature a section of approximately 60m, where the building would have a height of between 21.5m and 16.9m. This differs

very significantly from the previously consented scheme where the height on the Yelvertoft Road elevation would be between 12.3m and 9.9m. Therefore, it is considered that the presence of previously approved schemes does not set a precedent for development of the scale proposed in this instance.

- 7.9 The applicant has submitted a lighting assessment that demonstrates that due to the design of the building, there would be no undue impact on the surrounding, predominantly two storey, residential dwellings. Whilst this is not disputed, there are significant concerns that the scale of the building would lead to an overbearing impact upon the occupiers of neighbouring properties, contrary to the requirements of Local Plan Policy E20. There are also concerns that the increase in the building height beyond the previously consented scheme may also lead to an increased perception of a loss of privacy given its scale and the quantity of windows in the large elevations.

Heritage Considerations

- 7.10 As set out previously, Enterprise House is a Grade II Listed Building. Whilst an application for Listed Building Consent for the necessary works to this building is under consideration by Northampton Borough Council, the impact on the exterior and setting of this building is a material consideration in the determination of the application for planning permission.
- 7.11 In terms of the proposed development, it is noted that relatively few external alterations are proposed to the exterior of Enterprise House, which is of assistance in reducing the impacts of the proposal upon the character of the Listed Building. Furthermore, the height of the proposed building reduces to 9.72m adjacent to Enterprise House. By means of comparison Enterprise House has a height of 7m at its highest point. This height is comparable to the previously permitted scheme (which had a height at this point of approximately 9.25m) and therefore it is considered that the overall impact upon the setting of the Listed Building would be neutral and therefore in compliance with the requirements of PPS5 – Planning for the Historic Environment.

Highways

- 7.12 It is recognised that the proposed development is located adjacent to a relatively small centre, including supermarkets. It is therefore recognised that some facilities would be readily accessible to the future occupiers of the development on foot. However, it is also recognised that residents would need to travel greater distances, either to their academic institution or to use facilities that are not on offer within the adjoining centre. Whilst it is likely that as student accommodation, the proportion of car owners is unlikely to be as high as conventional residential units there are concerns regarding the impact of the development upon highway safety and the free flow of traffic due to the existing general reliance upon on street parking spaces.

- 7.13 It is noted that the submitted documents indicate that residents of the proposed development would be required to enter into an agreement, which states that they would not utilise a private car during their period of occupying the proposed development. Whilst this position is noted, there are concerns regarding the enforceability of this, given the current unrestricted nature of on street car parking. As a result of this, WNDC is requested that if minded to approve this application, it be satisfied that such an obligation is enforceable.

Environmental Considerations

- 7.14 Whilst a contamination assessment has been submitted with the application, this was carried out in 2007 and did not assess all areas of the site. As a result of the possibility of intervening changes in the use of the land, combined with changes to best guidance in the carrying out of such assessments, it is recommended that in order to comply with the requirements of PPS2 a revised and updates assessment is obtained.

8. CONCLUSION

- 8.1 In conclusion, it is considered that although the principle of developing this site for residential purposes is acceptable, there are significant concerns regarding the scale of the proposed development given the density of accommodation and the impacts of the proposal upon visual and residential amenity. Therefore, it is considered that the proposal fails to comply with the requirements of PPS3 and Local Plan Policies E20 and H6.

