

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, 1 MAY 2012 AT 6:00 PM.

D. KENNEDY
CHIEF EXECUTIVE

AGENDA

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
- 6. LIST OF CURRENT APPEALS AND INQUIRIES G. JONES
X 8014
Report of Head of Planning (copy herewith)
7. OTHER REPORTS
None.
8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
None.
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
None.
10. ITEMS FOR DETERMINATION
An Addendum of further information considered by the Committee is attached.
 - (A) N/2011/1234- ERECTION OF THREE ADDITIONAL DWELLINGS (AS AMENDED BY REVISED PLANS RECEIVED ON 12 MARCH 2012) AT 86 CHURCH WAY A.
HOLDEN
X 8466
Report of Head of Planning
(copy herewith)
Ward: Park
 - (B) N/2012/0055- ERECTION OF 4NO DETACHED DWELLINGS (AS AMENDED BY REVISED PLANS RECEIVED 27 MARCH 2012) AT BUILDING PLOT ADJACENT TO SPRINGFIELD, 61 CHURCH WAY G. WYATT
8912
Report of Head of Planning
(copy herewith)
Ward: Park

- (C) N/2012/0063- ERECTION OF 3 DWELLINGS FOLLOWING THE DEMOLITION OF EXISTING CAR SALES GARAGE, INCLUDING FIRST FLOOR EXTENSION AT 2A PORT ROAD (AS AMENDED BY REVISED PLANS RECEIVED ON 19 MARCH 2012) AT 4 PORT ROAD

G. WYATT
X 8912

Report of Head of Planning
(copy herewith)

Ward: New Duston

- (D) N/2012/0100- ERECTION OF TWO DWELLINGS (AS AMENDED BY REVISED PLANS RECEIVED ON 13 MARCH 2012) AT LAND ADJACENT TO 23 GREENVIEW DRIVE

G. WYATT
X 8912

Report of Head of Planning
(copy herewith)

Ward: Kingsley

- (E) N/2012/0140- ERECTION OF 35X 1 BED AND 15X 2 BED LIVING APARTMENTS FOR THE ELDERLY (CAT II TYPE ACCOMMODATION), COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING (RESUBMISSION OF N/2011/0839) AT FORMER WESTONIA GARAGE SITE, 582-592 WELLINGBOROUGH ROAD, NORTHAMPTON

B.
CLARKE
X 8916

Report of Head of Planning
(copy herewith)

Ward: Park

- (F) N/2012/0159- ALTERATIONS TO SHOP FRONT AT 13 WARREN ROAD

J. MOORE
X 8345

Report of Head of Planning
(copy herewith)

Ward: Spencer

- (G) N/2012/0163- CONSTRUCTION OF NEW VAUXHALL DEALERSHIP INCLUDING TWO STOREY SHOWROOM BUILDING, MOT FACILITY, WORKSHOP AND CAR PARKING AREAS (AS AMENDED BY REVISED PLANS RECEIVED 2 APRIL 2012) AT SITE OF PROPOSED UNIT 21, CAROUSEL WAY

B.
CLARKE
X 8916

Report of Head of Planning
(copy herewith)

Ward: Riverside

- (H) N/2012/0193- RESUBMISSION OF PLANNING APPLICATION N/2011/1220 FOR A SINGLE STOREY SIDE AND REAR EXTENSION AT 116 REYNARD WAY

J. MOORE
X 8345

Report of Head of Planning
(copy herewith)

Ward: Obelisk

- (I) N/2012/0263- SINGLE STOREY EXTENSION
(AMENDMENT TO PLANNING PERMISSION N/2011/1259)
AT 6 RUSHMERE AVENUE

A. WEIR
X 7574

Report of Head of Planning
(copy herewith)

Ward: Rushmills

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

- (A) N/2012/0122- HYBRID PLANNING APPLICATION
COMPRISING: FULL APPLICATION FOR THE ERECTION
OF A HOME AND GARDEN CENTRE, RETAIL UNITS,
DRIVE THRU RESTAURANT, GATEHOUSE, LAKESIDE
VISITOR CENTRE, RESTAURANTS AND BOAT HOUSE,
TOGETHER WITH PROPOSALS FOR ACCESS
INCLUDING A LOCK. OUTLINE APPLICATION FOR THE
ERECTION OF A HOTEL, CRECHE, LEISURE CLUB AND
MARINA WITH SOME MATTERS RESERVED
(APPEARANCE) PLUS REMOVAL OF A SKI SLOPE AND
ASSOCIATED SITE LEVELLING, LANDSCAPING, HABITAT
MANAGEMENT AND IMPROVED WORKS

C.
PRESTON
X 8618

Report of Head of Planning
(copy herewith)

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

SUPPLEMENTARY AGENDA

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

<TRAILER_SECTION>
A6801

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 3 April 2012

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

1. APOLOGIES

Apologies for absence were received from Councillor Davies.

2. MINUTES

The minutes of the meeting held on 6 March 2012 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Messrs Charles and Ogle be granted leave to address the Committee in respect of application no. N/2012/0170.

That Messrs Howson and Renn be granted leave to address the Committee in respect of application no. N/2011/1249.

That Mrs Hallisey, Professor Petford, Messrs Richardson and Rowley and Councillors Stone and Strachan be granted leave to address the Committee in respect of application no. N/2012/0067.

4. DECLARATIONS OF INTEREST

Councillor Hibbert declared a Personal interest in application no. N/2012/0067 as his daughter had signed a petition objecting to the proposal.

Councillor Yates declared a Personal and Prejudicial interest in application no. N/2012/0067 as being a member of Cabinet when it considered the CAAP and St John's Development Proposals on 12 October 2011.

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

The Chair was of the opinion that the following item be discussed as a Matter of Urgency due to the undue delay if considered were to be deferred.

National Planning Policy Framework

The Head of Planning circulated the Addendum and noted that the National Planning Policy Framework had been published on 27 March 2012 and replaced the existing planning policy documents and in essence, put all national planning policy advice into one document: training would be made available to Councillors. He elaborated upon the new Policy Framework and noted that the Addendum set out its implications in respect of the applications for consideration later in the meeting.

RESOLVED: That the report be noted.

6. LIST OF CURRENT APPEALS AND INQUIRIES

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

RESOLVED: That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2012/0170- CREATION OF MULTI-USE SKATEPARK AT MIDSUMMER MEADOW

The Head of Planning submitted a report in respect of application no N/2012/0170 elaborated thereon and referred to the Addendum that set out the effects of the NPPF on the application, additional representations from the County Council Archaeology Adviser and Northampton Wildlife Trust, the Applicants response to the Wildlife Trust, updates to the report in respect of contaminated land, flood risk and car parking and additional or amended proposed conditions.

Mr Charles, as Chair of Northampton Skateboard Park, commented that skateboarders in Northampton had been campaigning for new facilities for several years since the closure of Radlands. Skateboarders at present had to travel out of Northampton to use other facilities despite there being a large number of people wanting to participate. Skateboarders wanted a facility that would encourage competitions and therefore draw more people to the Town who as a by-product would spend their money on goods and services in Northampton. Mr Charles noted

that since the anti skateboarding bye-laws had been introduced the need for a venue for skateboarders had become more pressing. He commented that not everyone was interested in football, rugby or cricket and that skateboarding was a healthy activity. He believed that the proposal before the Committee was forward thinking. In answer to questions Mr Charles commented that the Northampton Skateboard Park Group represented approximately a thousand skateboarders; that members of the Skateboard Group had agreed to manage the issues of litter themselves; and that the facility had been designed to accommodate a number of activities, at all ability levels including young children on scooters.

Mr Ogle, on behalf of the Council as applicant, invited questions from the Committee. In answer to questions Mr Ogle commented that the change to the opening hours of the car park was to avoid its use by commuters; that the Council would have an ongoing maintenance liability for the facility; that the Events Team were keen to organise events with the Skateboard Group; and that usage of the site would be monitored and support given to help develop the use of the site as appropriate.

The Head of Planning noted that the Skateboard Park would have flexible opening hours and that further discussions could be held with the Applicant in respect of car parking so as to allow safe drop off and pick up arrangements at those times when the car park was closed to the public. He also noted that the lack of facilities in the County Town was an important point and the provision of this facility would prevent some journeys to other places and as a physical activity complied with national policy. In answer to questions, the Head of Planning commented that dropping off points could be dealt with by signage; that the Skateboard Group could advertise the facilities via a website; and that the issue of the car park opening hours was still being discussed, there were two options being considered, and that proposed condition 10 dealt with this.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as amended to reflect the NPPF, and the amended and additional conditions set out in the Addendum, as the proposal represented an improvement in leisure facilities that would serve the Borough as a whole and which would not have any detrimental impact on the existing open space or on the amenities of adjoining occupiers. The proposal thereby complies with Policies E20, L1 and L16 of the Northampton Local Plan and the NPPF.

10. ITEMS FOR DETERMINATION

(A) N/2011/1249- ERECTION OF 14 DETACHED DWELLINGS WITH ASSOCIATED WORKS FOLLOWING THE DEMOLITION OF SINGLE EXISTING DWELLING (AS AMENDED BY REVISED PLANS RECEIVED ON 21 FEBRUARY 2012) AT 55 BERRY LANE, WOOTTON

The Head of Planning submitted a report in respect of application no N/2011/1249, elaborated thereon and referred to the Addendum that set out the effects of the

NPPF on the application, and additional representations from Wootton and East Hunsbury Parish Council and residents in Villagers Close and Berry Lane.

Mr Howson, stated that he represented residents in Berry Lane, who strongly objected to the proposed access onto Berry Lane but not to the proposed development of the site itself. He believed that there were issues of safety for pedestrians as Berry Lane narrowed at its far end and was negotiated by six buses a day. He believed that the previous planning permissions for the site were not relevant. Mr Howson asked that the Committee consider an alternative exit from the site onto Wooldale Road that he believed provided a better route for children and parents going to Caroline Chisholm School. He commented that children's safety should be a concern to the Committee. In answer to questions Mr Howson commented that Wooldale Road ran at the back of Berry Lane and that no houses fronted onto Wooldale Road.

Mr Renn, the architect, commented that the site had two previous permissions for residential development and that the access arrangements had been approved on each of those occasions by the Highway Authority. He believed that the site had no immediate effect on that part of Berry Lane referred to by Mr Howson which he also believed was some hundred metres distant. Discussions had taken place with the Environment Agency and flooding issues had been resolved. This proposal was for a lower density development than the previous two that had received permission and this aspect had been generally welcomed at a public meeting of the Wootton and East Hunsbury Parish Council in November 2011. In answer to a question Mr Renn commented that the applicant had investigated an alternative exist onto Wooldale Road but the difference in levels had led to a difficult engineering problem.

The Head of Planning clarified that the previous planning consents were a material consideration and noted that the existing permission for 21 houses could be enacted that would have a more intensive use of the site and more vehicle movements. In answer to questions the Head of Planning stated that the threshold where the provision of affordable housing would apply was 15 units; it was not known if the applicant had deliberately pitched this application so as to avoid the need to provide affordable housing; the NPPF had removed national advice on density which was now to be decided locally; that the proposed density was in keeping with the locality but might not be acceptable elsewhere; and that the Highway Authority had not required a Section 106 agreement for a TRO in the context of the current application in contrast to their position in respect of the application considered in February 2011.

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to:

(1) Prior finalisation of a S106 agreement to secure:

- A contribution towards education provision.
- A management plan, including management responsibilities and maintenance schedules, for the public open space and all external and shared/common areas of the development.

- (2) Planning conditions set out in the report and as amended by the NPPF as the proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers as adequate separation can be provided to prevent any overlooking and overshadowing and would be in keeping with the character and appearance of the area due to the density of development proposed. The proposal complies with Policy E6 in that the development would not unacceptably prejudice the function of the wider area of greenspace in providing green space around the built up area of Northampton. The development would therefore be in line with the Policies H6, H17, H32, E20, E40 of the Northampton Local Plan and conforms with the NPPF.
- (3) 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 allow or 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.

(B) N/2012/0067- ERECTION OF STUDENT ACCOMMODATION COMPRISING OF 464 BEDROOMS, ANCILLARY COMMUNAL FACILITIES, GYMNASIUM, EDUCATIONAL TRAINING SPACES, HARD AND SOFT LANDSCAPING, AND PUBLIC REALM WORKS, SERVICING ROAD AND PARKING FACILITIES (SUI GENERIS) AT ST JOHNS SURFACE CAR PARK

Councillor Yates left the meeting in accordance with his declaration of interest set out in minute 4 above.

The Head of Planning submitted a report in respect of application no N/2012/0067, elaborated thereon and referred to the Addendum that set out the effects of the NPPF on the application, an amended reason if the application were to be approved taking into account the NPPF, four further representations about the application, comments from the Environment Agency and Anglian Water and comments from the Highway Authority including additional conditions. He reported that two further representations from residents had been received. The Head of Planning described the development of the site from 1740 to present and emphasised the elevations for each side of the site and also emphasised the steps taken to mitigate the daylight effect on residents in Bloomsbury House. He believed that the final proposal represented a better solution than if the normally accepted standard in respect of daylight had been agreed. The Head of Planning noted the Highway Authority improvements to Swan Street and St John's Street to make them two-way were part of a wider scheme of road improvements not related to this application. He commented that the principle of residential development of the site was established but it was not possible for planning to differentiate between different types of residential development.

Mrs Hallissey, on behalf of residents of Bloomsbury House, Guildhall Road and Victoria Promenade, commented that she was not adverse to student accommodation in the town centre but queried whether this was the right location for it. She referred to Policy H21 of the Northampton Local Plan that proposed that there should be a mixed development of the site that included some residential use. She believed that this proposal would lead to a lack of privacy, light and peace for existing residents; Bloomsbury House had been designed to be predominately south facing to take advantage of the topography but this would now be nullified. Mrs Hallissey commented that the Highway proposals for Swan Street and St John's Street would create a rat run and that residents of Bloomsbury house had already lost the use of St John's Multi Storey Car Park. She believed that the scale of the proposal had been dictated by the need to have a financially viable scheme. In answer to questions Mrs Hallissey commented that only those residents who had bought a car park space with their flat were able to use the underground car park at Bloomsbury House; other tenants at Bloomsbury House had acquired a ten year lease of parking spaces at St John's Multi Storey Car Park but these had come to an end; some residents did currently use St John's surface car park; and residents amenity at Bloomsbury House would be effected by looking out onto bricks and windows rather than the existing open aspect.

Mr Richardson, a local businessman, stated that his business interests in the Town Centre were likely to benefit from this proposal, however, notwithstanding this, he was opposed to it. There was an expectation that the Council wanted this development and the University wanted it but he believed that it was not in the public interest for it to go ahead. He commented that other town centre car parks were due to close such as at Angel Street, Albion Place and the Plough Hotel and that such a combined loss of car parking within the town centre ring road was not in the best interests of the vibrancy and development of the Town Centre. He believed that history would judge harshly if this application were to be approved. Mr Richardson stated that the Council was wrong to "sell the family silver" merely to fill a financial black hole. He referred to the car park survey that showed that there were 1,800 unused car park spaces in the Town Centre; he believed that this revealed not that there were too many car park spaces provided but rather that the retail offer in the Town Centre was not good enough. Good Town Centre parking was needed rather than building on it. Mr Richardson stated that student accommodation should be located at one of the alternative sites that had been suggested for it. In answer to questions Mr Richardson stated that there were limited car parks in the Town Centre and given a choice people seemed to prefer surface car parking; that if the Town's population were to expand as predicted then all the car parking that could be found would be needed; that it was his belief that the loss of car parking would affect the Royal and Derngate Theatres; that a lot of effort was being made into improving the Town Centre and the prospect in the report of CCTV cameras, security staff and bouncers lowered the tone; and that whilst the St John's Multi Storey Car Park might be able to cope with the loss of parking from the surface car park in the short term, it would not be adequate in the longer term.

Councillor Stone, as a Ward Councillor, commented that she was representing constituents whose views she had taken seriously. She noted that the report referred to inclusion but the existing demographic of surrounding residents was already very broad taking in an age range from young to old and tenures from owner occupiers through rented to social housing. She believed that the proposal would be a

ghettoised development forcing people out from around the edges; the surrounding streets would not be safe. CCTV cameras were already being planned to counter anti-social behaviour. Councillor Stone commented that this was a gateway site that should invite people into the Town Centre: this proposal would not do that. It was more likely to chase existing residents out. This area would become more difficult to manage. She noted that there would be 35 windows overlooking existing homes that would be detrimental to existing residents' amenity.

Councillor Strachan, as a Ward Councillor, commented that a number of comments had been made of the proposals and changes had been made to the design, materials, lighting and landscaping of this scheme. There remained some highways issues including the safety of pedestrians; the development would not slow traffic coming down Guildhall Road. He had recently observed a person in a disabled electric chair have difficulty in crossing Guildhall Road. Councillor Strachan commented that there was a need to give young people the skills that were needed for jobs in the future and also to create those jobs. New technologies had to be explored. The University was a starting point for this. He commented that he supported the proposal in principle. In answer to a question Councillor Strachan stated that he did not believe that the proposal would ghettoise the area.

