

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, 27 NOVEMBER 2012 AT 6:00 PM.

D. KENNEDY
CHIEF EXECUTIVE

AGENDA

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATIONS OF INTEREST/PREDETERMINATION
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
- 6. LIST OF CURRENT APPEALS AND INQUIRIES
Report of Head of Planning (copy herewith)
7. OTHER REPORTS
 - (A) 06/0013/OUTWNN - PROPOSED VARIATION TO S106 LEGAL AGREEMENTS 06/0013/OUTWNN ASSOCIATED WITH BRITISH TIMKEN SITE, DUSTON, NORTHAMPTON
Report of Head of Planning
(copy herewith)
Ward: Old Duston
8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
None.
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
10. ITEMS FOR DETERMINATION
 - (A) N/2012/0757 - DEVELOPMENT OF 58 DWELLINGS , VEHICULAR AND PEDESTRIAN ACCESS, CAR PARKING, OPEN SPACE, LANDSCAPING AND DRAINAGE AT FORMER ALLOTMENTS, NEWPORT PAGNELL ROAD, NORTHAMPTON
Report of Head of Planning
(copy herewith)
Ward: Nene Valley

(B) N/2012/0888 (LISTED BUILDING CONSENT) AND
N/2012/0926 (PLANNING PERMISSION) - CONVERSION
OF THE POWER HOUSE TO 17NO DWELLINGS AT
FORMER PEARCE LEATHER WORKS,
WELLINGBOROUGH ROAD

Report of Head of Planning
(copy herewith)

Ward: Billing

(C) N/2012/0993 - PROPOSED ERECTION OF SINGLE SPAN
POLYTHENE COVERED CANOPY TO COVER AN
EXISTING SALES AREA AT CRAMDEN NURSERY,
HARBOROUGH ROAD NORTH

Report of Head of Planning
(copy herewith)

Ward: Spring Park

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

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.”

Agenda Item 2

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 30 October 2012

PRESENT: Councillor Flavell (Chair); Councillor Golby (Deputy Chair);
Councillors Aziz, Davies, Hibbert, Meredith, Oldham and Palethorpe

1. APOLOGIES

Apologies for absence were received from Councillors Hallam, Lane, Lynch and Mason.

2. MINUTES

The minutes of the meeting held on 2 October 2012 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Messrs N Parekh, M Parekh, Pearson and Vening and Councillor Malpas be granted leave to address the Committee in respect of application N/2012/0923.

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Palethorpe declared a Personal interest in item 7(A), application no LA/2010/007 as being a Ward Councillor.

Councillor Palethorpe declared a Personal interest in item 10(A), application no N/2012/0923 as being a Ward Councillor.

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

None.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a List of Current Appeals and Inquiries and reported that the Appeal in respect of application no. N/2012/0318 had been dismissed.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) LA/2010/0007- VARIATION OF SECTION 106 LA/2010/0007 TO VARY THE TIMING AND EXTENT OF OBLIGATIONS AT FORMER PEARCE LEATHER WORKS, FISHPONDS ROAD

The Head of Planning submitted a report in respect of application no. LA/2010/007 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the variation to the Section 106 Agreement as detailed in the report be approved.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(A) N/2012/0923- VARIATION OF CONDITION 2 OF PLANNING PERMISSION 10/0075/WNN TO REVISE THE POSITION FOR PRIVATE DRIVE ONTO NEW ESTATE ROAD AT WILD ACRES, WELLINGBOROUGH ROAD

The Head of Planning submitted a report in respect of application no. N/2012/0923 and referred to the addendum that set out an objection from the occupier of "Marazian" and the response thereto, an objection from the occupier of "Shalimar", letter from Shoosmiths solicitors dated 30 October 2012 and e-mail from Wilbraham Associates Limited dated 30 October 2012. He referred to the planning history of the site as set out in the report and noted that in proposing a realignment of the access to the three existing southern properties, the applicant had demonstrated how large vehicles would be able to negotiate the access. The Highway Authority had raised no objection to the proposal. The Highway Authority had also considered the contrary advice put forward by the objectors advisors (annexed to the Addendum as above) but were not minded to change their original assessment of the proposal. In respect of the letter submitted by Shoosmiths (and referred to above), the Head of Planning noted that a site visit had taken place the previous day and that the letter had been put before the Committee as an annex to the Addendum due to the timing of its receipt in relation to the preparation of the Addendum.

Mr N Parekh, Councillor for Sunnyside but speaking in a private capacity, stated that he opposed the proposal. He lived at "Shalimar" and stated that there had not been any consultation by Taylor Wimpey. He believed that the current situation had arisen from a dispute between Taylor Wimpey and the resident of "Marazian". He had raised with the Planning Officers on several occasions that the original planning permission had not been complied with and had asked that enforcement action take place. He was horrified that that a big company appeared to be "getting away with it". Mr Parekh believed that the new proposal would not be as safe for vehicles as the original; and that Taylor Wimpey should provide something that was safe. He did not consider that the current temporary arrangements were fair; he currently had to get

passengers to get into his car where the access joined Apple Blossom Crescent. In answer to questions, Mr Parekh commented that refuse vehicles were the usual other users of the access road other than residents own vehicles; that the existing temporary access was not safe; that the mud on the road seen on the site visit had been deposited by delivery vehicles to the Wild Acres development site and that refuse vehicles would use the same route.