9. BACKGROUND PAPERS

- 9.1 WN/2006/300
N/2011/0300
N/2011/1052

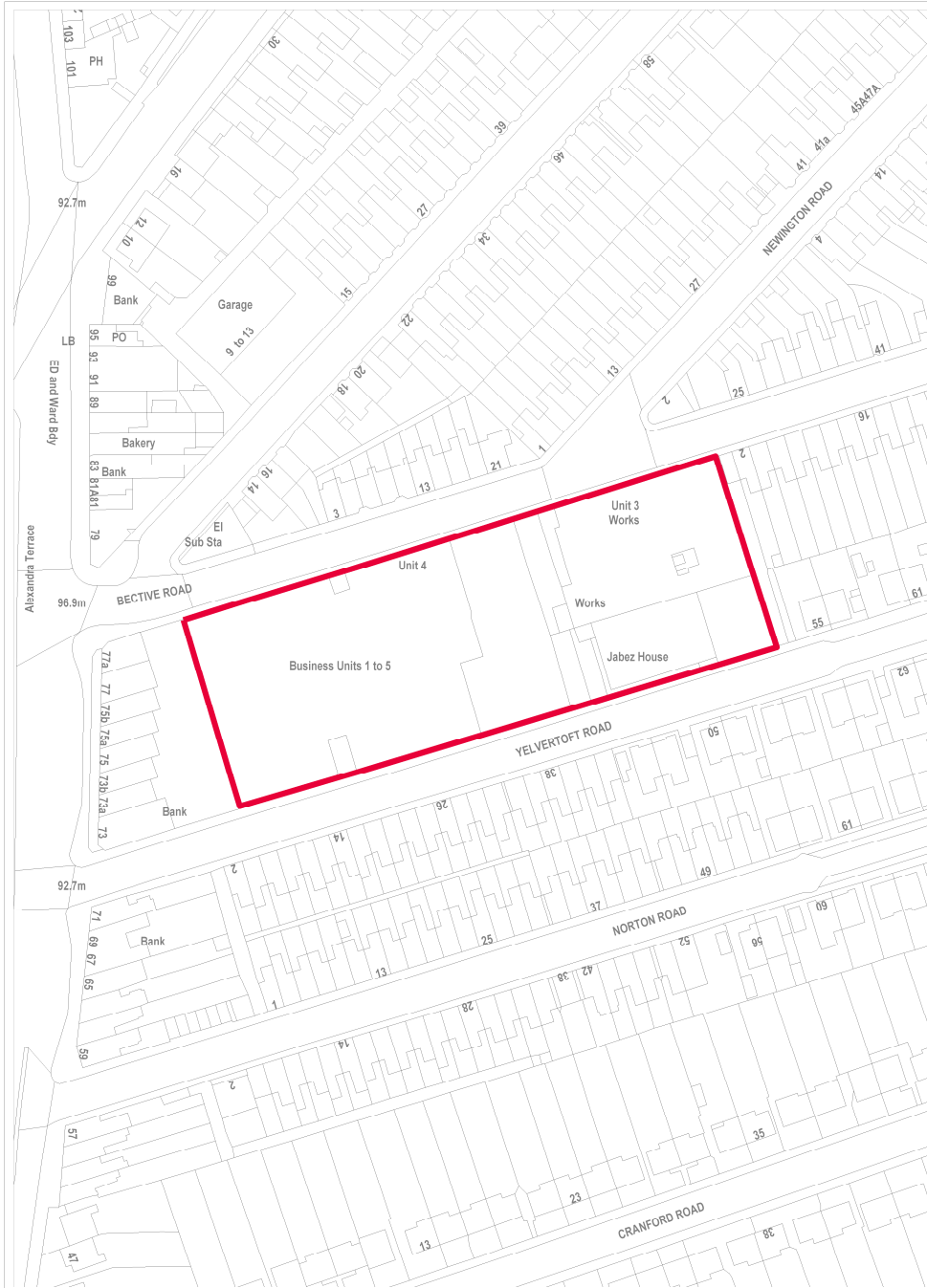
10. LEGAL IMPLICATIONS

- 10.1 None.

11. SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 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	25/11/11
Development Control Manager Agreed:	Gareth Jones	1/12/11



Name: **Charis Holder**
 Date: **1st December 2011**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Site Location Plan**

Title
Unit 3 Bective Works, Bective Road

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: 100019855

Agenda Item 12b



PLANNING COMMITTEE: 13 December 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/1147: **Erection of six storey office building (Use Class B1) with three disabled parking spaces, service bay, cycle parking and associated landscaping
Former United Social Club Site, Green Street, Northampton**

WARD: Castle

APPLICANT: Mr. C. Garden; West Northamptonshire Development Corporation

REFERRED BY: Head of Planning
REASON: Major development affecting a key site within the town

DEPARTURE: No

APPLICATION FOR CONSULTATION BY WNDC:

1. RECOMMENDATION

1.1 That the Council raise **NO OBJECTIONS** for the following reason:

The proposed development would have a positive impact upon promoting the viability and vitality of Northampton, including the Enterprise Zone; would introduce a landmark building onto this key site and have a neutral impact upon neighbour amenity and the historic environment. The development is therefore compliant with the requirements of PPS1, PPS4, PPS5 and Local Plan Policies E20 and E40.