Mr Rowley, the Agent, stated that the site was important and was allocated for development as a sustainable brownfield site. The University had a pressing need for student accommodation and this was a good site for it: bringing people and extra spend into the Town Centre. They had worked hard to meet the Officers concerns to mitigate the effects on existing residents by the clever use of design and materials. The development was seen as a long term project and the development would be closely monitored; there would be security staff on site, a named contact for neighbours and students would have to adhere to a code of conduct. The University wanted the scheme to work for neighbours as well. In answer to questions Mr Rowley commented that a decision as to when the main entrance doors would close had yet to be made but was likely to be around 9 or 10pm, entry after this would be through a key fob mechanism; that the University had considered other sites but had concentrated on those allocated for development; that he had sympathy with existing residents but the site was allocated for development; that there had been two public consultations that had included the management of the development and the results of these had been built into the proposals set out in the report; and that he would be happy to discuss with the University the creation of a management committee to work with residents notwithstanding the contact point that was already provided for.

Professor Petford, Vice Chancellor Northampton University, commented that this proposal was critical for the University. The University had a turnover of £100m, employed 1,100 people and had 15,000 students. It was committed to Northampton and viewed their success and that of the Town and County as the same. He observed that other Universities in nearby towns and cities were spending large sums of money on developments in their respective town and city centres. It was important for the University to develop and enhance the skills base for Northamptonshire; it also needed to be attractive to students to want to come here. Two public consultations on the proposals had been carried out and the results of which had been taken into account in the proposals now before the Committee. Arrangements would be put into place to ensure that students took responsibility for their own behaviour. Professor Petford understood that the Royal and Derngate

Theatres supported the application. He commented that the University took its community role very seriously and gave his personal guarantee to make the management of the site work. In answer to questions Professor Petford commented that projected figures of the reduction of student numbers did not effect this proposal as the accommodation could be filled five times over; that cars could not be brought onto the site and it was commonplace for Universities to ban cars from halls of residence; that the incidence of bad behaviour by students was no greater than in the general population and that there would be 24hr onsite security; there would not be bouncers as had been rumoured; that the University was keen to work with residents; that students would have 24 hour access to the building and that Sheffield and Ipswich were examples of where similar developments had brought benefits to the local economy across a wide range of goods and services; that students would get to the main campuses via bus, cycling or walking and that a transportation plan was being discussed with the County Council; and that the University had a good reputation for getting students to volunteer to help charities and other organisations as a way of integrating with the Town.

The Head of Planning commented that paragraph 8.17 referred to the car parking issues, paragraph 8.20 and onwards referred to the management of the site and paragraphs 8.5 to 8.12 referred to the status of the site as brownfield land. He reminded the Committee that it needed to consider the application in terms of the proposed site and confirmed that the Royal and Derngate Theatres had not expressed any adverse comment on the application. He also noted that it was relatively unusual for a University Town not to have halls of residence in the town centre.

The Committee discussed the application.

RESOLVED: (1) That the application be approved subject to the conditions set out in the report as amended by the NPPF and the additional conditions and amendment set out in the Addendum as the proposed development would respect the character and appearance of the setting of adjoining Derngate Conservation Area, Statutory and locally listed buildings, would not significantly adversely affect impact upon the amenities of surrounding residential occupiers and would not be prejudicial to highway safety. For these reasons, the proposal would comply with the thrust of saved policies D29, E9, E20 of the Northampton Local Plan, Central Area Action Plan Pre Submission Policies 2, 17 & 21, West Northamptonshire Joint Core Strategy Pre Submission and conforms with the NPPF.

(2) That the County Council's Transportation Department be advised of the need to consult with local Councillors / residents and business on the proposed highway improvement works along St John's Street / Swan Street / Guildhall Road and on any proposed future bus rerouting or siting of bus stops in the vicinity and the Draft Parking Strategy.

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

None.

The meeting concluded at 20.45 hours.

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



List of Appeals and Determinations – 1st May 2012

Written Reps Procedure			
Application	Del/PC	Description	Decision
N/2011/0495 APP/V2825/D/12/2173219	COM	Single storey rear extension (as amended by revised plans received on 21st July 2011) at 94 Greenwood Road	AWAITED
N/2011/1288 APP/V2825/X/12/2170155	DEL	Lawful development certificate for an existing use of property occupied by 3-6 unrelated people at 1 Humber Close	AWAITED
N/2011/1148 APP/V2825/A/12/2169246	DEL	Two banners at end of tables at 32 Gold Street	AWAITED
N/2011/1125 APP/V2825/A/12/2169244	DEL	External seating area at 32 Gold Street	AWAITED
N/2011/1159 APP/V2825/H/12/2170081	DEL	48 sheet hoarding – retrospective at Lidl Supermarket, Octagon Way	AWAITED
N/2011/1157 APP/V2825/A/12/2169161/NWF	DEL	Change of use of land to use as a garden and re-location of existing fence on Land Adjacent to 312 Acre Lane. (As amended by revised plans received 14th December 2011).	AWAITED
N/2011/1076 APP/V2825/A/12/2168847	DEL	First floor front extension and clear glazed window at 1st floor level in side elevation of original house at 17 Codlin Close (As amended by revised plans received 5th December 2011).	AWAITED
N/2011/0872 APP/V2825/H/12/2168573	DEL	Various signage at site of former Old Maltings, Green Street	AWAITED
N/2011/1002 APP/V2825/A/11/2166759	DEL	Erection of new dwelling at 1A Arnold Road. Re-submission of application N/2011/0554	AWAITED
E/2011/0174 APP/V2825/C/11/2166034	ENF	Material change of use of extension to dwelling house at 1 Warwick Close	DISMISSED
N/2011/0928 APP/V2825/A/11/2165413	COM	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 Churches China, 44-54 St Giles 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



Addendum to Agenda Items Tuesday 1st May 2012

Northampton Borough Council Applications
NONE
Items for Determination
<p>ITEM 10A N/2011/1234</p> <p>Erection of three additional dwellings (as amended by revised plans received on 12th March 2012) at 86 Church Way</p> <p>Additional representations received from 2 Favell Way, 84 Church Way and 88 Church Way making the following points –</p> <ul style="list-style-type: none"> • My objection previously was directed towards the overdevelopment of the site and in particular the effect of more traffic in Church Way. • Church Way is an over-developed area with needless crowding of properties on plots of land i.e. gardens. • The application is not in keeping with the area, this part of Weston Favell has many detached houses set well back from the road, however this applications is for what amounts to a mini housing estate. • It is clear that one of the new houses will literally be facing into the third bedroom of m house. This would have a major impact on my quality of life. • The plans show another house to be front facing into my rear garden. When combined the effect of these plans are an extreme invasion of my privacy. • The proponent of the plans has said no protected trees will be felled, however it is clear that to build this estate so tightly around the trees will necessitate the use of many heavy vehicles driving over the roots on a regular basis. • At east 12 residents who live north south east and west of the proposed development have objected to this application. This clearly shows the highly invasive nature of these plans. • I consider that my previous objections are still relevant.
<p>ITEM 10B N/2012/0055</p> <p>Erection of 4no. detached dwellings. (As amended by revised plans received 27th March 2012) at Building Plot adjacent to Springfield, 61 Church Way</p> <p>Letters from the occupiers at 78 and 80 Church Way withdrawing their previous objections.</p> <p>Additional Representation:</p> <p>4 Churchway Court - I don't see that the revisions address the issues previously raised and still consider that proposals to be over development, Plot 4 would be overbearing to adjacent properties and be over bearing. Concern is also expressed the houses could be extended in future.</p>

ITEM 10C
N/2012/0063

Erection of 3 dwellings following the demolition of existing car sales garage, including first floor extension at 2a Port Road (as amended by revised plans received on 19/03/2012) at 4 Port Road

Nothing to add

ITEM 10D
N/2012/0100

Erection of 2no. 4 bedroom dwellings, car parking and associated works (as amended by revised plans received on 13/03/2012) at Land Adjacent to 23 Greenview Drive

Nothing to add

ITEM 10E
N/2012/0140

Erection of 35 x 1 bed and 15 x 2 bed living apartments for the elderly (Cat II type accommodation), communal facilities, landscaping and car parking. (Re-submission of N/2011/0839) at Development Land at Former Westonia Garage, 590 - 592 Wellingborough Road

Additional Submissions for the Applicant

Further correspondence has been received from the applicant confirming their agreement to the required Section 106 payments for the provision of affordable housing and off site open space.

Revised Recommendation

As a result of this, there is a change to the recommendation detailed in Paragraph 1.1 of the Committee report. It is now recommended that the application be **APPROVED IN PRINCIPLE** for the following reason:

The proposed development would have a positive impact upon the quality of the streetscene within Wellingborough Road, a neutral impact upon neighbour amenity and the highway system and would secure sufficient mitigation. Therefore, the proposal is compliant with the requirements of Policies E19, E20, H6 and H32 of the Northampton Local Plan and the National Planning Policy Framework.

This recommendation is subject to the prior finalisation of a Section 106 Legal Agreement to secure the following:

- i) A financial payment to fund the provision of offsite affordable housing within Northampton; and
- ii) A financial payment to fund the provision or improvement of facilities within Abington Park and Eastfield Park.

It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Northampton Local

Plan Policies E19, H18 and the National Planning Policy Framework.

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

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

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

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

6. Unless otherwise agreed in writing by the Local Planning Authority, the car parking as shown on approved drawing 1781-2-02 shall be fully constructed prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development and in the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, which must identify any necessary remediation and shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

8. Prior to the commencement of development, the developer shall assess the Noise

Exposure Category(ies) (NEC) of the site due to its exposure from transportation noise. Thus 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.

The applicant shall submit for approval a scheme to protect the site, where its noise exposure exceeds NEC A. The scheme shall include a site plan showing its position, type and height of the proposed noise protection measures with the resultants NEC(s) for the site. The scheme shall be agreed in writing by the Local Planning Authority and development shall be carried out in accordance with the approved details prior to the first occupation of the development and retained thereafter.

Where noise protection measures for the site are impractical or do not reduce the NEC for all amenity areas, all façades or all floors of the proposed development to NEC A, a plan shall be submitted, which shall clearly indicate the site layout and the predicted NEC for all façades. Where façades or floors do not fall into NEC A, a noise insulation scheme, which will require the provision of mechanical ventilation shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the development and retained thereafter. Reason: In the interests of securing a satisfactory standard of amenity for the future residents of the development in accordance with the requirements of the National Planning Policy Framework.

9. Notwithstanding the details submitted, a site specific waste audit shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall be carried out in accordance with the agreed details. Reason: In the interests of securing a satisfactory standard of development in line with the requirements of the National Planning Policy Framework.

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

i) A preliminary risk assessment which has identified:

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

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

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

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

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the agreed details.

Reason: To secure a satisfactory standard of development and to prevent pollution to the water environment in accordance with the requirements of the National Planning Policy Framework.

11. Unless otherwise agreed in writing, no development shall take place until the applicant, or their agents, or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that any features of archaeological interest are examined and

recorded in accordance with the requirements of the National Planning Policy Framework

Additional Consultation Comments

Environment Agency - which has requested conditions covering the prevention of contamination of the water course and unsuspected contamination.

Officers Response: This has been addressed in draft conditions 7 and 10 as described above.

Northamptonshire County Council's Archaeological Advisor - requesting a condition regarding archaeological investigation.

Officers Response: This has been addressed in draft condition 11 described above

**ITEM 10F
N/2012/0159**

Alterations to shop front at 13 Warren Road

No further comments

**ITEM 10G
N/2012/0163**

Construction of a new Vauxhall Dealership including two storey showroom building, MOT facility, workshop and car parking areas. (As amended by revised plans received 02nd April 2012) at the site of proposed Unit 21 Riverside Prime, Carousel Way.

Nothing to add

**ITEM 10H
N/2012/0193**

Re-submission of planning application N/2011/1220 for a single-storey side and rear extension at 116 Reynard Way

Clarification / Correction of Dimensions

- The occupant of 120 Reynard Way has clarified that the distance from their rear conservatory to the sidewall of the proposed extension is 9.21m rather than "almost 10 metres" as indicated at para 7.10 in the officer's report.
- The length of the applicant's rear garden measures 16.1m, and therefore with the proposed extension its length would be 12.5m rather than "13m to 14m" as indicated at para 7.7 of the officer's report.

These corrections do not alter the recommendation.

**ITEM 10I
N/2012/0263**

Single storey rear extension at 6 Rushmere Avenue

Nothing to add

Enforcement Matters

NONE

Items for Consultation

ITEM 12a N/2012/0122

Hybrid Planning Application comprising: Full application for the erection of a home and garden centre, retail units, drive thru restaurant, gatehouse, lakeside visitor centre, restaurants and bout house, together with proposals for access including a lock. Outline application for the erection of a hotel, crèche, leisure club and marina with some matters reserved (appearance). Plus removal of a ski slope and associated site levelling, landscaping, habitat management and improved works, vehicular access and servicing proposals together with the provision of car and cycle parking and a bus stop. (East Northamptonshire Consultation) at Land adjacent to Skew Bridge Ski Slope, Northampton Road, Rushden

Letter on behalf of the applicants:

A letter has been submitted to the Chair of Committee requesting that consideration of the application is deferred until 29th May in order to allow the applicants to respond to the GVA Grimley report (prepared on behalf of the North Northamptonshire Joint Planning Unit and referred to in the officer report on this agenda). They believe that there are a number of misunderstandings in the GVA report and this may lead to a misinformed decision being made. The applicants have also offered to give a presentation to Committee on 29th May.

Officer Response:

Officers recommend that the item is considered by committee at tonight's meeting, in line with the existing report (item 12a). NBC have been consulted by East Northamptonshire District Council and the consultation response should be based upon the documents submitted with the application. The report on the main agenda raises a number of fundamental objections to the proposed development and officers are satisfied that these comments are soundly based. The letter from the applicants does not respond specifically to these issues.

Therefore, it is recommended that members proceed to consider the matter in line with the main report. Should any new and relevant information be submitted to ENDC in respect of the application, it is expected that NBC would be re-consulted by the planning authority. If necessary, a further report could be brought to members at that stage. Until such time, it is recommended that a consultation response should be sent on the basis of the information presently available.



NORTHAMPTON
BOROUGH COUNCIL

PLANNING COMMITTEE: 1st May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2011/1234: **Erection of three additional dwellings (as amended by revised plans received on 12th March 2012)**
86 Church Way, Northampton

WARD: Weston

APPLICANT: Dr Andrew Robinson
AGENT: Mrs Kimberly Robinson-Green

REFERRED BY: Cllr N Duncan
REASON: Concerns about scale of development and impact on adjoining occupiers

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would have no undue detrimental impact upon the visual amenity of the locality, the residential amenity of nearby occupiers or highways safety and therefore accords with the National Planning Policy Framework and policies E20, H6 and H10 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The proposal entails the erection of three dwellings within the garden area of no. 86 Church Way, with the original dwelling to remain also.

2.2 The two houses towards the rear of the site (Plots 2 and 3) would be two storeys in height with low eaves, whilst the house towards the front

(Plot 1) would be a dormer style and would be one and a half storeys in height when viewed from the driveway and the road but due to being within a lower ground level on the site would appear as two and a half storeys from the adjacent property at 88 Church Way.

3. SITE DESCRIPTION

- 3.1 The site comprises the extensive garden area of no. 86 Church Way. The original dwelling is set back from the road and the site is partly screened from the road by an established stonewall and a number of mature trees.

4. PLANNING HISTORY

- 4.1 The original house at no. 86 was approved in 1963 with extensions approved in 1972.

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:

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E20 - New Development

H6 - Other housing development: within primarily residential area

H10 - Backland Development

E40 Crime and Vandalism

5.4 Other Policy Considerations

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS

- 6.1 **Arboricultural Officer** – Agreed Arboricultural report subject to the use of cellweb on the new driveway.

- 6.2 **Environmental Health** – No objections, but request a site investigation condition is attached to any planning permission.

- 6.3 **Highway Authority** – Requested amendments to the access road and visibility splays which have now been provided by revised plans.

7. REPRESENTATIONS

- 7.1 The application was advertised by notification letter and **objections** were received from the occupiers of **67, 77, 79, 84, 88 and 94 Church Way and 2, 4, 5 and 6 Favell Way** making the following points in summary:

- Out of character with the existing plots of Church Way which are single houses on large plots.
- Overlooking and overshadowing of neighbouring properties.
- Tandem / backland development contrary to policy - “Garden Grabbing”
- Previous developments have been to the rear, this would be visible from Church Way.
- Buildings would be higher than adjacent sites.
- Drive does not provide adequate visibility splays.
- Inadequate parking, meaning that visitors will park in Church Way. Church Way is a narrow winding lane, cannot cope with additional traffic.
- Trees on the site should be protected.
- Stonewall at the front of the site should be preserved.
- Natural spring runs through the site.