Mr M Parekh, stated that he was the owner of "Shalimar" and commented that he had started his own works to his property in March and since then it had been difficult for vehicles to deliver to it via the temporary access. There had been small issues of traffic conflict and hoped that it would not take a major one before a solution was reached. He commented that the proposal would put the path closer to the Wellingborough Road and believed that this would be dangerous and should have been thought of previously. In answer to questions Mr Parekh commented that his preference would be for Taylor Wimpey to provide what had been previously agreed and that there was mud on the road because large vehicles had to swing round wide to negotiate the corner of Apple Blossom Crescent and the Wellingborough Road.

Councillor Malpas as a Ward Councillor commented that two wrongs did not make a right. The Applicant was in breach of the original planning permission but no enforcement action had been taken. From his own experience of serving on the Committee he knew that that Highway Authority advice had been questioned in the past and reminded the Committee of the large vehicle turning into Apple Blossom Crescent that had been witnessed during the site visit the previous day. The proposed access from the service road onto Apple Blossom Crescent would only be 16 metres from the Wellingborough Road. He observed that traffic moved along the Wellingborough Road quicker than it had in 1999, when the original planning permission had been granted. He also noted that the report stated that there would be a neutral effect on the existing oak tree but he considered that it might need to be removed.

Mr Pearson, the Technical Manager for Taylor Wimpey East Midlands commented that they believed that the access to the service road had been discharged in accordance with the original planning permission but that its effect had been frustrated by the owner of "Marazian" erecting a fence and thereby partially blocking the access. This was a commercial situation for Taylor Wimpey to resolve but should not be part of the Committee's consideration. The existing temporary access arrangements were what they were but had led to the current application. He believed that the new arrangement would be better than the original; the safety assessment confirmed this and had been accepted by the Highway Authority. There would be a low number of traffic movements to the three properties affected and Mr Pearson believed that it was acceptable and would resolve the neighbours issues. If the Committee were minded to approve the application it would be implemented immediately. In answer to questions Mr Pearson commented that the Council's arboricultural officer was happy that no damage to the oak tree or its roots would take place but would be happy to accept a condition that the access be constructed in such a way as not to damage the tree and its roots; that history of the Wild Acres development was over ten years and confirmed that the owner of "Marazian" had erected the fence once they had started work on it and believed that this proposal would resolve that situation; that he personally only became aware of the situation once work started on the development earlier in the year; confirmed that Taylor

Wimpey believed that the original condition concerning access had been discharged but that it had been frustrated by the owner of “Marazian” and disagreed with the report that it had not been complied with; and confirmed that he believed that the proposal would give the neighbours what they wanted i.e., a simple, straight, safe access road.

Mr Vening, a chartered engineer for Taylor Wimpey commented that they had produced the drawing displayed earlier to the meeting showing how large vehicles would manoeuvre from the Wellingborough Road into Apple Blossom Crescent and into the service road. He noted that the arrangements seen by the Committee at the site visit were the temporary ones. He commented that in drawing up the current proposal the latest guidelines had been used and these included taking into account visibility and manoeuvrability of large vehicles. They had also taken into account personal injury accidents on that stretch of the Wellingborough Road over the last five years: there had been none. The safety audit had confirmed that the straighter access was safer and the Highway Authority had agreed with this. He hoped the Committee would approve the application. In answer to questions Mr Vening commented that the new access would be 4 metres closer to the Wellingborough Road than the original proposal and that this had been considered as part of the assessment of risk; that the original scheme in 1999 had been based on a 1997 NBC policy concerning standards of access for up to four properties but that this had not been a saved policy after 2007: and that the safety assessment had not made any recommendations but had made a comment about gullies that would need moving.

The Head of Planning noted that the current temporary access arrangements did not form part of application before the Committee; confirmed that the safety of the proposal had been assessed and that the Highway Authority were content with it; observed that articulated vehicles as commented on by Councillor Malpas, were typically 16.5 metres in length, refuse vehicles were typically 10 metres long; the vehicles connected with the development of Wild Acres should be discounted; the trees adjacent to the Wellingborough Road were protected and that the Council’s Arboricultural Officer was content about the impact of the proposal; that former Policy H12 as referred to by Mr Vening was not a saved policy and could not be taken into account; current national advice should be considered and more weight given to more contemporary documents. In answer to questions the Head of Planning commented that they had been aware that Taylor Wimpey were in breach of Condition 2 of the 1999 planning permission and had taken steps to resolve the situation, had taken legal advice and held discussions with the developer which had led to the current application; and reminded the Committee that they needed to consider the current application and not issues that were not relevant to it.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed revision would have a neutral impact upon highway safety, visual amenity and the surrounding trees. The proposal was therefore in accordance with the requirements of the National Planning Policy Framework and Local Plan Policies E11 and E20.