1.2 If WNDC is minded to approve the application, it is requested that conditions requiring surveys of noise and light levels in order to ensure that the scheme is compliant with the requirements of PPS23 – Planning and Pollution Control and PPG24 – Planning and Noise. WNDC are also requested to investigate the possibilities of securing

further embellishments to the front elevation of the building in order to better reflect the requirements of Local Plan Policy E20 and PPS1.

2. THE PROPOSAL

- 2.1 The applicant seeks planning permission from the West Northamptonshire Development Corporation to erect a six storey office building comprising 3737m² of office space. The building would also feature a café and function space upon the ground floor. The purpose of the development would be to promote and facilitate growth in new and existing businesses within Northampton, work in conjunction with companies located within the Enterprise Zone and provide greater linkages between business and academia in the form of Northampton University.
- 2.2 It is noteworthy that the proposal would be used as an 'Innovation Centre', which would offer greater opportunities for collaboration between businesses of a complimentary nature operating within the building; provide advice to small scale and innovative businesses in terms of matters such as strategy and planning; provide greater access to technology, including greater collaboration between academic research and business; assistance in manufacturer and market identification and providing partnership and mentoring facilities.

3. SITE DESCRIPTION

- 3.1 The application site is located on the periphery of the town centre, and previously contained the United Social Club, which was demolished in 2010. The site is located to the south of Black Lion Hill and opposite the Railway Station on which a new station building received prior approval from the Borough Council in May 2011 (reference: N/2010/1065). The site is reasonably level and a three storey building containing residential flats are located in close proximity to the rear boundary.
- 3.2 The site is adjacent to Black Lion Hill and St James Road, which serves as one of the main routes into the town centre as well as conveying a significant amount of traffic around the inner ring road. As a result of this, the site has a significant position within the streetscape. By nature of the area's topography, the site is located In addition; the site is located at a lower level than the adjoining highway. The site is located within the recently announced Northampton Waterside Enterprise Zone.

4. PLANNING HISTORY

- 4.1 None relevant

5. PLANNING POLICY

- 5.1 **Development Plan**

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

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPS4 – Planning for Sustainable Economic Growth
PPS5 – Planning for the Historic Environment
PPS23 – Planning and Pollution Control
PPS25 – Development and Flood Risk
PPG13 – Transport
PPG24 – Planning and Noise

5.3 Northampton Borough Local Plan

E20 – New Development
E40 – Crime and Anti Social Behaviour

5.4 Supplementary Planning Guidance

Northamptonshire County Council Parking Supplementary Planning Guidance (2003)
Northamptonshire County Council Planning Out Crime Supplementary Planning Guidance (2003)

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Public Protection (Environmental Health) (NBC)** – By reason of the proximity of the site to surrounding residential properties, conditions covering an investigation into the likely noise and external light levels and the means for their control are recommended. Consideration should also be given to restricting the operating hours of the premises.

7. APPRAISAL

Principle of the Development

- 7.1 The site is allocated in the Northampton Local Plan as being a location for future residential development. It should be recognised that this allocation has been removed within the emerging Central Area Action Plan. The emerging West Northamptonshire Joint Core Strategy directs office type developments to be located primarily in and adjoining the principal urban area of Northampton. The site has also been allocated as part of the Waterside Regeneration Area, to which this proposal would make a positive contribution.
- 7.2 Therefore it is considered that relatively little weight should be given to the Local Plan allocation. Irrespective of the allocation, it is considered that the provision of office accommodation within this location would represent an appropriate use of the land given the potential for linkages

to be formed to businesses within the town centre as well as the wider benefits in contributing to the overall success of the Enterprise Zone and therefore the scheme is compliant with the requirements of PPS4.

- 7.3 The nature of the proposal would also deliver significant benefits for the future economic viability of Northampton, through the creation of new employment opportunities. Furthermore, the proposal would not only assist in attracting students to Northampton, but also to encourage them to remain in Northampton following the completion of their studies to work and promote business activity.
- 7.4 The proposed development would be sustainably located given the proximity of the site to the railway station as well as the frequency and number of buses that operate along Black Lion Hill/St James Road. Furthermore, public car parks are in reasonably close proximity to the application site. For these reasons, it is considered that the proposed use is suitably located.
- 7.5 Although car parking within the development is limited to three disabled car parking spaces, it is considered that this provision is acceptable given the accessibility of the site. Therefore, it is considered that the proposal is in accordance with the requirements of PPG13 – Transport.