8. APPRAISAL

Principle of Residential Development

- 8.1 The National Planning Policy Framework (NPPF) in respect of housing this sets out the criteria for new housing policies, including the identification of new housing sites. Of direct relevance to this application is the advice that Local Planning Authorities should consider setting out policies to resist the residential development of residential gardens, where this would cause harm to the local area. At present no new policies of this type have been adopted, although Policy H10 continues to apply, as discussed below.
- 8.2 Policy H6 of the Northampton Local Plan sets out the criteria against which residential development will be assessed, stating that planning permission for residential development will be granted except where adverse impacts are identified in respect of the character of the area, highway design, piecemeal development or loss of potential for parking / garaging or protected trees.
- 8.3 Policy H10 deals with Backland Development and states that “Planning permission for the development of residential backland will not be granted unless it can be shown that the siting and layout of the development will not be detrimental to the character and amenity of the locality and will not cause disturbance to or adversely affect the privacy

of adjoining dwellings. This includes existing dwelling(s) within whose curtilage the development is proposed.”

- 8.4 The site is designated in the Local Plan as falling within a primarily residential area. It is considered that the principle of residential development is acceptable in this location due to this policy designation. The considerations in respect of Policies H6 and H10 are set out below.

Character of the Area

- 8.5 The existing dwelling at no. 86 Church Way would remain on the site and the other three proposed dwellings would be built within the garden area. This would result in a higher density of development than the surrounding area, and this could be potentially affect the character of the area.
- 8.6 However, Church Way is characterised by a wide variety of different housing types, built over many years and including historic as well as more recent infill developments. Whilst the development is denser than most of that accessed from Church Way, it would be of a similar character to other housing in the wider area and it is considered on this basis that it would not adversely impact on the local character. Furthermore, the density of the development, in particular the smaller rear garden areas, would not be readily apparent from the street and therefore the character of the area would be unaffected.

Impact on Adjoining Occupiers.

- 8.7 The originally submitted plans showed the dwelling towards the front of the site, referred to as Plot 1, as being 5m from the adjacent dwelling at 88 Church Way. This would be acceptable as a side to side separation, however no. 88 is unusual in that this has side facing windows, serving habitable rooms, in close proximity to the site boundary. The proposed siting of the dwelling would, therefore, have had an unacceptable impact on this neighbour. Amendments were therefore requested and the dwelling on this plot is now proposed to be 9m from these side facing windows, and would not be directly in front of the windows. It is considered therefore that the impact on this neighbour would be acceptable.
- 8.8 In respect of the property at 5 Favell Way, to the rear of the site, a separation of at least 30m would be provided between facing windows in respect of Plots 2 and 3, meaning that no significant adverse impact would result.
- 8.9 In respect of 4 Favell Way, this neighbouring house is very close to the site boundary, but is directly behind the existing house at no. 86 rather than either of the neighbours. Plot 2 would not face directly towards the rear of this neighbour, and although the distance between the buildings

is only 16m, due to the angle between windows no overlooking would result. It is further considered that there would be no overlooking of the garden area of this property from Plot 2, due to over 10m separation being provided between this property and the rear of the site, together with substantial vegetation on the boundary.

- 8.10 The layout of the proposed dwellings is such that they are offset from the existing house at no. 86, and as such no direct overlooking of this property or its garden would result.

Highways / Parking

- 8.11 The site would use the existing site access onto Church Way, modified to provide the visibility splays and angle of approach to the highway as requested by the Highway Authority.
- 8.12 Parking would be provided for each of the new houses, with a total of four for Plot 1 and two for Plots 2 and 3, including garage spaces. There is additional capacity for parking on the highway and the two spaces for the original house would be retained. It is considered therefore that adequate parking is provided and that overspill parking onto Church Way is unlikely to occur.

Protected Trees

- 8.13 There are three trees on the site protected by Tree Preservation Orders. Comments from the Arboricultural Officer indicate no concerns as to the siting of the dwellings, but a requirement for cellweb to be used in driveway construction, to protect tree roots.

9. CONCLUSION

- 9.1 It is considered that the proposed development would be in character with the wider area and would have no adverse impact on the street scene, the amenities of adjoining occupiers or in terms of highway safety or demand for parking.

10. 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 proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site. Development shall be carried out in accordance with the approved details.

Reason - 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 detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

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

5. A detailed scaled plan showing the proposed design layout, all trees to be retained (and including replacement plantings), their corresponding BS 5837:2005 Root Protection Areas, the location of protection barriers outside of the RPA's, all service runs (if within the RPA requiring trenchless techniques will be required – details to be submitted for approval), any soil levelling (to be outside of the RPA's), storage areas for plant and materials, temporary works huts and location of the specialist driveway as required under condition 6 shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any work on site. The development shall thereafter be carried out in full accordance with the approved details.

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

6. Full details of the driveway construction within the root protection area of adjacent protected trees shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work on site. The details submitted shall include a fit-for-purpose specialist no-dig construction incorporating a 3-dimensional cellular confinement system to negate soil compaction and allow moisture throughput. The driveway in this area shall thereafter be constructed in full accordance with the submitted details.

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

7. Full details of root protection measures during construction shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work on site and the development shall thereafter be carried out in full accordance with the approved details. The submitted details shall specify how the underlying rooting area is to be protected and shall include details of specialist foundations and ground protection measures to facilitate construction within the root protection area.

Reason - In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan.
8. All trees shown to be retained in the approved plans shall be protected for the duration of the development by (a) stout fence(s) to be erected and maintained on (an) alignment(s) to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials nor waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason - In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan.
9. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason - In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan.
10. Unless otherwise agreed by the Local Planning Authority, the junction of the new access and the existing highway shall be laid out together with the provision of visibility splays in accordance with details to be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy E20 of the Northampton Local Plan.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional

windows, doors or dormer windows shall be installed in any elevation of the proposed development without the prior written consent of the Local Planning Authority.

Reason - To safeguard the privacy of the adjoining properties in accordance with Policy H6 of the Northampton Local Plan.

12. 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 report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment.

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 12, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 12.

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

14. Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the premises being used for the permitted purpose and retained thereafter.

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

15. Full details of the method of the treatment of the external boundaries of the site, including any alterations to the stone boundary wall fronting Church Way, together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented in accordance with the approved plans prior to the occupation of the buildings hereby permitted and retained thereafter. No alterations to the existing boundaries shall be carried out other than in accordance with these details.
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.

9. LEGAL IMPLICATIONS:

- 9.1 None.

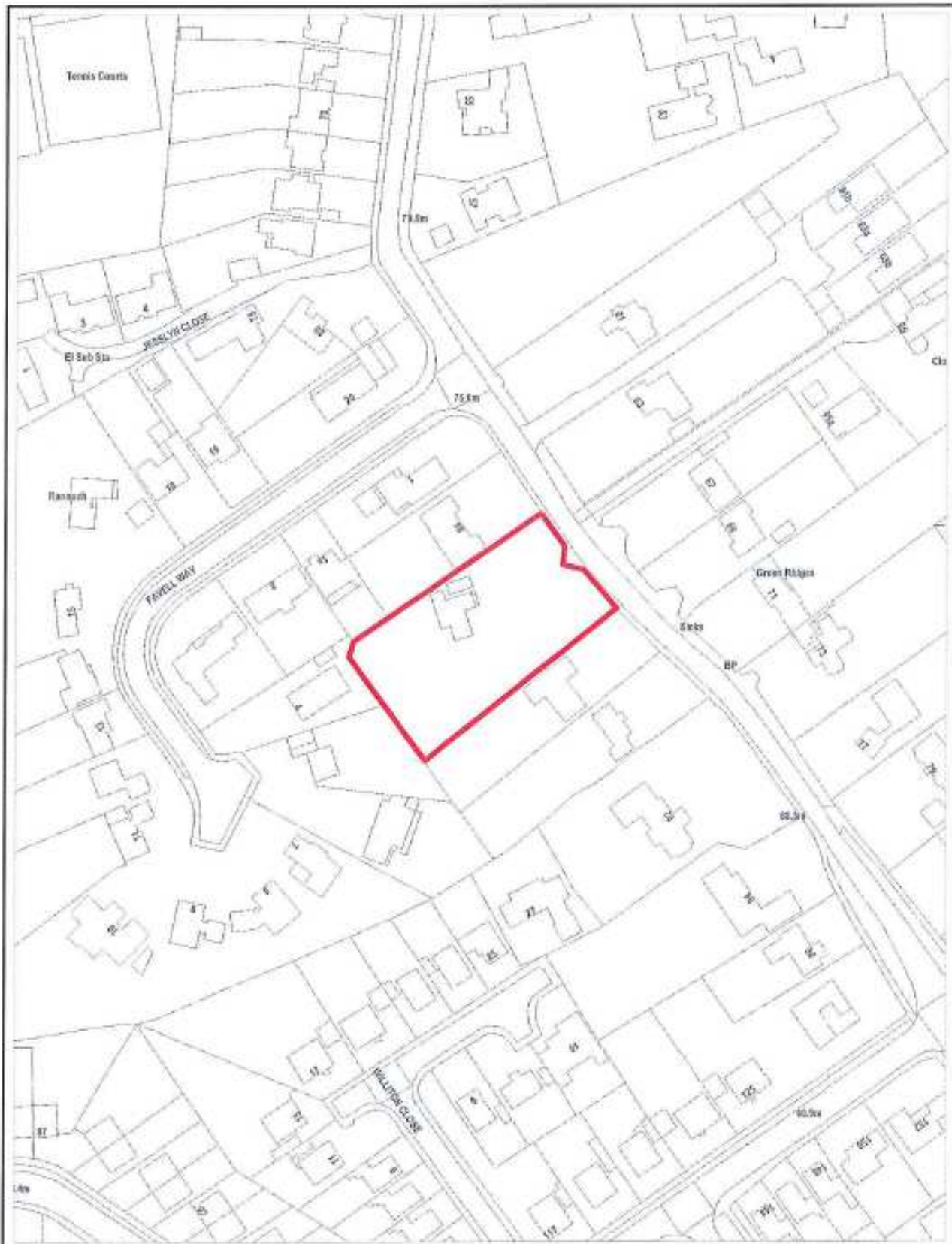
10. BACKGROUND PAPERS

- 10.1 N/2011/1234.

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:	Andrew Holden	17/04/12
Development Control Manager:	Gareth Jones	20/04/12




NORTHAMPTON
BOROUGH COUNCIL

Name: SW
 Date: 20th April 2012
 Scale: 1:1250
 Type: Planning
 Project: Site Location Plan

Title

86 Church Way

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PLANNING COMMITTEE: 1 May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0055 **Erection of four detached dwellings (As amended by revised plans received on 27 March 2012)**
Land adjacent to 61 Church Way

WARD: Park

APPLICANT: Mr. D. Corley
AGENT: N/A

REFERRED BY: Called in by Cllr Duncan
REASON: Proposal would result in an overdevelopment of the site and a reduction of residential amenity.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and the following reason:

The site is within an area designated as primarily residential. The proposed dwellings would be in keeping with the character and appearance of the locality in terms of massing, size, scale and design and would have a satisfactory relationship with the existing dwellings and would have an adequate vehicular access. The development therefore accords with Policies E20 and H6 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Erection of four detached dwellings with vehicular access off Church Way serving all four dwellings. Two dwellings are to be sited to the front of the site with the remaining two in a line behind these. The two

houses (Plots A and B) situated to the front of the site are both two storey scale (although one would have a third floor in the roof space), would both have 5 bedrooms and are of a similar design. Behind these it proposed to erect a further 5 bedroom two storey house (Plot C). A less high dormer bungalow (4 bed, two storey) type dwelling (Plot D) is situated in the paddock to the rear of the site.

3. SITE DESCRIPTION

- 3.1 The locality incorporates a mixture of house types ranging from dwellings based loosely on the Arts and Crafts style to modern bungalows and includes a number of substantial dwellings. At present the site is an undeveloped parcel of land of 0.27 hectare in area with mature trees on the front boundary and a mix of fences and walls on the side and rear boundaries. There are some small wooden outbuildings situated to the rear of the site which will be removed.

4. PLANNING HISTORY

- 4.1 N/2004/0626 - outline permission for the erection of 2 dwellings, approved.
- 4.2 N/2007/0772 - reserved matters permission for 2 dwellings, approved.
- 4.3 N/2007/0504 - permission for the erection of 2 dwellings, approved.
- 4.4 N/2010/0774 - re-submission of N/2007/0504 for the erection of 2 dwellings, approved.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

The National Planning Policy Framework.

5.3 Northampton Borough Local Plan

E20 - New Development

H6 - Other housing development: within primarily residential area

E40 Crime and Vandalism

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Highway Authority (NCC)** – Made comments on the initial scheme. Following revisions no objections.
- 6.2 **Arboricultural Officer (NBC)** – No objections subject to use of appropriate foundation design.
- 6.3 **4 Churchway Court** – objection in conjunction with other developments in the locality, there will be a significant increase in the level of traffic. Previous permission for a house and bungalow was more suitable. Foundations of Plot 4 could have impact on old stone wall with risk of damage. Development would appear overbearing (any property to the rear of the site should be single storey).
- 6.4 **80 Church Way** - objection - Would result in an over-development of the site. The tandem form the development (i.e. two dwellings located behind to the of frontage) would be cramped and out of character with the area. Important trees could be prejudiced. The cramped form of development would have an overbearing impact on existing properties to the south. Would have an impact on road safety due to increased vehicle movements, the site access's proximity to a bend and additional parking in Church Way. "Garden grabbing" should be resisted and the relatively open nature of the site retained.
- 6.5 **20 Favell Way** - impact on road safety due to proximity to the bend in Church Way.
- 6.6 **79 Church Way** - objection – development is not compatible with the locality. Will have detrimental impact on the adjoining bungalow. Will be detrimental to road safety.
- 6.7 **61 Church Way** – objection – The development would be overbearing and represent over development (a single storey dwelling at plot C and possibly B would be better). New vehicular access to the site would be dangerous. Proposed dwelling is an overdevelopment of the plot. Objection on the revised plan – Plot C should be single storey only due to the impact on their property.
- 6.8 **57 Church Way** – The development would be over-dense and out of keeping with the area. Will have significant detrimental impact on outlook and privacy. Detrimental to road safety particularly as there is a pavement only on one side to Church Way and meaning that pedestrians and wheelchair users must cross the road at this point. Refer to near by development on the grounds of no.53 and suggest that if there is to be development on the application site that this should be limited to three dwellings.
- 6.9 **78 Church Way** – The applicant has done much to make the scheme

acceptable to the adjacent owners. The outstanding concern I have is over the risk of accidents at the entrance due to its location on a hill close to a bend. Suggests that the verge and hedge are turned in to a mini lay-by on each side of the entrance.

7. APPRAISAL

Principle of Development

- 7.1 The principle of development has already been established on the greater part of the site by the granting of the previous permissions for two dwellings. The additional parcel of land situated to the east of the above (i.e. to the rear of the side furthest from Church Way) is also contained within an existing residential area and therefore, can be reasonably developed for residential use. The land is considered large enough to contain four dwellings providing a relatively low density of some 16-17 dwellings per hectare.

Siting, Design and Appearance

- 7.2 The dwellings have footprints and designs to compliment the other properties within the vicinity of the site. The two dwellings situated to the front of the site (Plots A and B) are similar in design and size to a larger property behind those (Plot C) and a dormer dwelling situated in the paddock to the rear of the site (Plot D). The nearby area is currently characterised by similar large detached houses that have been developed in the former rear gardens of houses that front on to Church Way. Overall it is considered that the design and layout of the scheme is in keeping with the character of the area,

Residential Amenity

- 7.3 Following negotiation by officers, Plots A, B and C have been reduced in height and mass to limit their impact on the respective nearby properties of 57 and 61 Church Way. Plot A has been redesigned with a hipped roof and reduced in height by 1 metre. The eaves of Plot B closest to No. 57 has been reduced by 0.6 metre and the overall height of the dwelling reduced by 2 metres. Plot C has been significantly redesigned with the wall on the southern boundary being reduced in length by 1.8 metres and the height of the garage reduced by 2.2 metres and the dwelling by 1.1 metres. The southern elevation of Plot C has a significant reduction in mass compared to the bungalow approved under the previous consent. As there is now adequate separation distance between the proposed dwellings and the existing properties there will not be any significant impact on the outlook and amenity of neighbouring residents. The new vehicular access is situated to the north of the site which provides a further separation between the proposed houses and the existing dwellings to the north.

Highway Safety

- 7.4 The proposed vehicular access at the junction with Church Way, which would served all four proposed dwellings, has been improved as shown on the revised plan to ensure that highway safety is not prejudiced. Each property has adequate on-site parking provision. The existing road network has sufficient capacity to cope with the increase in traffic movements created by this development. In light of the revised details the Highway Authority has raised no objections to the application.

Trees

- 7.5 Following considerable dialogue and the submission of revised drawings and additional information, the Council's Arboricultural Officer is now satisfied that the important trees situated to the front and adjacent to the site in Church Way will be protected with the necessary tree protection measures.

8. CONCLUSION

- 8.1 The greater part of the site already has the benefit of a planning permission for two dwellings and the increased area of land is considered sufficient to accommodate the number and type of dwellings proposed. Two of the properties have been reduced in size to ensure the amenity of the adjoining properties is protected.
- 8.2 The site has good vehicular access and each dwelling would have on-site parking provision. The important trees within the site have been retained with conditions recommended to provide protection during construction.