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

None.

The meeting concluded at 7:10 pm

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



List of Appeals and Determinations – 27th November 2012

Written Reps Procedure			
Application	Del/PC	Description	Decision
N/2011/1002 APP/V2825/A/11/2166759	DEL	Erection of new dwelling. Re-submission of application N/2011/0554 at 1A Arnold Road.	AWAITED
N/2011/1071 APP/V2825/A/12/2176757	DEL	Demolition of boiler house and construction of single storey extension at Church Of St Mary The Virgin, High Street, Great Houghton.	AWAITED
N/2011/1201 APP/V2825/A/12/2176731	DEL	Erection of two 1 no. bed dwellings at 141 Adnitt Road.	ALLOWED
N/2012/0058 APP/V2825/A/12/2179314/NWF	COM	Application for variation of condition 3 of planning permission N/2011/0588 to allow the pharmacy to be open to customers between the hours of 07:30 to 22:30 on Mondays to Friday, 08:00 to 22:30 on Saturdays and 08:00 to 18:30 on Sundays, Bank Holidays and Public Holidays at Abington Health Complex, 51A Beech Avenue.	AWAITED
N/2012/0080 APP/V2825/A/12/2175017/NWF	DEL	Conversion of storage/garage to single dwelling including alterations and first floor extension at 110 Adams Avenue.	AWAITED
E/2012/0157 APP/V2825/C/12/2184313	ENF	Non ancillary storage and motor vehicles at 2 Sussex Close.	AWAITED
N/2012/0232 APP/V2825/D/12/2182083	DEL	Vehicular crossover to front at 449 Kettering Road	ALLOWED
N/2012/0318 APP/V2825/A/12/2177724	DEL	Change of use of pavement area to outside seating area at 5 Mercers Row.	DISMISSED
N/2012/0449 APP/V2825/D/12/2180152	DEL	First floor side extension over existing garage and alterations to the front entrance and balcony at 484 Kettering Road.	DISMISSED
N/2012/0456 APP/V2825/A/12/2181330	DEL	Conversion and extension of existing garage into two storey 1 bed dwelling at garage adjacent to 1 Ardington Road	AWAITED
N/2012/0515 APP/V2825/A/12/2182304/NWF	DEL	Replacement of existing public telephone kiosk with kiosk combining public telephone service and ATM service at Telephone Box, O/s 52 Wellingborough Road.	AWAITED
N/2012/0518 APP/V2825/D/12/2181979	DEL	Two storey rear extension and installation of first floor side window at 78 Beech Avenue.	ALLOWED
N/2012/0548 APP/V2825/H/12/2181268	ADV	Erection of 48 sheet advertisement hoarding (retrospective) at Sainsbury Superstore, 20 Gambrel Road.	AWAITED
N/2012/0640 APP/V2825/A/12/2185356/NWF	DEL	Outline Application including details of layout, scale & access, with all other matters reserved to erect a four storey building providing 3 general office units (Use Class B1) or 3 financial & professional offices (Use Class A2) on the ground floor with 14 residential units above and car parking within basement and associated works at former Top of the Town Nightclub site, 73 / 91 Great Russell Street	AWAITED
N/2012/0651 APP/V2825/D/12/2185725	DEL	Erection of front and rear dormers at 6 Rosenella Close	AWAITED
Public Inquiry			
		None	
Hearing			
		None	

<p>The Address for Planning Appeals is Mr K Pitchers, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.</p>	<p>Appeal decisions can be viewed at - www.planningportal.gov.uk</p>
<p>Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed</p>	<p>Author and Contact Officer Mr Gareth Jones, Development Control Manager Telephone 01604 838014 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE</p>



PLANNING COMMITTEE: 27 November 2012

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Susan Bridge

**REPORT TITLE: Proposed variation to S106 Legal Agreement
06/0013/OUTWNN associated with British
Timken Site, Duston, Northampton**

1. RECOMMENDATION

1.1 That the Committee agree to the variation of the Section 106 agreement as set out in this report.

2. BACKGROUND

2.1 David Wilson Homes and Bellway Homes are currently developing the former British Timken site. The scheme predominantly consists of phased residential development, which is now nearing its conclusion in terms of being built out. There is also a defined Employment Area located within the site, which has yet to come forward for development.

2.2 This development was approved in outline form by WNDP on 19 April 2007 (06/0013/OUTWNN) following completion of a section 106 agreement dated 19 April 2007.