Design and Appearance

- 7.6 The site is in a prominent location within the town centre and it should also be noted that the emerging Central Area Action Plan identifies it as being an important gateway location. The proposed development is of a distinctive nature that reflects the importance of this location. The building would be orientated towards Black Lion Hill, which would assist in promoting a more active frontage to the streetscene. Nonetheless, it is considered that the front elevation of the building could be embellished to improve this important frontage. The development is also planned to achieve BREEAM category 'excellent', which would ensure that the development is of a sustainable nature and in accordance with the requirements of PPS1 – Delivering Sustainable Development.
- 7.7 The application states that the proposed building would be constructed from a variety of materials, including ironstone, coated aluminium cladding and terracotta cladding. Whilst this palette of materials is generally considered acceptable, there are concerns that due to the level of traffic that utilises the adjoining road and railway line, that these materials could become discoloured over time. Therefore, WNDP is recommended to ensure that this would not be the case so that the overall success of the development is not compromised. Therefore the proposed development is in accordance with Local Plan Policy E20.
- 7.8 It is noted that the proposed building features a recessed entrance at the ground floor level, when accessed from Black Lion Hill. There are concerns that this could become a venue for anti-social behaviour to

take place due to this recessed element. However, this factor should be balanced against the visibility of this elevation of the building due to the level of vehicular and pedestrian traffic that passes the site. By reason of this, it is considered that this element of the proposal would experience a reasonable level of natural surveillance and therefore there is no breach of Local Plan Policy E40 and the Supplementary Planning Guidance – Planning Out Crime. In addition, the three disabled car parking spaces would be sufficiently overlooked, including significant views from the café area.

- 7.9 The site is within 30m of the Grade II Listed Postern Gate and Walls, located on the northern side of Black Lion Hill, which were re-erected within this location in 1879. Due to the separation distance between the proposed building and these structures of historical importance, it is considered that there would be no undue impact upon the character and setting of this structure as required by PPS5. An archaeological assessment has been submitted with the application, which identifies that it is unlikely that prehistoric or Roman remains would be found on the site due to previous excavations revealing that such deposits are rare and of generally low importance. Furthermore, Saxon and Medieval remains are likely to be limited. Nonetheless, a programme of archaeological investigations has been identified in order to ensure that any historical remains are appropriately dealt with.

Impact on Neighbouring Properties

- 7.10 Although the building is of a large scale, it is considered that due to the orientation of the site, the bulk of the shadows cast from the development would fall over the railway line and Black Lion Hill/St Peters Way areas. As a result of this it is considered that the proposal would not lead to a significant loss of light to the occupiers of the neighbouring properties. In terms of considerations relating to the outlook and privacy, it is considered that due to the separation distances between the proposed development and the flats to the rear of the site (9.86m to the nearest elevation of these flats, which is predominantly unglazed and 41.48m to the larger, glazed elevation), there would no undue impact upon residential amenity.
- 7.11 In order to ensure a satisfactory impact upon the occupiers of the nearby residential properties, it is recommended that if WNDG are minded to approve this application, it be subject to a condition that would require a survey of the likely sources of noise and the means for their control. This is necessary in order to ensure that the proposed development complies with the requirements of PPS24. By reason of the positioning of the application site and the level of activity associated with Black Lion Hill, St James Road and St Peters Way, it is considered that a condition restricting operating hours would be unnecessary. A survey of the effects of any external lighting would also assist in ensuring that the scheme complies with the requirements of PPS23.

8. CONCLUSION

8.1 The proposed development is appropriately located and would support the economic viability and vitality of the wider Northampton area. Furthermore, the proposed building would provide a landmark building at this key gateway site. Although of a large scale, the building would have a neutral impact upon the occupiers of neighbouring properties, subject to appropriate conditions and therefore it is considered that the proposed development is acceptable. The proposed development would also assist in meeting the aims and objectives of the emerging West Northamptonshire Joint Core Strategy and the Northampton Central Area Action Plan.