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. Prior to the commencement of any development on site, the proposed access shown on the revised plan submitted on 27 March 2012 shall be constructed and completed in accordance with the approved details and thereafter used by all construction traffic and the existing accesses

shall be closed to all traffic.

Reason - In the interests of highway safety in accordance with the NPPF.

(4) Prior to the commencement of any development on site, full details of the means of closing the existing access and reinstatement of the highway shall be submitted to and approved in writing by the Local Planning Authority and completed prior to the first occupation of either dwelling.

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

(5) All existing trees and hedges within the site shall be retained and shall not be pruned or cut back without the prior written consent of the Local Planning Authority first being obtained.

Reason: To protect the existing trees within the site in accordance with Policy E20 of the Northampton Local Plan.

(6) Prior to the commencement of development or any machinery being brought onto the site, fencing shall be erected around all retained trees to a specification and on an alignment to be submitted to and approved in writing by the Local Planning Authority and thereafter retained until the completion of the development and the removal of all machinery and construction vehicles from the site.

Reason: To protect the existing trees within the site in accordance with Policy E20 of the Northampton Local Plan.

(7) Within the fenced areas no alteration shall be made to the existing ground levels, no excavations shall be made, no vehicles shall be driven or plant sited, no materials shall be stored and no bonfires shall be lit.

Reason: To protect the existing trees within the site in accordance with Policy E20 of the Northampton Local Plan.

(8) The existing wall located on the northern boundary of the site shall be retained at the current height unless otherwise agreed in writing by the Local Planning Authority.

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

(9) Prior to the commencement of development and notwithstanding the details contained within this application further details shall be submitted to and approved in writing by the Local Planning Authority in respect of screening the southern, eastern and northern boundaries of the site which shall be implemented prior to the first occupation of either dwelling.

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

(10) Full details of the proposed surface treatment for all parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on the site. Development shall be carried out in accordance with these approved details

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2012/0055, N/2010/0774, N/2007/504, N/2004/0626 & N/2007/0772.

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	11/04/12
Development Control Manager Agreed:	Gareth Jones	20/04/12



Ref: SW
 Date: 20th April 2012
 Scale: 1:250
 For: Planning
 From: Site Location Plan

Title
Land adj to 61 Church Way

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PLANNING COMMITTEE: 1 May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0063 **Demolition of existing garage and erection of three dwellings and extension (As amended by revised plans received on 19 March 2012) at No. 2A – 4 Port Road**

WARD: New Duston

APPLICANT: Mr. D. Harvey
AGENT: Mr. T. Dobraszczyk

REFERRED BY: Called in by Cllr Golby
REASON: Application will have a detrimental effect on the area.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The siting, design and appearance of the dwellings situated in an existing residential area is acceptable and will not be detrimental to residential or visual amenity or highway safety in accordance with Policies H6 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Demolition of an existing single storey sales garage and the erection of three (4 bedroom) terraced dwellings with on-site parking provision. The proposal also includes the erection of first floor side extension to the existing building, which adjoins the building to the demolished. The extension would enlarge this existing building forming further residential (1 bedroom) unit that would be attached to the eastern end of the proposed terrace. Each unit would have private off-street

parking space.

- 2.2 The site is located in an existing residential area as identified in the Northampton Local Plan.

3. SITE DESCRIPTION

- 3.1 Existing single storey car sales garage with adjoining stone building situated on the eastern boundary of the site. The buildings fill almost the entire Port Road frontage and their combined footprint covers the majority of the site area. The site measures some 20m wide with a maximum depth of 22.5m. The stone building is presently used for an unauthorised commercial activity, which is the subject of enforcement investigation. A small part of the rear garden of No. 1 Quarry Road is also included within the application site.
- 3.2 There are dwellings situated to the west of the site and on the opposite side of Port Road. A post office with flat over is located to the east with a small local centre on the adjoining Quarry Road. Port Road is predominantly residential in character and provides access road to the villages at Harlestone and the new relief-road at Sandy Lane.

4. PLANNING HISTORY

- 4.1 N/2002/415 - Erection of 3 dwellings and a bungalow – withdrawn.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

The National Planning Policy Framework.

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 **Public Protection (NBC)** – No objections, conditions recommended.
- 6.2 **Duston Parish Council** - Suggest on-site car parking spaces or bay-parking bay is located on the opposite of the road. This development will have a detrimental effect on the locality.
- 6.3 **16 Port Road** – accept that the proposed development has been designed sympathetically and has no objection in principle, but expresses concern re its impact on the safety and convenience of parking in Port Road:
- One space for the houses in not enough
 - The road in front of the garage is currently used by residents when the garage is closed, this would be lost with the development
 - Customer parking associated with the Post Office already limits on-street parking and could lead to accidents
 - Unrestricted parking on the south side of Port Road leaves little room for vehicles to pass causing congestion
- 6.4 **2 Port Road (New Duston Post Office)** - concerns over the detrimental impact of the extension / it being too close to no.2 blocking light to a window.
- 6.5 **2b Port Road** - extension will have impact on privacy and light.
- 6.6 **8 Dorchester Court** – no objection to the plan itself, concerned that cars will park on the pavement opposite Dorchester Court and suggests bollards to prevent this.
- 6.7 **81 Duston Wildes** –objection:
- Demolition of the existing premises
 - Change of use
 - The plans are misleading as to the impact
 - Not in keeping with the locality
 - Major issues affecting on-street parking
 - Major issues affecting access to the post office
 - Issues relating to ground contamination due to past commercial uses
 - Demolition raises site management issues re airborne contaminants including asbestos
- 6.8 **34 Port Road** – while the application is acceptable in principle concern is expressed that it would exacerbate existing parking problems and suggests that a parking lay-by should be created to the south of Port Road.

7. APPRAISAL

Principle of development

- 7.1 The site is allocated within an existing residential area and, therefore a residential development is acceptable if it complies with the relevant policies of the Northampton Local Plan.
- 7.2 The site is large enough to contain 3 extra dwellings as it is 20 metres wide with a maximum depth of 22.5 metres. Each new dwelling would have a rear garden with a minimum depth of 6.5 metres.

Siting and design

- 7.3 Each new dwelling would be sited in line with the dwellings situated to the west of the site in Port Road and would have a minimum front garden depth of 5 metres, which would also provide a car parking space.
- 7.4 The new dwellings have been designed to compliment the existing properties on this side of Port Road in the vicinity of the site. Each would be faced in stone with small dormers in both the front and rear elevations. The scale, proportions and general design features positively reflect of those of the neighbouring houses.

Residential Amenity

- 7.5 The proposed development should have no significant impact on residential amenity with no undue overlooking of adjacent and nearby dwellings. The extension to the existing property will have a slight impact on the adjoining dwelling at no. 1 Quarry Road and flat above the post office at no. 2 Port Road. Officers have negotiated a reduction in the scale of this part of the development thereby lessen the impact on those properties.

Parking and Highway Safety

- 7.6 Local residents and Duston Parish Council have raised concerns regarding the parking of vehicles for the new dwellings. The existing commercial garage does not provide any on-site parking which results in customers to the premises parking on Port Road and other local roads especially during the day. As each of the new dwellings would have an on site parking space, it is considered that this would be an improvement on the existing situation with on-street parking in Port Road being capable of accommodating any additional requirement.

8. CONCLUSION

- 8.1 The removal of a commercial building to be replaced with a residential development will not only improve the appearance of the street scene but also improve the amenity of nearby residents.

- 8.2 The development has been designed to compliment the existing properties in the vicinity of the site and an on-site car parking spaces have been provided for each new dwelling.

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. A site investigation shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval.

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

3. All remedial works found to be required under Condition 2 shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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

4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 2 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 3.

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

5. 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.

6. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building 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.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

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

10. BACKGROUND PAPERS

- 10.1 N/2012/0063

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	11/04/12
Development Control Manager Agreed:	Gareth Jones	20/04/12



Date: SW
 Date: 20th April 2012
 Scale: 1:1250
 Type: Planning
 File: Site Location Plan

Title
4 Port Road

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PLANNING COMMITTEE: 1 May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0100 **Erection of two dwellings (As amended by revised plans received on 13 March 2012) Land adjacent of 23 Greenview Drive**

WARD: Kingsley

APPLICANT: Mr. N Lawlar and Mrs C Jordan
AGENT: N/A

REFERRED BY: Cllr Mennell
REASON: Will result in an overdevelopment of the plot and will not be sustainable.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and for the following reason:

The siting, design and appearance of the development in an existing residential area is considered acceptable 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 aims of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The erection of a pair of semi-detached dwellings to be constructed on the side garden of No. 23 Greenview Drive and would front on to this road. Following negotiation by officers one of the dwellings has been reduced in depth by 1.5 metres on a revised plan in order to increase the size of the associated rear garden. The dwellings will be constructed of brick with tiled roofs. On site parking is provided for both new dwellings and the existing property at No. 23.

3. SITE DESCRIPTION

- 3.1 Existing side garden of No. 23 Greenview Drive which has a triangular shape with a maximum width of 30 metres along the public highway and a maximum depth of 24 metres. The site is 0.0574 hectare in area.
- 3.2 The area is predominantly residential and characterised by semi-detached dwellings. The Kingsthorpe Golf Course is situated to the rear (east / north).

4. PLANNING HISTORY

- 4.1 N/2011/0586 – Erection of two dwellings - application withdrawn.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

The National Planning Policy Framework

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 **22 Greenview Drive** – objection – existing drainage system would not be able to cope with extra development would result in parking problems.
- 6.2 **20 Greenview Drive** – objection:
- Would result in extra traffic with the resulting highway safety implications.
 - Loss of privacy
 - Would be detrimental to the character of the locality
 - Could lead to an increase in the risk of flooding and subsidence
 - Would result in garden grabbing

- 6.3 **16 Greenview Drive** – objection:
- Would result in parking and highway safety problems
 - Could result in drainage problems
 - Would result in overlooking
 - Would be a case of garden grabbing
 - Would result in an increase in noise and disturbance
- 6.4 **27 Greenview Drive** – objection:
- Could result in anti-social behaviour
 - There are drainage issues in the vicinity of the site.
 - Would result in parking problems
 - Garden land will be lost.
- 6.5 **28 Greenview Drive** – objection – would result in parking and highway safety problems.
- 6.6 **18 Greenview Drive** – objection – risk to flooding
- Would result in a development in a garden
 - Would create parking problems
 - Loss of privacy
 - Possible increase in flooding
- 6.7 **14 Greenview Drive** – objection – Cause parking and highway safety problems.
- 6.8 **65 Greenview Drive** – objects:
- The houses would be out of keeping with the area
 - Concern re land drainage / flooding
- 6.9 **20 Greenview Drive** - objection – would be garden grabbing
- Flood risk issues
 - Overlooking problems
 - Highway safety issues
 - Increase in noise and disturbance
 - Insufficient size for the dwellings
 - Could result in an increase in anti-social behaviour
- 6.10 **72 Greenview Drive** – objection – would be detrimental to highway safety due the possibility of traffic congestion.
- 6.11 **35 Greenview Drive** – objects:
- The site has flooded in the past
 - Parking would be problematic given the proximity of the near by shops and doctors and houses opposite would have difficulty getting on to their drives
 - Concern the houses might be occupied by students

- 6.12 **49 Greenview Drive** – objection – would be out of character could result in parking problems and concerns over the underground culvert.
- 6.13 **10 Crocket Close** – objection – would compound parking problems in the vicinity of the site and possibly cause flooding problems.
- 6.14 **7 Crocket Close** – objection – the site is not large enough for two dwellings, concerns over flooding and will add to traffic congestion.
- 6.15 **26 Greenview Drive** - objection – would result in more parking problems, would be out of character with the locality, increase in flood risk and a possible more intense use.
- 6.16 **8 Thistleholme Close** – objection – concerns over possible flooding parking and road congestion problems already a number of multi-tenanted properties in the locality.
- 6.17 **25 Greenview Drive** – objection – out of character with the local area will create parking problems possible flooding issues.
- 6.18 **33 Greenview Drive** concerns over parking and flooding.
- 6.19 **16 Bush Hill, NME Services of 63 Lea Road, 27 Albany Road and 43 Beaconfields** - support the application.
- 6.20 **Petition of 12 persons (residents of Greenview Drive) against the proposed development.**
- 6.21 **Cllr Mennell** – identifies concerns raised with her by local residents:
- The development conflict with water services that run under the site, building over these would represent a risk
 - The format of the development would be out of keeping with the character of the existing streetscene
 - Material has been deposited on the site to increase the ground level affecting drainage
 - Concerns re impact on the highway including for pedestrians during construction (eg blocking access / circulation)
 - Concerns re massing / overdevelopment
 - Concern that the house may be used houses in multiple occupation thus affecting the quality of the area
 - Loss of privacy
 - Concern re a telegraph pole
 - There would be a significant risk of flooding
- 6.22 **County Cllr Richard Church** – objection – over-development of the site, out of keeping with the locality and this development may result in subsidence.
- 6.23 **Anglian Water** - No objection with a condition ensuring the works relating to the surface water strategy are carried out.

- 6.24 **Environment Agency** – No comments as the application is outside their scope.
- 6.25 **Highway Authority** – no objections raised, make detailed comment re the propose access driveways.

7. APPRAISAL

- 7.1 The site is located in an existing residential area as shown on the Local Plan and therefore, the principle of a residential development is acceptable.

Siting and appearance

- 7.2 The application site is irregular in shape and measures 0.057 hectare in area. There is a maximum depth of 24.5m with the boundary of the existing dwelling at No.23 and a road frontage width of 20m. The proposed dwellings would each be 6 metres wide and with No.21 (i.e. the right-hand half of the proposed pair of semis) being 8 metres deep and No.19 (the left-hand half) 6m deep. No.21 would have a rear garden 13m long and No.19 9m long.
- 7.3 Although the area of each plot is smaller than the existing dwellings in the vicinity of the site, the site is still considered large enough to accommodate two dwellings while providing adequate private garden space for houses of this scale.
- 7.4 The properties have been designed with gable roofs to compliment the other properties in the vicinity. The footprint of one of the dwellings has been reduced in the revised plans in order to provide adequate garden and space around the building.

Residential Amenity

- 7.5 Some residents have stated concerns over the future use of the dwellings as HIMO's. The existing dwelling at No. 23 appears to have been let to students in the past which has created issues for some of the neighbours. This proposal is for two Class C3 dwellings and any form of intensive HIMO use will require a further planning permission by reason of an Article 4 Direction that is in place in this part of the Borough.
- 7.6 The dwellings have been sited and designed to ensure that there is no significant impact on the outlook, privacy and general amenity of nearby residents.

Highway and parking issues

- 7.7 This scheme has provided on-site parking for both the new dwellings and the existing property at No. 23. This is considered sufficient for a

new residential development and within the County Council's parking standards. Residents have concerns regarding both the increase in traffic movements having an impact on highway safety. However, the local road network is considered good enough to accommodate the increase in traffic movements without compromising road safety.

Flooding and drainage issues

- 7.8 Some residents have also raised concerns over the possible impact of this development on the drainage system of the locality and resulting flooding problems. Neither the Environment Agency nor Anglian Water have raised any concerns or objections regarding these issues.

8. CONCLUSION

- 8.1 This proposal has resulted in a significant number of representations with the local residents having concerns over a residential development, particularly of this intensity, on this land. However the site is considered large enough to accommodate two dwellings without having a detrimental impact on the amenity of the residents or highway safety.

- 8.2 One of the dwellings has been reduced in size to reduce the footprint of the development and, therefore, less of an impact on its massing, scale and appearance. Each of the dwellings has on-site parking provision to reduce the likelihood of parking on the public highway. Neither Anglian Water nor the Environment Agency have any concerns regarding the future drainage of the proposed development.

9. CONDITIONS

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

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

2. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries, including the security measures to be incorporated, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings 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.

3. 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

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

5. No new dwellings shall be occupied until the works shown within the surface water strategy have been carried out and approved in writing by the Council.

Reason To prevent environmental and amenity issues arising in accordance with the aims and objectives of the NPPF.

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

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

7. Unless otherwise approved in writing by the local planning authority the vehicular access drives hereby permitted shall be surfaced with hardbound material for the first 5m from the highway and shall incorporate 2.4x2.4m visibility splays adjacent to the highway.

Reason; In the interests of highway safety and the free-flow of traffic in accordance with the NPPF.