2.3 Under the terms of the Section 106 Agreement (Clause 2.3 of Schedule 1) the developers (David Wilson Homes and Bellway Homes) have a legal obligation to carry out development only in accordance with the approved Reserved Matters for the Residential Land, approved Masterplan, the Residential Design Codes and approved Residential Energy and Sustainability Strategy unless otherwise agreed in writing with the Council.

2.4 The agreed Residential Energy and Sustainability Strategy (actually named Sustainability and Energy Strategy) includes a series of targets. Target 2B (within Action Area 2: Conserve and enhance the natural environment) requires at least 4no. dwellings across the site to be developed with green roofs with the intention of improving the biodiversity of the development.

3 CURRENT SITUATION

- 3.1 The developers originally intended that 4no. bespoke properties with green roofs would be located upon a prominent position within Phase 3 of the development. This a position adjacent to a notable road junction was negotiated by the Local Planning Authority so as to make a strong statement that the scheme is achieving high sustainability credentials.
- 3.2 It has however become apparent to the developers that the upper-floor position and angled design of the approved roof designs would lead to difficulties in terms of implementing and subsequently maintaining the green roofs. This would lead to prohibitively high insurance quotes against the roofs, a situation which is not in the interests of creating commercially viable units for general sale and would place a considerable burden on individual homeowners. It should be noted that, in general terms, green roofs can be better suited to development when delivered at-scale, perhaps as part of commercial schemes. In this instance viability issues have emanated from liabilities being apportioned to future individual property owners.
- 3.3 Officers accept that practical difficulties that result from this obligation and, with the developer, have investigated alternative means by which biodiversity might be enhance / mitigated in lieu of the green roofs. This process has led to a joint in principle agreement between the developers and officers for the developers to make a £70,000 payment (plus reasonable legal costs) for environmental provision in the West of the Borough in exchange for the omission of the requirement to provide the green roofs. The figure is based upon a sum of £17,500 to offset each of the 4no. green roofs secured by the Sustainability and Energy Strategy and is to be split equally between the 2no. housing developers. The omission of the green roofs would not carry any associated design implications - amendments are not being proposed to the approved floor plans and elevations of the affected units.
- 3.4 Officers are content that the negotiated figure represents a fair and reasonable obligation to offset the loss of the green roofs. The money would be used in the interests of conserving and enhancing the natural environment in accordance with the requirements of the Sustainability and Energy Strategy. At this point it is anticipated that the monies would be used to support the on-going maintenance works at the Storton's Pits nature reserve located to the south of Edger Mobbs Way; this has the support of the developers.
- 3.5 It should also be noted that all other targets contained within the Sustainability and Energy Strategy shall remain unaffected, which includes a commitment to achieving the EcoHomes Very Good rating (superseded by Code Level 3 of the Code for Sustainable Homes) for new homes across the site.

4 PROPOSED VARIATION

- 4.1 The Deed of Variation proposed shall focus upon Clause 2.3 of Schedule 1 (General Obligations) of the extant S106 agreement. As currently worded, this requires development to be carried out only in

accordance with the approved Sustainability and Energy Strategy. The agreement would be varied to omit the requirement for 4no. green roofs (contained within the Sustainability and Energy Strategy), to be offset by an obligation for the developers to make a payment of £70,000 for environmental provision in the West of the Borough.

5 CONCLUSION

- 5.1 It is considered that the proposed contribution would reasonably offset the planned omission of green roofs, which would be unduly difficult to deliver and sustain in a residential context. Members are therefore requested to agree the variation of the S106 agreement.

6 LEGAL IMPLICATIONS

- 6.1 As set out in the report.

7. SUMMARY AND LINKS TO CORPORATE PLAN

- 7.1 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.



PLANNING COMMITTEE: 27th November 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0757: Development of 58 dwellings, vehicular and pedestrian access, car parking, open space, landscaping and drainage
Land at former allotments, Newport Pagnell Road, Northampton

WARD: Nene Valley

APPLICANT: Redrow Homes South Midlands
AGENT: Mr. D. Bainbridge; Bidwells

REFERRED BY: Head of Planning
REASON: Major development

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to conditions and for the following reason:

The proposed development would have a neutral impact upon the quality of the streetscene, neighbour amenity and the highway system and would secure sufficient mitigation. Therefore, the proposal is compliant with the requirements of Policies E11, E19, E20, E40 and H6 of the Northampton Local Plan and the National Planning Policy Framework.

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

- i) The provision of 35% of the dwellings for affordable housing
- ii) A payment to fund the provision of off-site open space facilities within Nene Valley Ward.
- iii) A payment to fund the provision of primary school education

- iv) A payment to fund the provision of bus shelters within Newport Pagnell Road and for their maintenance
- v) A payment to fund the reduction of the speed limit within this section of Newport Pagnell Road from 40mph to 30mph
- vi) An obligation for the developer to ensure that the proposed on-site open space is made available for public use in perpetuity and maintained
- vii) The Council's monitoring costs

1.3 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, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either 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 Policy E19 and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The applicant seeks full planning permission to erect 58 dwellings within the former Hardingstone Allotment site. Vehicular access would be provided from Newport Pagnell Road. The proposed development consists of 8 two bedroom houses; 21 three bedroom houses; and 29 four bedroom houses. The footpath that runs on a north-south alignment would be retained, albeit on a different route through the redeveloped site. The proposed development would also include an area of public open space and 137 car parking spaces have been provided.