9. BACKGROUND PAPERS

9.1 N/2011/1147.

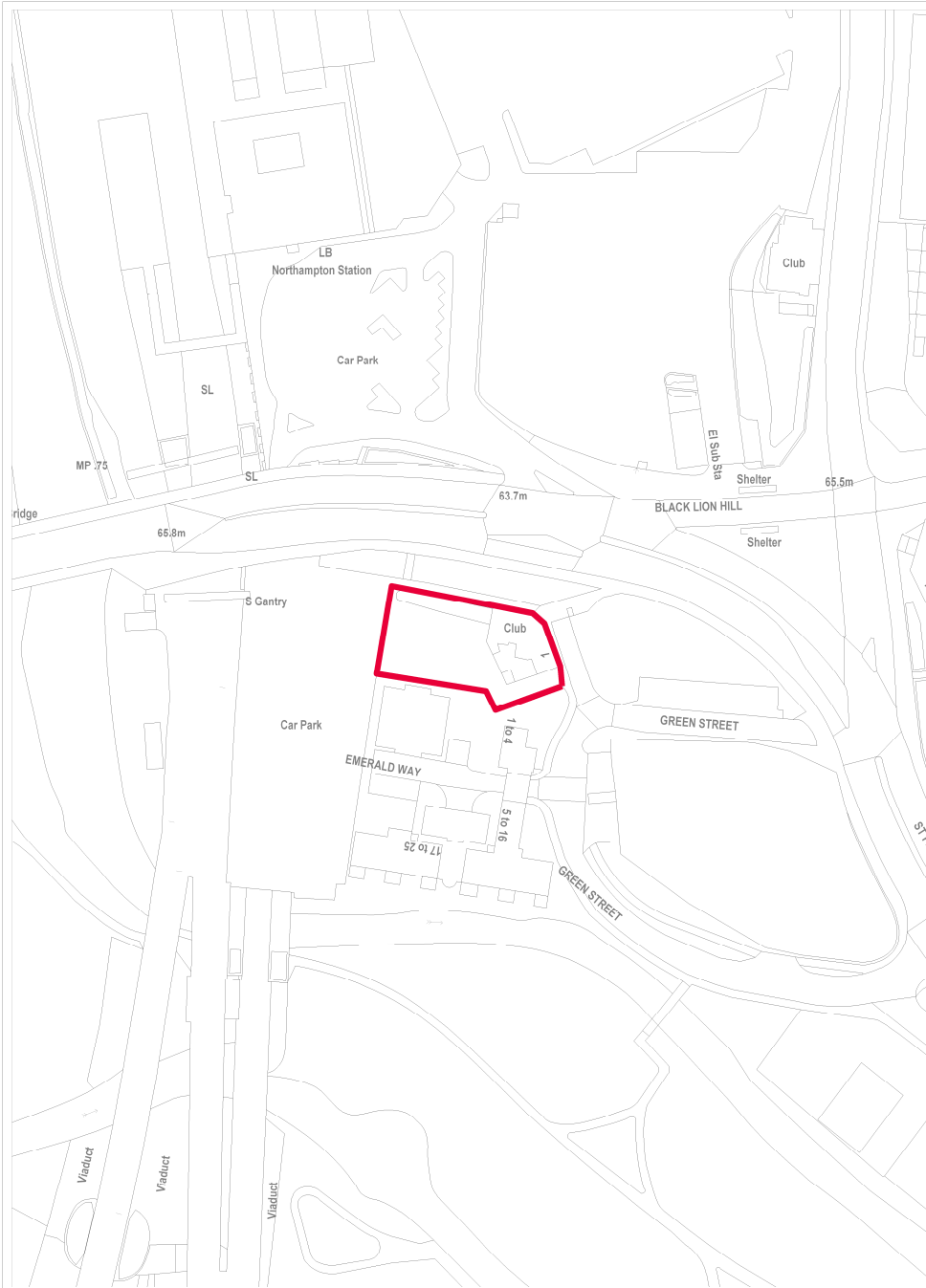
10. LEGAL IMPLICATIONS

10.1 None.

11. SUMMARY AND LINKS TO CORPORATE PLAN

11.1 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	23/11/11
Development Control Manager Agreed:	Gareth Jones	1/12/11



Name: **Charis Holder**
 Date: **1st December 2011**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Site Location Plan**

Title
Former United Social Club, 1 Green Street

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: 100019855