10. BACKGROUND PAPERS

10.1 N/2012/0100 & N/2011/0586

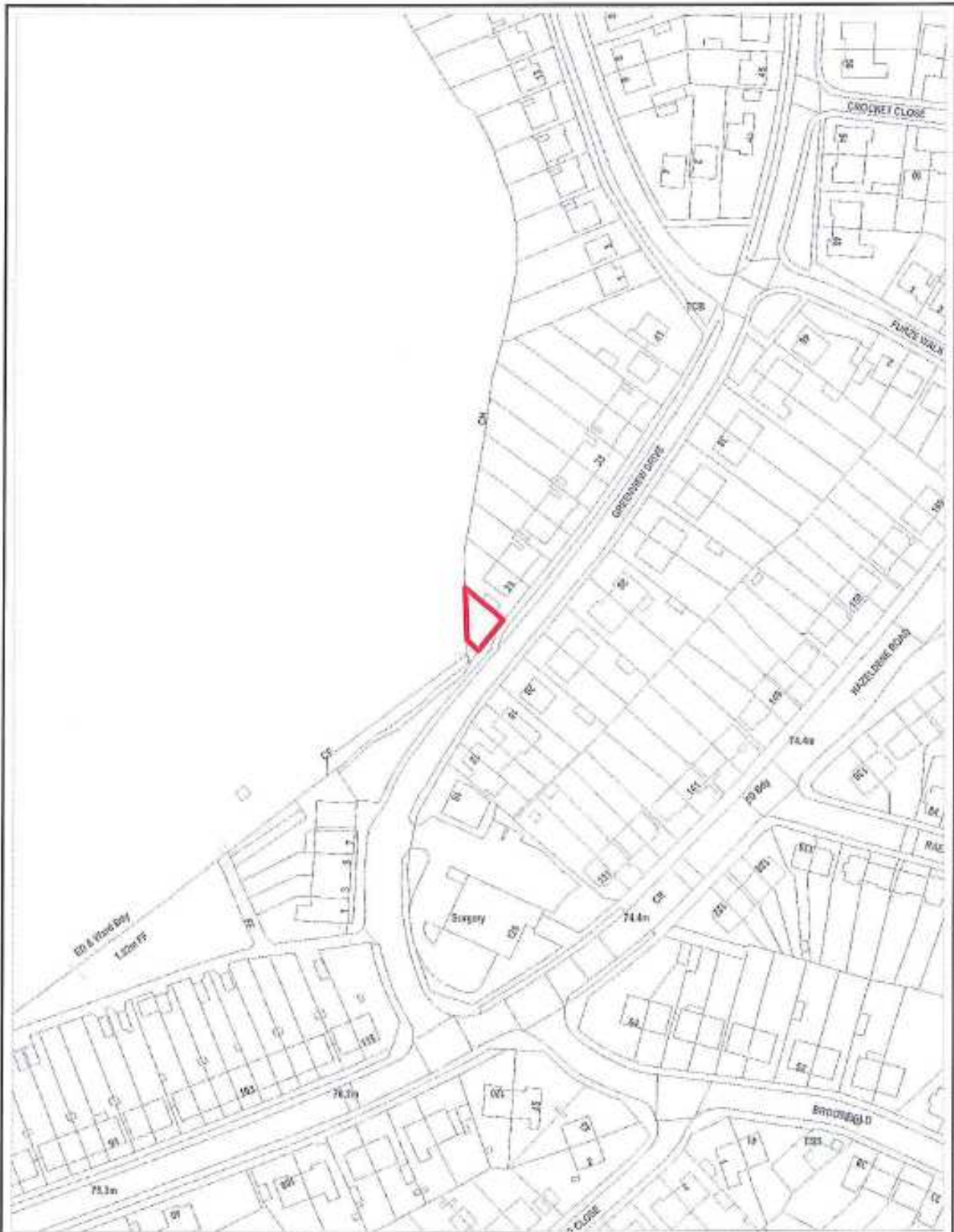
11. LEGAL IMPLICATIONS


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	16/04/12
Development Control Manager Agreed:	Gareth Jones	17/04/12



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Drawn: SJW Date: 28th April 2012 Scale: 1:1250 Type: Planning Project: Site Location Plan</p>	<p>Title Land adj to 23 Greenview Drive</p> <p><small>Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction in any form is prohibited and may lead to prosecution or civil proceedings. Licence number: 100019925</small></p>
	<p>Page 49</p>	



PLANNING COMMITTEE: 1st May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0140: Erection of 35 one bedroom and 15 two bedroom living apartments for the elderly (Category II type accommodation), communal facilities, landscaping and car parking (resubmission of application N/2011/0839) Former Westonia Garage Site, 582-592 Wellingborough Road, Northampton

WARD: Park

APPLICANT: McCarthy and Stone Retirement Lifestyle Ltd
AGENT: Miss L. Matthewson; The Planning Bureau Ltd

REFERRED BY: Head of Planning
REASON: Major application

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

The proposed development fails to provide adequate provision of affordable housing and public open space facilities in order to provide sufficient infrastructure and mitigation to meet the needs of the development. As a result of this, the proposal fails to comply with the requirements of the National Planning Policy Framework and Policy H32 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to erect a building of two and three storeys in height, to accommodate 35 one bedroom dwellings and 15 two bedroom dwellings, which would fall within Class C3 as

defined by the Town and Country Planning (Use Classes) Order 1987 (as amended). The development would also include the provision of private amenity areas and 21 car parking spaces.

- 2.2 This application represents a resubmission of a previously refused scheme (N/2011/839). The sole difference between the application currently under consideration and the previously refused scheme is that a different viability appraisal has been submitted in respect of any Section 106 Agreement.

3. SITE DESCRIPTION

- 3.1 The application site was previously in use as a garage use, which has not ceased and the associated building demolished. Planning permission was granted in June 2011 for the erection of a foodstore on part of the site former garage site, which is now operational. The remainder of the site remains undeveloped and forms for the current application site.
- 3.2 The site is situated adjacent to Wellingborough Road, which serves as one of the main routes into the town centre. The site is close to a small local centre located to the west beyond the recently developed foodstore. The majority of the surrounding buildings are in use for residential purposes.
- 3.3 Vehicular access to the site is via a spur in the access road that serves the recently constructed supermarket.

4. PLANNING HISTORY

- 4.1 N/2011/0295 - Proposed new foodstore (use Class A1) with associated car parking and landscaping (Revised scheme of Planning Permission 09/0096/FULWNN) – Approved.
N/2011/0839 – Erection of 35 one bedroom and 15 two bedroom living apartments for the elderly (Category II type accommodation), communal facilities, landscaping and car parking – Refused
- 4.2 The 2011 application was refused at the Council's Planning Committee at its meeting on 10 January 2012 meeting on the grounds that the proposal did not include any affordable housing or public open space. Although a viability appraisal was submitted, which claimed that such payments in full would render the scheme unviable, the methodology employed was not convincing and as a result of this, could not be supported. The refusal reasons reads:

“The proposed development fails to provide adequate provision of affordable housing and public open space facilities in order to provide sufficient infrastructure and mitigation to meet the needs of the development. As a result of this, the proposal fails to comply with the requirements of PPS1, PPG17 and PPS3 and Policy H32 of the Northampton Local Plan.”

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:

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E11 – Trees and hedgerows

E19 – Implementing Development

E20 – New Development

E40 – Crime and anti-social behaviour

H6 – Housing Development within Primarily Residential Areas

H32 – Affordable Housing

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG

Planning out Crime in Northamptonshire SPG

Affordable Housing SPD

6. CONSULTATIONS / REPRESENTATIONS

6.1 Housing Strategy (NBC) – In line with current policy 35% affordable housing provision would be required. Although there is a need for elderly accommodation within the town that caters for varying degrees of physical and mental need. It is necessary to consider the costs of providing for this and the need to ensure that such accommodation is sustainable in the long term for those residents that rely on such a scheme. It is recommended that the Council seek an off-site contribution from the applicant in lieu of the affordable housing provision, which would have been required on site.

6.2 Environmental Health (NBC) – The comments from the previous application are still relevant and as such conditions covering an assessment of transport noise and unexpected contamination.

6.3 Highways (NCC) – There are concerns regarding the level of car parking within the proposal. It is considered that manoeuvring spaces should be increased and clarification over surface treatments is sought.

6.4 Waste Planning Authority (NCC) – Would recommend that a condition be attached to any approval regarding the submission of a waste management strategy.

- 6.5 **Development Management (NCC)** – Requesting Section 106 Agreement payments for the Fire and Rescue Service and fire hydrants.

7. APPRAISAL

Principle of the Development

- 7.1 The principle of redeveloping this site for residential purposes was considered at the January meeting of the Planning Committee and deemed broadly acceptable. Although a relatively short period of time has elapsed since the previous consideration, there has been a change to the relevant material considerations, given the publication of the National Planning Policy Framework. However, this document continues to support the reuse of previously developed sites and the bringing back into use of vacant commercial units.
- 7.2 The developer has submitted an air quality and land contamination assessments, which indicate that the proposed development would not have an undue detrimental impact upon residential amenity in line with the requirements of the National Planning Policy Framework.

Design and Appearance

- 7.3 The design and layout of the proposed development is unchanged from the previously considered application and as a result of this, it is considered that the design of the proposal remains acceptable on the grounds of there being an unchanged local planning policy context. Furthermore, the recently published National Planning Policy Framework emphasises the importance of good design in terms of creating strong and distinct places. The proposed building, although of large proportions, reflects the prevailing vernacular within this part of Wellingborough Road.
- 7.4 Whilst there are some concerns regarding the palette of materials specified within the application and their suitability for the area in which the development is to be situated, it is considered that should the application be approved, this could be addressed via a condition in order to ensure that the materials used are in line with the objectives of Local Plan Policy E20 in this regard.
- 7.5 The use of the landscaping is considered to be satisfactory and provides a development that it is in keeping with the prevailing character as landscaping is a common feature on adjacent sites. This landscaping also reduces the impacts upon the neighbouring properties.

Impact upon Neighbouring Properties

- 7.6 There been no significant changes to the relationship between the application site and the surrounding buildings, nor have there been any

changes to the surrounding land uses compared to when the previous application was considered and determined. As a result of this, the proposed development is unlikely to create any substantially different impacts on neighbour amenity to that considered within the previous proposal. For these reasons, it is still considered that the proposal is compliant with the requirements of Local Plan Policies E20 and H7.

Highways considerations

- 7.7 In terms of layout, the scheme is unchanged from the previously considered scheme (e.g. for instance there have been no amendments to the parking provision and access to the site), which includes the provision of 23 car parking spaces. The position of the County Council as Highway Authority is unchanged from the previous consideration in that it queries whether there is sufficient car parking. However, the Supplementary Planning Guidance on car parking requires a *maximum* of 1.5 spaces rather than a minimum. Although the proposed parking provision is significantly less than the 75 space maximum figure, it is considered that it is acceptable given the type of development proposed and bearing in mind that the developer has substantial experience of this type of development and is likely to have a well-developed understanding of the needs of its occupiers. Furthermore, the site is reasonably sustainably located given its proximity to local services and availability to public transport.
- 7.8 Vehicular access to the site from Wellingborough Road is via the same access road that serves the adjacent supermarket and was designed with the potential residential re-development of this site in mind. It is considered that the intensification of the use of the junction that would result from the proposed development would not have an adverse impact upon highway safety. Should the application be approved, it would be possible to place a condition on any approval requiring details of surface treatment to be agreed
- 7.9 It is also important to note that the Council raised no objection on highway grounds to the previously refused scheme.

Planning obligations

- 7.10 The key tests in determining the justification for planning obligations are laid out in the NPPF (paragraphs 203 – 205), which states that planning obligations must be:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 7.11 By reason of the type of development proposed (i.e. a residential development in excess of 15 units of accommodation), it would normally be expected that affordable housing would be provided as

well as improved public open space facilities within the vicinity to be secured by S106 Legal Agreement. During the consideration of the previous application, it was determined that these requests were necessary and reasonable, following reference to the relevant policies of the Northampton Local Plan, the Affordable Housing Supplementary Planning Document and the 2009 Open Space, Sports and Recreation Needs Assessment and Audit.

- 7.12 The National Planning Policy Framework reiterates the importance placed upon affordable housing that is contained within its predecessor documents, whilst identifying the importance of access of public open space. In particular, the value of open space in promoting health and well being is emphasised. For the foregoing reasons, it is considered that there remains a strong planning policy basis for making these requests.
- 7.13 As reported to Planning Committee when it considered the previous application, in the case of affordable housing, it would normally be expected that this would be provided on-site; however, in exceptional circumstances, it is possible that a financial payment be made in order to fund off-site provision. By reason of the nature of the proposed accommodation / use (i.e. for elderly residents) and bearing in mind the ongoing service and maintenance costs would be likely to be prohibitively expensive and would not be sustainable in the longer term for affordable housing. For these reasons, in the circumstances of the case, a financial payment for off-site provision is considered appropriate in principle. In reaching a suggested figure, reference has been made to comparable past decision with indexation where appropriate.
- 7.14 As noted when the previous application was reported to Planning Committee, the site contains a reasonable level of private amenity space; however, this is unlikely to meet all of the requirements for the future occupiers of the development. The Council's 2009 Open Space, Sports and Recreation Needs Assessment and Audit provides a qualitative and quantitative assessment of the current provision of open space within Northampton. There identifies a shortfall of facilities in this area of the Borough.
- 7.15 By reason of the likely increase in residents as a result of the proposed development (given the number and size of units proposed there would be at least 50 residents), it is considered that a payment towards the provision of open space facilities is justified in terms of national planning policy. Therefore due to the scale of the development and its proximity to existing areas of open space, a payment towards enhancing existing facilities is considered appropriate and necessary.
- 7.16 As with the previous application, the applicant has submitted a viability appraisal in support of their assertion that the Council's requested payments would render the scheme unviable. The submissions also

identify a sum of money (which is lower than the previous application) that is available for Section 106 Agreement obligations.

- 7.17 This appraisal has been independently assessed and concerns remain regarding the methodology used. In particular, there are concerns regarding the valuation of the land, which appears to be high given the prevailing economic context and location of the development site. Clarification has been sought from the applicant details of any sites that have been used as comparables to establish the site value. In response to this, details of a site in Great Billing (with extant consent for five dwellings) have been submitted. However, it is considered that this is not sufficient to support the findings in the viability appraisal because it may not, alone, be representative of the local land / housing market. This narrow approach could therefore unduly and unacceptably influence the level of Section 106 Agreement payments. Furthermore, at the time of preparing the Committee report, the sale of cited land had not been completed and as such the actual value is unconfirmed.
- 7.18 Furthermore, the submitted valuation of the site is still based on a scheme for 14 residential dwellings, which is of significant variance to the development proposed in this application. Moreover, information regarding the marketing of the application site has been requested but not been submitted. Although it is accepted that the build costs for a home for elderly residents may be higher than the costs associated with a conventional scheme for flats; the applicant has not submitted details of this percentage difference. Therefore, it has not been possible to verify the build costs submitted as part of the viability appraisal
- 7.19 For the preceding reasons, it is considered that the submitted viability appraisal cannot be supported.

8. CONCLUSION

- 8.1 It is accepted that the proposed development is of an acceptable design and would have a neutral impact on residential amenity. However, on account of it not having proved possible to agree a figure for the provision of affordable housing and open space, it is considered that the proposed development would fail to secure adequate mitigation in the form of affordable housing and open space facilities that are fairly and reasonably related in scale to the development to comply with the requirements of national and local planning policies. Therefore, the proposal fails to provide an adequate level of affordable housing and open space facilities as required by the National Planning Policy Framework and Local Plan Policy H32.

9. BACKGROUND PAPERS

- 9.1 N/2011/0839 and N/2012/0140.

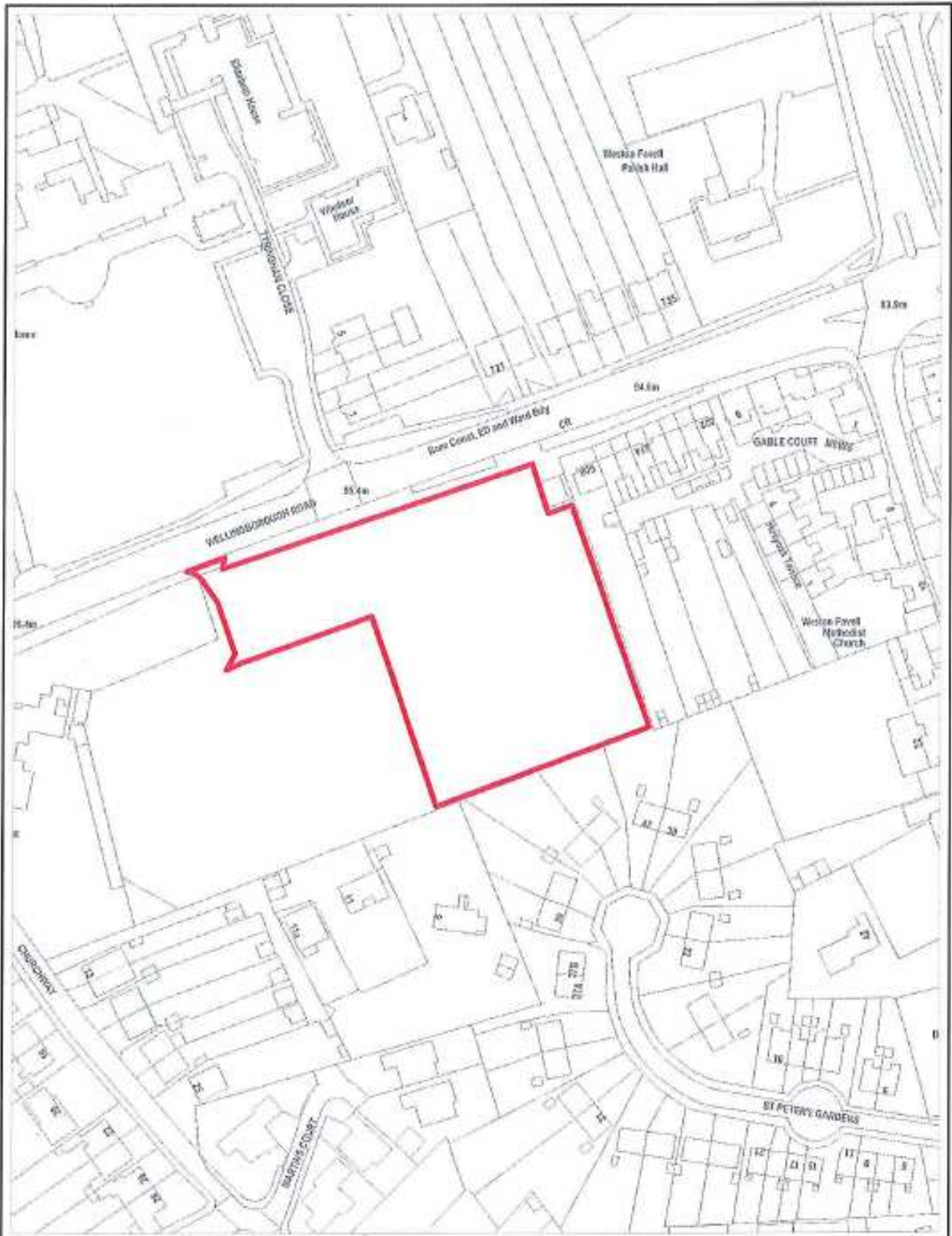
10. LEGAL IMPLICATIONS

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	16/04/12
Development Control Manager Agreed:	Gareth Jones	19/04/12



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Scale: SW Date: 2013 April 2012 Scale: 1:1250 Use: Planning From: Site Location Plan</p>	<p>Title 582-592 Wellingborough Road</p> <p><small>Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License number: 100010695</small></p>
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side of the frontage instead of in the centre as existing. The proposed shop front measures 3.3 metres wide and is a maximum of 2.3 metres in height above ground level.