3. SITE DESCRIPTION

3.1 The application site consists of a disused allotment site and is located within an area allocated in the Northampton Local Plan as being suitable for residential development. The site is reasonably level and features some trees adjacent to the southern boundary. A footpath (ref. KN2) runs across the site, the majority of which runs adjacent to the western boundary.

3.2 The wider area is characterised by residential accommodation, although there are primary and secondary schools adjacent to the eastern and western boundaries. Newport Pagnell Road has a reasonably high level of usage as it forms one of the main routes into Northampton from the Wootton and Hardingstone areas.

4. RELEVANT PLANNING HISTORY

4.1 A planning application to develop this site for 29 dwellings was refused and dismissed on appeal in 2001 (reference N/2001/0035). The reason for refusal related to the relatively low density of the development and

concerns being expressed regarding the suitability of the access. Subsequent to this, an application was approved in 2010 (reference 07/0035/FULWNN), which granted permission to develop the site for 71 dwellings and associated infrastructure, such as roads and car parking. This consent is still extant.

- 4.2 The proposed scheme differs principally from the previously approved development in respect of the reduction in dwellings (essentially as flats have been deleted from the proposal and replaced by houses). This has necessitated a revised layout.
- 4.3 Earlier in 2012, the Planning Inspectorate confirmed a footpath diversion order, which permitted the rerouting of the footpath, as necessitated by planning permission 07/0035/FULWNN, from the western boundary to a new alignment through the approved scheme's on-site open space and estate roads.

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:

Paragraph 17 of the National Planning Policy Framework (NPPF) requires that new developments should be of a high quality design and secures a good standard of amenity. Paragraph 50 of this document states that mixed developments (including size, tenure and type should be provided), whilst Paragraph 32 of the NPPF requires the provision of safe and suitable means of access to developments. Paragraph 100 of this document advises that developments should be safe and not increase flood risk elsewhere.

5.3 Northampton Borough Local Plan

E11 – Tree protection
E19 – Implementing development
E20 – New development
E40 – Crime and anti-social behaviour
H6 – Housing development within residential areas

5.4 Supplementary Planning Guidance

Affordable Housing
Parking
Planning Out Crime

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Housing Strategy (NBC)** – The number of affordable units and their varying tenure types are considered acceptable. Whilst the clustering of the affordable units has not been broken up, there are currently no adopted policy positions on this.
- 6.2 **Urban Designer (NBC)** – It is considered the layout should be revised to increase active frontages and to include more in curtilage car parking as opposed to the use of parking courts. The public open space could be better integrated with the rest of the development and the clustering of affordable housing should be reviewed. (*Officer's note: the layout of the development has since been revised and the other points are discussed below.*)
- 6.3 **Arboricultural Officer (NBC)** – There are no tree protection issues and the proposed removals can be compensated by replacement planting.
- 6.4 **Environmental Health (NBC)** – Would request a further contamination assessment is carried out into the occurrence of naturally occurring contamination. There are no concerns regarding the potential impact upon air quality; however, it is recommended that the dwellings adjacent to Newport Pagnell Road are set back in order to improve mitigation from noise.
- 6.5 **NCC Planning** – Would request payments by way of a Section 106 Agreement to fund primary school level education, the fire service and fire hydrant provision.
- 6.6 **Highway Authority (NCC)** – No objections to the proposal subject to conditions/planning obligations to secure various highway works (e.g. reduction in speed limits, pedestrian crossings, etc.) in addition to the provision of additional bus shelters within Newport Pagnell Road. There are no objections to the proposed junction with Newport Pagnell Road.
- 6.7 **Highways Agency** – No objections.
- 6.8 **Northamptonshire Police Crime Prevention Design Advisor** – No objections in principle but would encourage the use of the trellis adjacent to the footpath to the north of the site in order to deter climbing. The public open space should have a defensible perimeter. Community cohesion would be encouraged if the affordable housing element had a wider distribution across the site. Natural surveillance should be encouraged of the car parking areas.
- 6.9 **Environment Agency** – Withdraw previous objections, subject to a condition requiring the submission of a surface water drainage scheme.