3. SITE DESCRIPTION

- 3.1 The application site consists of a ground floor retail unit on Warren Road. The property is used as a convenience store (use class A1) and is adjacent to another retail unit of a similar character. The site is located in a predominantly residential area surrounded by residential dwellings on all sides. It is adjacent to the Dallington Conservation Area.

4. PLANNING HISTORY

- 4.1 None relevant to the determination of the planning application.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E20 – New Development
E26 - Conservation Areas
E29 - Shop fronts

5.4 Supplementary Planning Guidance

Shopfront Design Guide SPD

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Built Conservation;** no objection, it is not considered that the proposed shop front has the capacity to impact adversely on the Dallington Village Conservation Area.

7. APPRAISAL

Main issues

- 7.1 The principal considerations are the impact on the appearance and character of the host building, street scene, access for all and whether

the proposed development preserves or enhances the character and appearance of the adjacent Conservation Area.

Policy context

- 7.2 The Council's Adopted Shopfront Design Guide SPD outlines the requirements and considerations for assessing proposals to replace or install new shop fronts.
- 7.3 The 'Design Principles' in the SPD emphasise the importance of incorporating safe and easy access to the premises for everyone and the need for good design taking design cues from existing features and the scale and proportion of doors / windows respecting the established character of the streetscape. Saved Policy E20 of the Northampton Local Plan is also relevant especially part 'a' which encourages good design. Policy E29 relates specifically to shopfronts 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.
- 7.4 The recently published NPPF also stresses that local planning authorities should promote high quality design and reject poor design in determination of planning applications.

Impact on appearance and character of area and adjacent Conservation Area

- 7.5 The proposed replacement shop front is of modern design replacing a frontage of similar design, the main difference being the position of the entrance door. It is considered that the revised design would still respect the character of the original building and would not detract unduly from the appearance of the wider area. Although a centralised entrance door would be more respectful of the building's general symmetry it is considered that the design is not significantly adverse such as to justify refusal of planning permission.
- 7.6 Regarding the impact on the nearby Conservation Area (the boundary is some 15 metres from the rear of the shop) given the minor scale of the proposal and the extent of impact discussed above, it is not considered that the amended shop front would impact adversely on the nearby Dallington Conservation Area. This complies with advice in the SPD on Shopfronts, Development Plan policy and aims of the NPPF.

Access for All

- 7.7 The Council's Access Officer comments that there is no requirement under Building Control legislation that proposed access should be level threshold. The floor plans submitted show that the internal floor level of the existing shop will be lowered by some 15cm. This would remove an existing step into the shop thereby improving access for all.

8. CONCLUSION

8.1 For the reasons cited the proposed development is considered acceptable and compliant with Development Plan and national planning policy. The proposal 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

10. BACKGROUND PAPERS

10.1 N/2012/0159

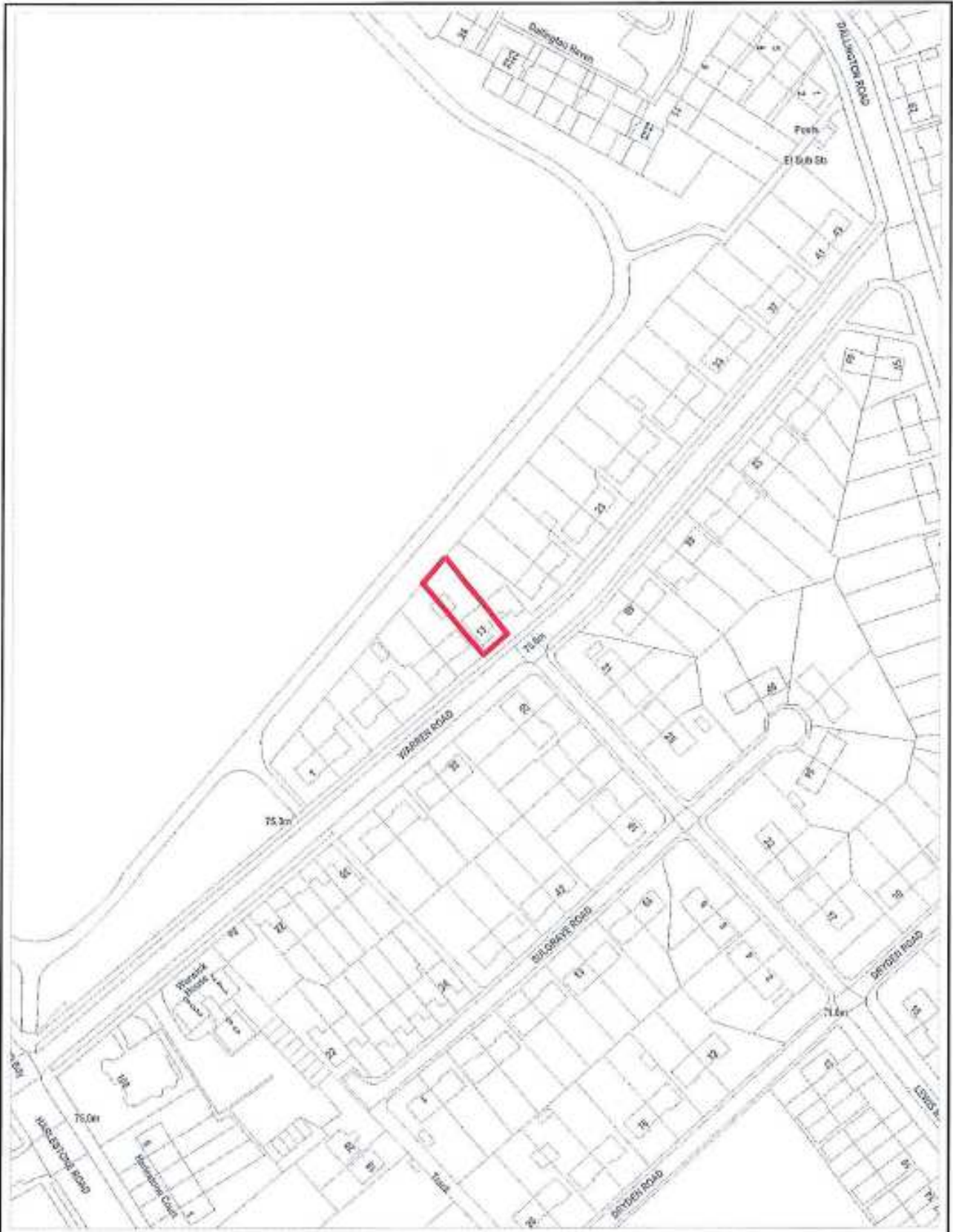
11. LEGAL IMPLICATIONS

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	12/04/12
Development Control Manager Agreed:	Gareth Jones	20/04/12



Rev: 001
 Date: 20th April 2012
 Scale: 1:1250
 Date: Planning
 Title: Site Location Plan

Title
13 Warren Road

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PLANNING COMMITTEE: 1st May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0163: Construction of new dealership including two storey showroom building, MOT facility, workshops and car parking areas
Unit 21, Carousel Way, Northampton

WARD: Riverside

APPLICANT: Vertu Motors Plc
AGENT: Bisset Adams

REFERRED BY: Head of Planning
REASON: Major application requiring a Section 106 Agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to conditions and the prior resolution of the following matters:

- A) The removal of the objection from the Environment Agency by the 21st May 2012; and
- B) A S106 legal agreement to secure a payment to fund the provision of cycle way improvements within Ferris Row and Carousel Way in order to promote sustainable travel amongst the future users of the development.

For the reason:

The proposed development would have a neutral impact upon visual amenity and highway safety. The proposal would result in the appropriate development of a vacant site and therefore complies with the requirements of the National Planning Policy Framework and Local Policies E20, E40 and R15.

1.2 Should the removal of the Environment Agency's objection not be secured by 21st May 2012, it is also recommended that delegated authority be given to the Head of Planning (at their discretion) to refuse the application on the grounds that it would have an unacceptable impact on flood risk in line with the requirements of the National Planning Policy Framework.

1.3 It is also recommended 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 (at their discretion) on account of the necessary mitigation measures not have being secured in order to make the proposed development acceptable in accordance with the NPPF.

2. THE PROPOSAL

2.1 The applicant seeks permission to erect a car dealership, comprising a showroom, workshops and a MOT testing facility. The proposal includes the provision of 178 car parking spaces and display room for 99 cars for sale. The site would be accessed from two points on Carousel Way, one of which would be in use for public access and an additional entrance to serve the service areas of the site. The applicant has also indicated that the proposed development would also provide employment opportunities for 66 people.

3. SITE DESCRIPTION

3.1 The application site is currently undeveloped, although consent has previously been granted to operate a car dealership from this site, which has now expired. The surrounding properties contain a variety of car dealership, retail and leisure uses. The Billing Aquadrome Leisure Park is located to the rear of the site. The wider Riverside area is separated from the bulk of Northampton by the A45.

4. PLANNING HISTORY

4.1 93/0095 – Outline planning permission was given in 1993 for the development of the whole of Riverside Park for development comprising Classes B1, B2 and B8 purposes, non-food retail, petrol filling station, hotel, fast food diner, car showroom, national fairground museum and riverside conservation park – Approved

98/0659 – Construction of business/industrial/warehousing units (Classes B1, B2 and B8) with parking, internal roads, access and landscaping at Riverside Park – Approved

08/0158/FULWNN – Construction of motor vehicle dealership comprising two storey building including showroom, workshop, Mot testing, vehicle and parts storage offices and single storey valet

building; formation of new access, provision of parking and circulation space and new planting and landscaping – Approved

11/0066/REPWNN – Construction of motor vehicle dealership comprising two storey building including showroom, workshop, Mot testing, vehicle and parts storage offices and single storey valet building; formation of new access, provision of parking and circulation space and new planting and landscaping (application for new consent to replace existing planning permission 08/0158/FULWNN, in order to extend the time limit for implementation) – Withdrawn

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E20 – New Development

E40 – Planning and crime and anti-social behaviour

R15 – Car showrooms

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards

Planning Out Crime in Northamptonshire

6. CONSULTATIONS / REPRESENTATIONS

6.1 Highway Authority (NCC) – The gate shown at the new eastern access should be set back a minimum of 18m from the back of the highway boundary. A system should be in place that would require the premises to operate one entry and one exit point. A Traffic Regulation Order should be secured preventing vehicles from parking in Carousel Way. A Section 106 Agreement should be entered into to secure the provision of cycle way improvements within the vicinity.

6.2 Environmental Health (NBC) – Would recommend that if approved conditions be attached covering unsuspected contamination, the impacts of a lighting scheme and a survey of likely noise levels.

6.3 Environment Agency – The current Flood Risk Assessment is unacceptable as there is a need to include contemporaneous data with regards to flood risk, the need to provide confirmation regarding

sewer capacity and discharge rates (any updates to this advice will be reported to the Committee by means of the addendum).

7. APPRAISAL

Principle, Layout and Appearance

- 7.1 Due to the mixture of land uses within the environs of the application site, including the provision of a number of car dealerships within the vicinity, it is considered that the principle of the development is acceptable. It is considered that the proposed building is of a sufficient quality and as such would make a positive contribution to visual amenity. In particular, it features various projecting design features and a mixed palette of colour treatment to assist in providing a building of sufficient quality given the prevailing character of the area.
- 7.2 Given the style of buildings within the vicinity of the application site, it is considered that the application proposal is of a suitable scale and as such would not represent an overdevelopment of the application site. The proposed development includes the provision of a car valeting area to the east of the site, which has a floorspace of approximately 28m². By reason of the limited scale of this element of the proposal, it is considered that this would not give rise to an overdevelopment of the site or an undue detrimental impact upon visual amenity.
- 7.3 On account of the positioning of the application site and the nature of the surrounding land uses, combined with the proximity of the site to the primary road network, it is considered that the proposed development is in accordance with the requirements of Local Plan Policy R15.
- 7.4 The applicant has submitted details of CCTV coverage and an indicative lighting scheme. These measures in conjunction with the provision of 1.8-2m fencing to those boundaries that are not in ready public view are considered sufficient to ensure that the site's security would not be unduly affected. In terms of the level of security to the used car sales area, which by reason of its location, is much more prominent, the developer has proposed a combination of metal hoops within the ground and a security barrier, which is considered to be an appropriate provision. For these reasons, it is considered that the scheme is compliant with the requirements of Local Plan Policy E40.
- 7.5 By reason of the property being adjacent to a leisure park, in which people would be residing (albeit not on a permanent basis), conditions requiring further details to be submitted regarding the level of noise that would emanate from the proposed use (such as the car service bays) and the means to mitigate this if required. Furthermore, details of any lighting should also be submitted in order to maintain

amenity. This approach is in accordance with the requirements of the National Planning Policy Framework.

Highways considerations

- 7.6 The proposed layout includes the provision of 178 car parking spaces. Although this a relatively high given the scale of and range of uses proposed (including the new car showroom, 94 space used car display area, MoT and 14-bay vehicle repair services, and parts sales), and bearing in mind that the uses would generate 66 fulltime members of staff it is considered that this level is acceptable. For these reasons it is considered that the proposed development would not create any undue detrimental impact upon the free flow of traffic within the vicinity.
- 7.7 The scheme has been revised to include a greater number of car parking spaces for disabled customers (five). Furthermore revisions to the layout have been secured to alter the kerb radii and increase the size of the vehicular entrances. The affect of this is to allow larger vehicles (such as delivery lorries) to ingress and egress the site safely and without detriment to the free flow of traffic within Carousel Way.
- 7.8 It is noted that the Highway Authority has requested that separate entry points be used to enter and leave the site. Whilst this point is noted, it is considered that as the proposed development features such assess arrangements for larger vehicles, a similar arrangement is not required for cars on the grounds that there is sufficient room within the site for such vehicles to turn around and leave the site safely as there is sufficient visibility splays from the exit points.
- 7.9 It is considered that the request for a Traffic Regulation Order to restrict car parking with Carousel Way is unnecessary as there is sufficient car parking within the proposed development. Furthermore, current demand for such on-street spaces in this part of Riverside Park appears to be low. The Highway Authority also requests an amendment to the eastern access in terms of resiting the entrance gate 18m back from the highway. Officers have reservations over the potential visual impact of such a measure. It appears to be sought in order to allow an articulated lorry to manoeuvre directly off the highway without and danger of blocking the carriageway or footway while a gate is being opened. However, given the likely low frequency of such deliveries and the fact that the operating business would be aware of such deliveries in advance, it not considered that this amendment is necessary from a highway safety.
- 7.10 The Highway Authority has also requested improvements to the cycleway within Ferris Row and Carousel Way. Given the fact that the site and its immediate environs are not well integrated with the rest of Northampton, in part due to the location of the A45, it is considered that the proposed development would be difficult to

access by more sustainable means of travel than private cars. As a result of this, it is considered that a payment to improve cycleway provision is necessary and reasonable, as well as proportionate to the type of development proposed. This approach is considered consistent with the aims and objectives of the National Planning Policy Framework, with regards to encourage sustainable development.

Flooding

7.11 The application site lines within Flood Zones 2 and 3, and therefore it is necessary to demonstrate that the proposed development would not give rise to increased flood risk either within the vicinity of the application site or elsewhere. Although a Flood Risk Assessment has been submitted, the Environment Agency (as a statutory consultee on flood related matters) has raised some concerns with regards to its contents.

7.12 The areas of concern can be summarised as the need to include contemporaneous data with regards to flood risk, the need to provide confirmation regarding sewer capacity and discharge rates. At the time of preparing this report, the requested additional information has not been submitted and as a result of the objection from the Environment Agency remains in place, following the precautionary. It is anticipated that this is a technical issue that can be resolved, particularly bearing in mind that planning permission has been granted for comparable development in the recent past. The applicant undertaken to submit this additional information in a timely manner and as such it is recommended that Committee resolved to granted planning permission subject to this matter being satisfactorily resolved. However if it does not prove possible to overcome the EA's objection it is also recommended that the Head of Planning be empowered to refuse planning permission on the grounds of the flood risk in accordance with the NPPF.

8. CONCLUSION

8.1 The principle of the proposed development is acceptable given that it is of an acceptable design, would provide employment opportunities and would have a neutral impact upon the highway system. By reason of the Section 106 contribution, the development would ensure that sustainable travel is encouraged.

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 together with details of the entry barrier shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings 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. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted to and agreed by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which shall be submitted to and approved by the Local Planning

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the requirements of the National Planning Policy Framework.

5. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site, implemented concurrently with the development and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan

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

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

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of

the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

8. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out in accordance with the CCTV details submitted on the 21st February 2012.
Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policy E40.

10. BACKGROUND PAPERS

10.1 N/2012/0163 and 08/0158/FULWNN

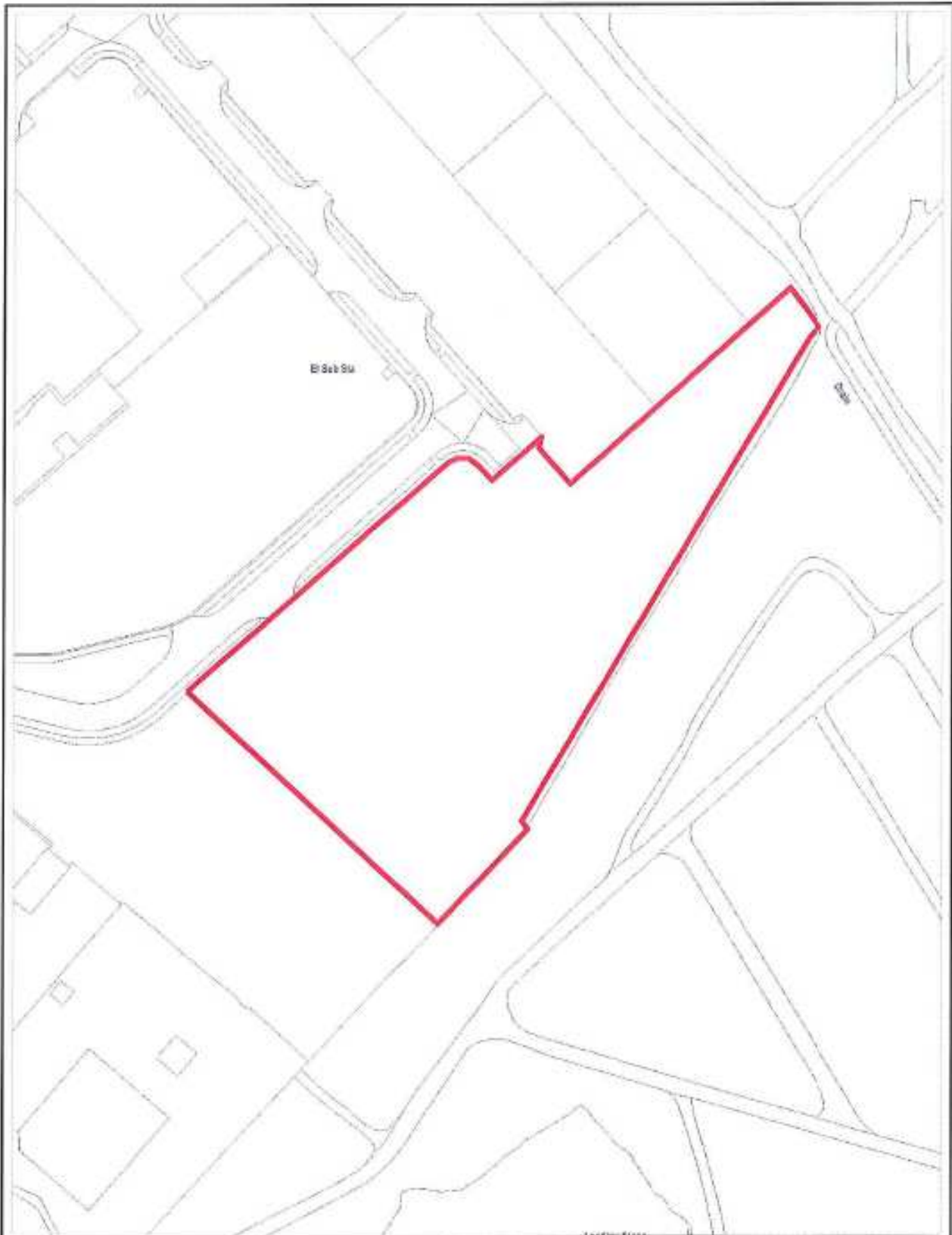
11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	Ben Clarke	13/4/12
Development Control Manager Agreed:	Gareth Jones	20/04/12



 NORTHAMPTON BOROUGH COUNCIL	Site: SW	TIN:
	Date: 20th April 2012	Carousel Way
	Scale: 1:1250	
	Use: Planning	
	Ref: Site Location Plan	
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PLANNING COMMITTEE: 1 May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0193 **Re-submission of planning application
N/2011/1220 for single storey side and rear
extensions at
116 Reynard Way, Kingsthorpe**

WARD: Obelisk

APPLICANT: Mr Dale Thomason
AGENT: N/A

REFERRED BY Cllr D Stone
REASON: Impact on neighbours/ loss of garden

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

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

The proposed development due to its siting, scale and design would not have an undue detrimental impact on the appearance and character of the host building, or street scene and would have an acceptable impact on the amenity of adjoining properties to comply with Policies E20 and H18 of the Northampton Local Plan and advice in the Council's Supplementary Planning Document on Residential Extensions.

2. THE PROPOSAL

2.1 This is a revised planning application following refusal in December 2011 for a first floor side extension above the existing garage (see paragraph 4.1 below).

2.2 Permission is sought for erection of single storey side and rear extensions. The proposed side extension would provide a replacement attached garage and study/games room and the rear extension would

accommodate a kitchen/dining room. The extensions would have a pitched roof to a maximum height of 3.4 metres above ground level. The proposed rear extension would project 3.6 metres from the original rear wall of the applicant's property and the proposed side extension would project some 3.3 metres from the main side wall running the full depth of the house meeting the rear projection to form an L-shape. Proposed materials are to match the original building.

3. SITE DESCRIPTION

- 3.1 The application site consists of a 2 storey semi detached dwelling in a primarily residential area in Kingsthorpe as defined by the Northampton Local Plan. It was constructed in the early 1970s and has a private rear garden in excess of 15 metres long enclosed on 3 sides by close boarded fencing approximately 1.8 metres in height. There is an existing attached garage to the side with a flat roof.

4. PLANNING HISTORY

- 4.1 Planning permission was refused in 2011 under N/2011/1220 for first floor side extension above the existing garage for the reason:

“Due to its siting, scale and massing the proposed side extension would have an adverse overbearing and overshadowing effect on the rear of 120 Reynard Way contrary to Policies E20 and H18 of the Northampton Local Plan and advice in the SPD on Residential Extensions”.

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:

National Planning Policy Framework (NPPF)

5.3 Northampton Borough Local Plan

E20 – New Development
H18 - Extensions

5.4 Supplementary Planning Guidance

SPD on Residential Extensions and Alterations (adopted December 2011)

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Councillor D Stone** - referred to committee due to adverse impact extensions would have on 114 Reynard Way in terms of loss of view and light and loss of rear garden

Letters of objections received from numbers 114 and 120 Reynard Way on the following grounds:

- Loss of outlook and view from rear lounge windows
- Loss of natural light to garden and living areas and impact on growth of plants
- Effect on tree within my garden and impact on boundary fence
- Would effect pleasure and enjoyment of own space and garden
- Construction process would present a huge ongoing disruption to living conditions
- Loss of privacy
- The existing conservatory to 120 Reynard Way is not shown on the plans
- Density and massing of solid brick wall would cause overbearing so close to my boundary and change to appearance of street
- Impact on foundations of garage and boundary fence
- Scale and proportions of proposed rear extension are grossly oversized in comparison to size of garden
- Out of keeping with surrounding properties
- Loss of plants and trees within garden
- Are no other examples in the area of similar extensions
- Loss of open aspect from property and loss of general outlook

7. APPRAISAL

Main issues

- 7.1 The principal considerations are the impact on the appearance and character of the host building, wider street scene and effect on neighbour's amenity.

Impact on appearance and character of host building and area

- 7.2 The proposed extensions would have a reduced impact on the street scene compared to the previous application given that the massing, height and bulk has been significantly reduced from two storeys to single storey. Although the proposed extensions would be visible from Reynard Way the application property does not occupy a particularly prominent position on the street scene and it is considered that the design, scale and proportions of the extensions would not be out of keeping with the parent building. The concern that the proposal would adversely impact on the appearance of the street scene is not shared by officers as the proposed pitched roof would improve the appearance of the host building.

- 7.3 A planning condition is recommended to ensure that facing materials used match the host building to ensure a satisfactory external appearance of development
- 7.4 This accords with the Council's adopted SPD on Residential Extensions and part b of Policy H18 of the Northampton Local Plan which encourages new development to be in keeping with the appearance and character of the original building. It would also comply with the recently published NPPF which encourages high quality design and urges local planning authorities to refuse planning permission for poor design (see paragraph 64).

Impact on amenity and living conditions of neighbours

- 7.5 The proposed rear extension would project 3.6 metres from the original rear wall of the applicant's property and be set back approximately 10cm from the shared boundary with the adjacent semi at 114 Reynard Way. It would project some 0.6 metres further than the rear extension on the previously refused scheme (it should be noted that no objection was raised by the Council to the rear element on the previous application).
- 7.6 The owner of 114 Reynard Way has concerns that the proposed rear extension would adversely effect her living conditions particularly in terms of overshadowing to her private rear garden and loss of outlook to her rear lounge window particularly at ground floor level. While officers acknowledge that the proposed extensions would have some effect on the amenity of this neighbour in these regards it is considered that the impact is not significantly adverse to justify refusal of planning permission given the extent of projection and relationship involved. Given that the proposed rear extension would be located on the north west of number 114, loss of light is unlikely to be a concern due to the orientation. To further reduce the effect on that neighbour, the applicant has submitted revised plans showing the rear extension angled away from the objector's property at a point 2.5m from the rear elevation of both houses (effectively 'cutting of the corner' of the extension).
- 7.7 It is considered that the development would not result in an unacceptable loss of garden space as the retained rear garden would some 13m to 14m long.
- 7.8 The objector is also concerned that the proposed rear extension would impact on the existing tree in her rear garden. The tree in question is not protected by Tree Preservation Order and nor is it worth of such protection. Therefore this would be a civil matter.
- 7.9 In terms of the effect on numbers 118 and 120 Reynard Way, the proposed side extensions would have a significantly reduced impact on the rear gardens of these neighbours due to reduced scale, height and

massing of the extensions when compared to the previously refused application.

- 7.10 Given the separation of some 12 metres from the side wall of the proposed extensions and rear main wall of these neighbours (and almost 10 metres from the rear conservatory on 120 Reynard Way) it is considered that the effect would be acceptable in terms of overbearing, loss of outlook, overshadowing and overlooking. This overcomes the previous reason for refusal.
- 7.11 It is considered that the reduced scale of the proposal is a significant improvement and overcomes the previous reason for refusal. Although slightly larger in footprint it also considered for the foregoing reasons that the rear extension would not have a significant impact on the amenity of the neighbouring occupiers. For these reasons the proposal is compliant with Policies E20 and H18 of the Northampton Local Plan and advice contained within the Adopted SPD on Residential Extensions which discourages poorly designed or overlarge rear extensions which result in a detrimental impact on neighbouring properties.

Other matters

- 7.12 The concern raised by the objector on the potential disruption/impact from the construction process can be given little weight as this is a temporary impact which forms part and parcel of any form of domestic extension / alterations. The objection to the garage foundations of 120 Reynard Way is not a material planning consideration but a civil matter. Although the existing conservatory belonging to 120 Reynard Way is not shown on the submitted plans its presence and siting has been noted by officers and taken into account in the assessment of the application (see paragraph 7.10 above). Whilst it is noted by one of the objectors that there are no identical extensions in the area, this is not considered reason in itself to withhold the grant of planning permission as each application is assessed upon their own merits.

8. CONCLUSION

- 8.1 The proposed extensions would have a satisfactory impact on the visual and residential amenity of the area and are compliant with development plan, SPD and national policy and subject to the conditions below are recommended for approval.

9. CONDITIONS

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

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

(2) The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason - In the interests of visual amenity to comply with Policy H18 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2012/0193 and N/2011/1220.

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	18/04/12
Development Control Manager Agreed:	Gareth Jones	18/04/12



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Rev: 001 Date: 20th April 2012 Scale: 1:1250 Rev: Planning Project: Site Location Plan</p>	<p>Title: 116 Reynard Way</p>
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PLANNING COMMITTEE: 1 May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0263: Single storey rear extension (Amendment to planning permission N/2011/1259)
At 6 Rushmere Avenue

WARD: Rushmills

APPLICANT: Mrs A. Arden-Barnatt
AGENT: Mr Richard Reidy

REFERRED BY: Head of Planning
REASON: The applicant is an employee of Northampton Borough Council.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and for the following reason:

The impacts of the proposed development on the character of the existing building, neighbouring properties and residential amenity is considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan and the Residential Extensions and Alterations Design Guide

2. THE PROPOSAL

2.1 The applicant seeks permission to amend the previously approved single storey rear extension by marginally increasing the overall width of the proposal towards the adjoining side boundary.

3. SITE DESCRIPTION

3.1 The application site is located on the northern side of Rushmere Avenue in a primarily residential area. The property is two-storey semi-detached dwelling and has been previously extended to include a two-

storey side extension and single storey rear extension, which was constructed of brick and render. The foundations for the proposed rear extension have also been previously laid.

3.2 An existing lawful brick wall about 2.55 metres in height and 4.55 metres in length is positioned along the western boundary between 6 and 8 Rushmere Avenue. A panel fence forms the remaining part of the boundary between the two semi-detached dwellings.

3.3 The rear garden is about 27 metres length and includes some mature vegetation.

4. PLANNING HISTORY

4.1 Permission was granted for a two-storey side extension and single storey rear extension in 2004. Subsequently in February 2012 a single storey rear extension was approved adjacent to the adjoining side boundary.

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:**
National Planning Policy Framework

5.3 **Northampton Borough Local Plan**
E20 - New Development
H18 - Extensions

5.4 **Supplementary Planning Guidance**
Residential Extensions and Alterations Design Guide (2011)

6. CONSULTATIONS / REPRESENTATIONS

6.1 To date no comments have been received.

6.2 However at the time of writing the committee report the consultation period was ongoing. Therefore any representations received will be reported to the committee by means of the addendum.

7. APPRAISAL

7.1 Planning permission was previously granted for a single storey rear extension under application N/2011/1259. The approved development

would infill the area between the existing single storey rear extension and the side boundary wall adjacent to the adjoining semi-detached property at 8 Rushmere Avenue. The approved development would project approximately 4.56 metres from the rear wall of the original dwelling and have an overall width of 3.375 metres. The extension previously approved would primarily have a mono-pitch roof to match the existing single storey rear extension. However an element of the approved extension would project 1.012 metres beyond the rear wall of the existing extension and have a flat roof. As part of the previously approved development the existing side boundary wall would have been demolished.

- 7.2 The current application seeks to amend the previously approved single storey rear extension. The key difference between the previous approval and this amended application is the width of the proposed rear extension would increase by 0.09 metres to an overall 3.465 metres. Consequently the existing lawful side boundary wall would remain to be incorporated into the proposed rear extension and become the western side elevation wall to the proposed development.

Design and Appearance

- 7.3 The width of the proposed rear extension would increase by 0.09 metres. The overall depth and heights of the proposed rear extension would remain the same as the previously approved development. Overall, therefore, it is considered that the marginal increase in the scale and massing of the proposal would not have an adverse impact upon the character of the existing dwelling or that of the immediate locality. This is despite the fact that an element of the proposal incorporates a relatively small element of flat roof.