- 6.10 **Anglian Water** – No objections, subject to a condition covering a surface water drainage scheme.
- 6.11 **Hardingstone Parish Council** – There are no objections to the principle of the development; however, there are concerns regarding the concentration of affordable housing to the north of the site as this would not create a mixed community. This is disproportionate and places a pressure point of smaller, densely built family properties in one area. The Northampton Borough Council Draft Affordable Housing Interim Statement states that affordable housing to be integrated in modest groupings or clusters throughout a development site rather than concentrated in particular areas.
- 6.12 **Wootton and East Hunsbury Parish Council** – There is no vehicle route between the site and Hardingstone, which reduces connectivity and there are concerns regarding the access from Newport Pagnell Road. It would be preferred for a Sustainable Urban Drainage system to be used or for the sewer connection to be within Hardingstone. Additional traffic would cause problems within Newport Pagnell Road and consideration should be given to reducing the speed limit to 30mph from the Queen Eleanor Roundabout to Wootton Hope Drive and the installation of traffic lights at the junction with Water Lane. Pedestrian barriers should be installed at the exit of the footpath.
- 6.13 Representations from the occupiers of **11 and 18 Casterbridge Court, 116 Martins Lane, The Girls Day School Trust** and one unaddressed letter. Comments can be summarised as:
- The road access to Newport Pagnell road would be unsafe.
 - The development would create congestion.
 - The proposal would result in a loss of privacy
 - The use of the footpath will increase
 - Bats have been seen on the site
 - It is requested that any doors and windows that provide overlook the individual neighbours property be fitted with obscure glazing.
 - The dwelling on Plot 32 would overlook the school playing field and it is requested that this window be glazed with obscure glass. The opportunity to discuss boundary treatments would be welcome.
 - The layout of detached houses would reduce the impact of the development.

7. APPRAISAL

Principle of the development

- 7.1 As the site is allocation for residential development in the Local Plan and given that there remains an extant permission on the site for the erection of 71 dwelling, it is considered that the principle of developing this site for residential purposes is well established. As the proposed development is for 58 dwellings, 13 units less than the previously approved scheme. This level of density is considered to be acceptable and the revised scheme, due to the type and character of units propose

and omission of flats, is considered to be a little more in keeping with the character and appearance of the locality.

- 7.2 It is accepted that the proposed development would involve the development of a site that was formerly allotments and is currently undeveloped land. Nonetheless, given the site's long standing allocation as a housing site and the nature of the extant planning permission, the development of this site is compliant with national and local planning policies.
- 7.3 A revised flood risk assessment has been submitted. This has been assessed by the Environment Agency, which has resolved to raise no objections to the proposed development subject to a condition requiring the submission of a surface water drainage scheme. This can be secured and controlled by condition. For this reason, it is considered that the development would not increase flood risk either within the application site or elsewhere and is therefore compliant with the requirements of the National Planning Policy Framework in this respect.
- 7.4 Although an assessment of contamination has been carried out, this should be extended to include the possibility of naturally occurring contamination being present. Therefore a condition is recommended to this effect, along with a complementary condition relating to remediation in the event of unsuspected contamination being found on site.

Design and Layout

- 7.5 The proposed development is of a linear nature, which has in part been necessitated by the position and length of the access road; however, the scheme does retain an active frontage onto Newport Pagnell Road, which would add interest and activity to the streetscene. The application has been revised so that the block of three dwellings situated upon Plots 38-40 (situated to the north of the site, adjacent to the turning head) has a different roof shape to the surrounding dwellings. This would add interest to the streetscene of the development, particularly the main estate road as this building would be one of the more prominent buildings within the site.
- 7.6 It is considered that the design of the proposed dwellings feature a number of variations in terms of form, including variations to roof shapes, fenestration, projecting elements and materials, which would assist in creating an interesting yet cohesive development that would have a positive impact upon visual amenity.
- 7.7 The proposed layout, due to the development's density combined with sensitive siting, would achieve an adequate level of light, outlook and privacy to the occupiers of the proposed development, in accordance with the requirements of the Local Plan Policy E20 and H6. Similarly, heights and style of the proposed housing when combined with the

separation distances that exist between the proposed dwellings and those existing properties within the vicinity, which are primarily Tate Grove, Casterbridge Court and Martins Lane, it is considered that there would be no undue detrimental impact upon the existing occupiers in the vicinity.

- 7.8 A single area of on-site open space is proposed as part of the development, which has an area of approximately 600m². Whilst the amount of space provided is acceptable given the scale of the development, officers have explored with the developer the possibility of this open space being divided to create two smaller areas within the site in order to increase accessibility. However, it is considered that such an arrangement would disrupt the rhythm of the development and specifically the arrangement of dwellings to the north of the site. Given this and the fact that the on-site open space would be within 150m of all the proposed dwellings and that all of the properties would have adequate private gardens, it considered that this arrangement is acceptable.
- 7.9 It is acknowledged that the proposed development would see houses being constructed within 6-15m of Newport Pagnell Road. Whilst it is noted that the Council's Environmental Health section have raised some concerns with regards to the potential impact upon the amenities of the residents of these dwellings as a result of noise, it is considered that as there remains an extant permission that, if implemented, would see a greater number of dwellings (primarily flats) being constructed in closer proximity to Newport Pagnell Road, relatively weight can be given to this concern in the circumstances of this case.
- 7.10 By reason of the location and scale of the proposed development, it is considered that it would not give rise to a detrimental impact to the level of air quality within the vicinity of the application site.

Highways

- 7.11 On account of the scale of the proposed development, no objections have been received from the Highway Authority with regards to the level of traffic that would be generated onto Newport Pagnell Road. No objections have also been received from the Highways Agency in respect of the potential impacts upon the A45. For these reasons, it is considered that the scheme would not cause any undue congestion.
- 7.12 The proposed scheme would include suitable visibility splays at the site entrance to ensure that traffic entering and leaving the proposed development can do so within a safe manner. This has in part been achieved through the setting back of buildings from Newport Pagnell Road and the removal of trees from this boundary. The loss of these trees has been assessed though the submission of an arboricultural survey and is it considered that the removal of these trees would not represent a conflict of Local Plan Policy E11. The Council's Arboricultural Officer has raised no objection.

- 7.13 The proposed development would also include the creation of a new pedestrian crossing within Newport Pagnell Road. It is considered that such a measure would assist in promoting accessibility to the development due to a greater ease of movement to the existing footpath network to the south of the Newport Pagnell Road and Wootton.

Footpath diversion

- 7.13 As set out previously, the proposed development would require the part diversion of Footpath KN2 from the western boundary to run through the centre of the developed site. It should be noted that if this application were to be approved, a separate application process exists for the formal diversion of the path; however, the diversion of the right of way is a material consideration in the determination of this application.
- 7.14 Due to the layout of the development, a diversion of the path would be a necessity, as proposed buildings and boundary treatment would obstruct the existing route. Whilst the revised route would, in the main, incorporate estate roads as opposed to the existing, more natural surroundings, it is considered that the presence of landscaping at various part of the revised route would ensure a satisfactory environment for pedestrians (such as at the junction with Newport Pagnell Road and to the north of the development site) in addition to a variety of building materials and boundary treatments that will add interest to the revised route of the footpath.
- 7.15 The revised route would be longer than the existing route; however, the limited scale of the increase would not create any additional inconvenience to users of the path. Furthermore, it is likely that the revised path would be more attractive to pedestrians by reason of its hard surfacing, street lighting and enhanced natural surveillance. As such, it is considered that the proposal would not cause any harm to the amenities of footpath users.

Legal Agreement

- 7.16 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- (i) Necessary to make the development acceptable in planning terms;
 - (ii) Directly related to the development; and
 - (iii) Fairly and reasonably related in scale and kind to the development.
- 7.17 On account of the development being for a scheme in excess of 15 units of accommodation, affordable housing is normally required to be provided at a rate of 35%. This equates to 20 units and through

negotiations the developer would provide five dwellings with an affordable rented tenure, nine dwellings with a social rented tenure and six dwellings that would be made available with a low-cost home ownership tenure. In light of this level and balance of provision it is considered that the proposed development would provide a proportionate response to the housing needs established within the Strategic Housing Market Assessment.

- 7.18 The developer proposes that all 20 affordable homes would be provided within a single cluster to the north of the site. However, the draft Northampton Affordable Housing Interim Statement states that affordable housing should be located within clusters of between eight and 15 units. Bearing in mind that the policy is in draft form and that 20 units would not be significantly exceed this figure, it is considered that the positioning and grouping of the affordable housing in this particular instance is acceptable.
- 7.19 As the development would provide 58 family dwellings, payments for the provision of primary school education and off-site open space enhancement within the vicinity of the site are considered justified to respond to the needs of occupants of the development. It is proposed that the off-site open space payment be used for the provision and improvement of open space within the Nene Valley ward. Hardingstone Parish Council has indicated that it has specific projects in mind for this obligation and therefore consider that the obligation should be limited to be used in Hardingstone Parish only. Although officers are sympathetic to this it is recommended that a more flexible approach is followed. For example, if the proposed development is granted planning permission, it may be more than 4 years from now before the off-site open space payment would be available to invest and a great deal can change in this timeframe. Moreover, as the development site is located on the Parish boundary, officers take the view that it would be sensible to have built-in flexibility to future-proof the obligation. This approach was also informed by the fact that S106 obligations can only be used to address the needs of the proposed development and should therefore be located within the vicinity of the development site.
- 7.20 The final decision on the precise location of where this money is spent would be made with reference to the key legal tests specified within Paragraph 7.15 of this report.
- 7.21 In order to ensure that the proposed development would not have an adverse impact upon highway safety and in addition to the additional highway mitigation measures as outlined within Paragraph 7.11, obligations are also proposed that would facilitate the reduction of the speed limit within this section of Newport Pagnell Road from 40mph to 30mph. In addition, in order to aid accessibility to public transport, obligations are required to secure the provision of increased bus shelters and their maintenance within Newport Pagnell Road.