Impact on Neighbours

- 7.4 The previous approval for a single storey rear extension sought to demolish the existing lawful side boundary wall, which extends approximately 4.55 metres from the rear wall of the original dwelling and has an overall height about 2.55 metres. However this current application seeks to incorporate the existing side boundary wall into the proposed rear extension. Therefore the lawful boundary wall would become the western side elevation wall of the proposed development.
- 7.5 The proposed single storey rear extension would be situated to the east of the neighbouring property at 8 Rushmere Avenue. As set out above, the width of the proposed single storey rear extension would increase by 0.09 metres from the previously approved rear extension. Therefore the proposed extension would be positioned marginally closer to the adjoining side boundary from the previous approval.
- 7.6 Nevertheless in practice this means that the existing lawful side boundary wall would be incorporated into the proposed extension to become the western side elevation of the development. The proposed

mono-pitched roof and flat roof element would be constructed off the existing lawful side boundary wall and extend a maximum of 1.1 metres above the overall height of the existing wall. As such the proposed roof would be the only new element, which would be positioned slightly closer to the neighbouring side boundary. The overall depth of the proposed extension would not alter from the previous approval and therefore match the depth of the existing lawful side boundary wall.

- 7.7 It is considered, therefore, that the marginal increase in scale and massing would be negligible. As such it is considered that the proposed alterations to the previously approved extension would not have a harmful effect upon the residential amenity of 8 Rushmere Avenue in terms of overbearing and shadowing impacts.

8. CONCLUSION

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

9. CONDITIONS

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

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

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

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

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

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

10. BACKGROUND PAPERS

- 10.1 N/2011/1259 and N/2012/0263.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	Anna Weir	18/04/2012
Development Control Manager Agreed:	Gareth Jones	19/04/2012



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Rev: SW Iss: 22nd April 2012 Ref: 1-1210 Dep: Planning Proj: Site Location Plan</p>	<p>Title 6 Rushmere Avenue</p>
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PLANNING COMMITTEE:	1st May 2012
DIRECTORATE:	Regeneration, Enterprise and Planning
HEAD OF PLANNING:	Susan Bridge
N/2012/0122:	Full application for home and garden centre, retail units, drive through restaurant, hotel, crèche and leisure club together with Lakeside Visitor Centre, restaurants, boat house, marina and lock and associated works.
WARD:	Situated within East Northamptonshire District
APPLICANT:	LXB RP (Rushden) Ltd.
AGENT:	JR Consulting
REFERRED BY:	Head of Planning
REASON:	The proposal relates to retail and leisure development within the neighbouring authority of East Northamptonshire. It is considered that the scale of development proposed would have significant implications for Northampton Town Centre and members views are sought on the nature of the consultation response.

CONSULTATION BY EAST NORTHAMPTONSHIRE DISTRICT COUNCIL:

1 INTRODUCTION

- 1.1 This report relates to an application submitted to East Northamptonshire District Council (ENDC) for a substantial out of centre retail and leisure development at the Rushden Lakes site, approximately 8 miles to the east of NBC's administrative boundary. NBC were consulted as a neighbouring authority on 29th March and the Head of Planning has since submitted a holding objection to ENDC due to concerns over the scale

and impact of the proposals, particularly in relation to Northampton town centre.

- 1.2 The purpose of this report is to brief members on the content of the application and its likely impact upon Northampton and to seek their views on the formal response of NBC to the proposals. This report is brought to the 1st May Committee because it is understood that ENDC may take a report for determination to their Planning Committee later in May.

2 RECOMMENDATION

- 2.1 That Northampton Borough Council **strongly objects** to the application for the following reasons:

- The Retail Assessment submitted with the scheme fails to pay adequate regard to the impact of the development upon Northampton Town Centre or Weston Favell District Centre. The application site is within 13km (8 miles) of the eastern edge of Northampton and the catchment of a development of this nature and scale would clearly cover Northampton and the residential areas served by its town centre. The Retail Assessment currently submitted makes an unrealistic assumption regarding the catchment of the proposal and thus, fails to pay adequate regard to the requirements of the National Planning Policy Framework in terms of the retail impact and the sequential approach (paras 24- 27);
- Northampton is within the catchment of the proposals and its town centre should therefore be considered in the assessment of sequentially preferable sites. NBC, along with its partners, is currently in detailed discussions with Legal and General (the key landowner) relating to a major town centre redevelopment incorporating a substantial increase in retail floorspace at the Grosvenor Centre, along with other key interventions within the Town Centre as a whole. Northampton is identified as the Principal Urban Area within the East Midlands Regional Plan/ Milton Keynes South Midlands Sub-Regional Strategy and, therefore, is a sequentially preferable site. The Development Plan, including the emerging Northampton Central Area Action Plan, provides the basis for the proposed expansion and regeneration of the Town Centre. The applicant has failed to take account of the Development Plan hierarchy, or the opportunities provided for expansion within Northampton Town Centre. Therefore, an inadequate sequential assessment has been undertaken and the application should be refused as required by the NPPF (para. 27);
- In addition, a full assessment of the retail impact of the scheme on Northampton Town Centre and Weston Favell Centre (a designated

centre in the saved Northampton Local Plan and a proposed District Centre in the emerging West Northamptonshire Core Strategy) should be provided, including an assessment of the cumulative impact of the proposals alongside other approvals/ commitments. In the absence of this information, the proposal fails to comply with the NPPF (paras 26 & 27); and

- An independent retail assessment of the impact of the Rushden Lakes proposal, conducted on behalf of the North Northamptonshire Joint Planning Unit (NNJPU) by GVA Grimley Ltd, identifies that the proposal will have a significant negative impact upon Northampton Town Centre resulting in a cumulative trade diversion of between 9 and 15% of turnover at 2016. Therefore, it is considered that the proposal will have a *significant* detrimental impact upon the vitality and viability of the Town Centre and make planned investments within the centre significantly more difficult to achieve. Where significant retail impact on existing centres is anticipated the NPPF directs that applications should be refused (para. 27).
- The proposal is considered to be an unsustainable form of development by virtue of its location to the major highway network and poor accessibility in relation to non-car based modes of travel. The nature of the proposal and the likely catchment area is such that the scheme would result in a significant increase in the level of vehicular traffic movements, contrary to the aims of paragraph 34 of the NPPF.

3 THE PROPOSAL

- 3.1 The proposal is for a mixed retail and leisure development, comprising 31,506m² gross retail floorspace in addition to restaurant, hotel, leisure uses and a marina, with associated ancillary works. The applicants have sought full planning permission for the retail elements, restaurants and lakeside visitor centre and outline consent for the hotel, leisure club and marina (a hybrid application). The site would be configured around three large terraces, with separate restaurant and visitor centre facing onto the lakeside. Of the total retail floorspace, just under 5,000m² (net sales area) would be occupied by a garden centre.
- 3.2 No named retailers/ anchor tenants have been put forward within the application documents. The application does suggest that the terraces would comprise home and garden/ lifestyle retail units and clothing retailers. In reality, the proposal is for general A1 use and (aside from the garden centre) it would be difficult to restrict the type of unit by planning condition. The independent report prepared on behalf of the NNJPU suggests that the likely occupier for this type of development would be mainstream national multiple retailers.

- 3.3 Members should also note that the application site is located within close proximity of existing retail development on the opposite side of the main access road. Therefore, the proposal would add to the attractiveness of an existing out of centre offer in this location.

4 SITE DESCRIPTION

- 4.1 The application site extends to roughly 30 hectares and is bound by the River Nene on its northern boundary and the A45 to the south. Beyond the A45, immediately to the south, is an area of mixed commercial, industrial and retail development, including a large supermarket operated by Waitrose. The town centre of Rushden is just over a kilometre to the south, Higham Ferrers is a kilometre to the east and Irthlingborough a kilometre to the north. In a wider context, Wellingborough Town Centre is approximately 4km to the west and the eastern extent of Northampton Borough Council's administrative area is 12km (8miles) to the west, with direct access along the A45. The Town Centre is 20km (12 miles) from the application site.
- 4.2 The site itself is made up of two main elements, the Skew Bridge Ski Lake and Delta Lake (which would be retained and enhanced) and an area of brownfield land to the south of the lakes which was formed by gravel working. Part of this brownfield land was previously used as a leisure facility incorporating a dry ski-slope, 'country club' with squash courts and boat houses in association with the water-skiing facility on the lake.
- 4.3 In its present state, the area is somewhat overgrown, with reported evidence of unauthorised off-road motorbike activity, specifically quad bikes and trial bikes.

5 OTHER CONSULTATION RESPONSES

- 5.1 The West Northamptonshire Development Corporation (WNDC) have responded to the application and objected to the scheme. The following is a summary of the key points of their objection:
- Point to the conclusions of the report prepared by GVA Grimley on behalf of the North Northamptonshire Joint Planning Unit which stresses the likely impact upon Northampton and other town centres within the sub-region
 - Notes that the development would have a detrimental impact upon planned investment in Northampton town centre
 - Comment that the development is unsustainable and contrary to policies 27 and 197 of the NPPF (retail impact/ sequential test and presumption in favour of sustainable development)

- Notes that the development does not comply with the development plan
- Urges the Council to refuse the application without delay.

6 PLANNING POLICY

6.1 Development Plan

The Development Plan for the area comprises the East Midlands Regional Plan (RSS8), the North Northamptonshire Core Spatial Strategy (2008) and the saved policies of the East Northamptonshire Local Plan (1996). None of the saved policies of the Local Plan are directly relevant to this application. With reference to NBC's consultation response, the key issue relates to retail impact and, thus, the Policy context referred to below concentrates on relevant policies in relation to this topic.

6.2 National Policies:

National Planning Policy Framework (NPPF). The NPPF replaced the previous suite of Planning Policy Statements/ Guidance Notes on 27th March 2012. Insofar as the application impacts upon Northampton, the key elements of the NPPF are those relating to retail and the vitality of town centres at paragraphs 23-27.

6.3 East Midlands Regional Plan

Policy 22 - Regional Priorities for Town Centres & Retail Development
 Policy MKSM SRS Northamptonshire 1 -
 Policy MKSM SRS Northamptonshire 2 – Northampton Implementation Area
 Policy MKSM SRS Northamptonshire 3 - Northampton Central Area

6.4 Northampton Central Area Action Plan (Submission Draft)

The CAAP sets the Local Policy context for the regeneration of Northampton Town Centre and will be submitted to the Secretary of State in May 2012.

6.5 West Northamptonshire Joint Core Strategy (Pre-Submission Draft)

In line with the Regional Plan, the Pre-submission version of the WNJCS identifies Northampton as the Principal Urban Area of the sub-region and sets the context for redevelopment and regeneration of Northampton Town Centre. Policy S2 seeks to focus 'town centre' developments within the town centre and Policy S9 identifies that the town centre will be the focus for new retail development. The WNJCS, in addition to the adopted North Northamptonshire Core Spatial Strategy set the framework and hierarchy of centres for the sub-region.

7 APPRAISAL

- 7.1 The proposal at Rushden Lakes has been submitted in the context of a national and regional planning policy framework that sets a hierarchy of centres within the Northamptonshire sub-region and provides a basis for protecting and enhancing the vitality of those centres. Despite the change in national policy resulting from the NPPF, the emphasis on a 'town centre first' approach remains intact. Applicants are still required to conduct a sequential search and out of centre proposals should only be preferred where there are no suitable and available in-centre or edge of centre sites. Paragraph 27 of the NPPF is clear in its intentions:

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors [relating to retail impact], it should be refused.

- 7.2 The East Midlands Regional Plan/ Milton Keynes and South Midlands (MKSM) Sub-Regional Strategy sets out the hierarchy of settlements and clearly identifies Northampton as the Principal Urban Area for the region (MKSM SRS Policies 1,2 and 3). The Strategy clearly sets out the need for significant expansion and regeneration of Northampton Town Centre and provides a policy basis for the regeneration of Northampton Town Centre, including substantial redevelopment of the Grosvenor Centre. The emphasis on Northampton as the Principal Urban Area for the sub-region is taken forward through the West Northamptonshire Joint Core Strategy (Pre-submission version) and the Northampton Central Area Action Plan (submission to the Secretary of State in May 2012). Given the advanced stage of the CAAP, significant weight should be afforded to its policies. Although the Government has made clear its intention to revoke regional strategies at the current time, the RSS is still applicable and forms part of the Development Plan. The rationale for the hierarchy of settlements outlined within the North Northamptonshire and West Northamptonshire Core Strategies will remain in any event. The applicant's retail assessment does not properly refer to the established policy framework, or to the hierarchy of settlements within the region.
- 7.3 Given the nature of the proposals, their proximity to Northampton and the quality of the road network, it is clear that the zone of influence would extend into the catchment of, and compete for trade with, the Town Centre. Put simply, when assessing alternative, sequentially preferable, sites the applicants should have examined Northampton, as required at the time by PPS4 and now by the NPPF. The failure to do so should amount to a reason for refusal of the application by virtue of paragraph 27 of the NPPF. Within their retail assessment, the applicants justify the lack of analysis of alternative sites on the basis that the development is serving a defined local need in Rushden and therefore that they only need review

alternative sites within that area. In effect, they contend that the development would serve a local catchment and enable the area to retain spending which leaks to other areas.

- 7.4 It is considered that the rationale for this is approach fundamentally flawed. Rushden is identified as a 'Smaller Service Centre' within the North Northamptonshire Core Spatial Strategy and, as such, it is not envisaged or expected that it would retain a high proportion of retail spend from within its catchment. The policy framework acknowledges that people within this rural area will travel to higher order centres for the full range of shops and services.
- 7.5 In addition, a rational assessment based on the scale of proposals put forward would conclude that the impact and catchment of the development will spread much wider than the local area. By way of comparison, the proposals (26,747 sqm net) are larger than the existing comparison goods sales floorspace of Wellingborough (19,468 sqm net), Kettering (23,368 sqm net) and Corby (17,648 sqm net) town centres. In their assessment for the NNJPU, GVA Grimley Ltd. concluded that the proposals are of a sub-regional scale 'with potential to function as a higher order centre'. They suggest that the development is likely to attract customers within a 30 minute drive time, enhanced by its proximity to the major road network. The proximity to the road network is, in itself, a strong indication that this proposal is not intended to meet a purely locally identified need.
- 7.6 In view of the above, the proposal would compete for trade with, and draw trade away from, Northampton Town Centre and Weston Favell Centre. A detailed analysis of the likely retail impact on these centres, including a cumulative assessment with other commitments, has not been carried out. Again, this is contrary to guidance within the NPPF. The GVA Grimley report provides an independent assessment of the likely retail impact on existing centres within North Northamptonshire and Northampton Town Centre. They estimate that the likely cumulative trade diversion from Northampton Town Centre would be between 9 and 15% of turnover at 2016. In addition to this direct impact, they argue that the scheme would lead to a reduction in investor confidence and retailer demand in existing centres. Where proposals would have a *significant* impact upon in-centre vitality, the NPPF unequivocally indicates that they should be refused. Based upon the independent retail analysis prepared by GVA Grimley, it is considered that the impact upon Northampton Town Centre would be significant.
- 7.7 In terms of cumulative impact, members should note that the retail studies conducted by the applicants and GVA Grimleys have only examined existing retail commitments from within the North Northamptonshire study area. Schemes within Northampton, such as the extension to Tesco at

Mereway and Sainsbury's at Sixfields will not have been taken into account. Clearly all of these commitments would add to the cumulative impact of the Rushden Lakes proposal should it be permitted.

- 7.8 In addition to retail impact, the scale and likely catchment of the proposals lead to concerns over sustainability relating to the increase in car borne travel to and from the development. Paragraph 34 of the NPPF seeks to ensure that developments generating significant movement are located where the 'need to travel will be minimised and use of sustainable transport modes can be maximised'. The location and nature of the scheme is completely at odds with these aims. The site has been selected based upon its proximity to the major highway network and it is poorly served by other modes of travel. The independent study conducted by GVA Grimley Ltd suggests that a development of this scale would draw customers from a 30 minute drive time radius. This is likely to result in travel to the site from multiple directions across the sub-region, none of which are well served by public transport. Therefore, in addition to retail impact considerations, it is suggested that the location of the site makes it unsuitable for a development of the scale proposed. The sequentially preferable and policy compliant location for development of this scale – Northampton Town Centre – is, on the contrary, well served by a range of transport modes, in line with its status as the Principal Urban Area for the sub-region.
- 7.8 Finally, it should be noted that the holding objection submitted by the Council's Head of Planning (on 27th March) raised objections on the basis of the points raised above and requested that a full assessment of retail impact and a sequential analysis was carried out, taking into account Northampton. At the time of writing, no such assessment has been made.

8. CONCLUSION

- 8.1 To conclude, the proposals represent a substantial out of centre development of a sub-regional scale. They are well connected to the major road network within 8 miles of the eastern edge of the Borough Council's administrative area. It is clear that the development would have a significant impact upon Northampton Town Centre, in addition to other existing centres within the sub-region.
- 8.2 The proposal is contrary to the established planning policy framework at national, regional and local level and should be determined in accordance with that framework. Furthermore, there are significant concerns relating to the sustainability of the location and reliance upon the private car.

8.3 Consequently, it is recommended that members raise the strongest possible objection to the proposals, based upon the recommendation set out above.

9. LEGAL IMPLICATIONS

9.1 There are no specific legal implications of this consultation response.

10. SUMMARY AND LINKS TO CORPORATE PLAN

10.1 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:	C Preston	19/04/12
Planning Manager Agreed:	Gareth Jones	20/04/12