7.22 A final obligation of the Section 106 Agreement would be to ensure that the on-site public open space is provided at a timely stage to support residents' amenity and is maintained to an acceptable standard, whilst being open to members of the public in perpetuity. For the foregoing reasons, it is considered that the scheme would provide sufficient mitigation to render the proposed development acceptable.

7.23 The County Council has also requested a payment for the provision of the fire services. There is no adopted development plan policy support and it is not clear what facilities would be secured / needs would be addressed by this requirement. The new Community Infrastructure Levy Regulations also prevent the pooling of S106 funds to deliver infrastructure. For these reasons it is not considered that this request cannot be supported.

8. CONCLUSION

8.1 It is considered that the proposed development is of an acceptable design and layout, which is in compliance with the requirements of national and local planning policy. The proposed development would also have a neutral impact upon the highway system and a satisfactory alternative footpath route would be secured. Furthermore, the proposed development would provide an acceptable level of affordable housing and provide sufficient mitigation in the form of on and off site open space provision, education and highways works. Therefore, it is considered that the proposed development is compliant with the requirements of national and local planning policies.

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 individual plot boundaries 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. 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. 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. No development shall take place until a surface water drainage scheme for the site, based upon sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and fully implemented prior to the first occupation of the development. The scheme shall also include:

- Confirmation that discharge rates will not exceed 14.7 l/s unless otherwise agreed in writing by the Local Planning Authority.
- On site surface water drainage to be designed to accommodate the 0.5% (1 in 200) plus climate change event
- Maintenance and adoption for every element of the surface water drainage system should be identified and include roles and responsibilities.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with the requirements of the National Planning Policy Framework.

7. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority.

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

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

8. 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 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of 7, 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

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 the National Planning Policy Framework.

9. Prior to the commencement of development, the applicant shall assess the noise levels of the site due to its exposure from transportation noise, with reference to the World Health Organisation guidelines for Community noise. This must take into account, where appropriate, roads or railways that may not be immediately adjacent to the site and the likely growth of traffic over the next 15 years, which shall be submitted to and approved in writing by the Local Planning Authority.

10. The approved assessment shall include, where the above guidance has not been complied with, a noise mitigation strategy, which should include a site plan showing the position, type and height of the proposed noise protection measures together with the resultant noise exposure levels. Where noise protection measures for the site are impractical or do not reduce the noise exposure levels for all amenity areas, floors or façades, a noise insulation scheme, including the provision of mechanical ventilation 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 approved details and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in terms of residential amenity in accordance with the requirements of the National Planning Policy Framework.

11. Unless otherwise agreed in writing by the Local Planning Authority, the access to the site as shown on drawing 20404_03_003 (Rev. A) shall be fully implemented prior to the commencement of house building.

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

12. Notwithstanding the details submitted, full details of the internal highways layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

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

13. Unless otherwise agreed in writing by the Local Planning Authority, the upgrades to the footways along the northern side of Newport Pagnell Road, pedestrian crossing including dropped kerbs and tactile paving and upgrading of the combined footway/cycleway on the southern side of Newport Pagnell Road as shown on drawings 204_03_003 (Rev. A) and 204_03_005 shall be fully implemented prior to the occupation of the tenth dwelling hereby permitted.

Reason: In the interests of promoting sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

14. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include

- the number and type of construction vehicles;
- traffic management and signage during construction;
- enclosure of phase or sub-phase development sites;
- provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- and
- routing agreement for construction traffic

Reason: In the interests of securing a satisfactory impact upon the highways system in accordance with the requirements of the National Planning Policy Framework.

15. Construction works shall not commence in Plots 1, 11, 12, 20, 21, 32, 33, 34 and 35 as shown on drawing LLC914_115 until suitable provision has been made, including formal statutory processes and agreed in writing by the Local Planning Authority for the diversion of the public footpath.

Reason: To ensure that adequate provision is made for safe and convenient access to Public Footpath KN2 in order to promote more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

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

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with the National Planning Policy Framework.

17. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be implemented in accordance with the requirements of sections 5.2.1 and 5.2.3 of the submitted Background Data and Phase 1 Habitat Survey Report (project number 854497).

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

10. BACKGROUND PAPERS

10.1 N/2001/0035
07/0035/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.



PLANNING COMMITTEE: 27 November 2012
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2012/0926: Conversion of existing Power House to 17 no. dwellings; and

N/2012/0888 Listed Building Consent for the conversion of the Powerhouse to 17 no. dwellings

At Former Pearce's Leatherworks

WARD: Billing

APPLICANT: Lagan Homes
AGENT: Armstrong Burton Architects

REFERRED BY: Head of Planning
REASON: Major Application

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 **APPROVAL IN PRINCIPLE of planning application reference N/2012/0926** subject to the prior completion of a S106 legal agreement and conditions and for the following reason:

The proposed development would bring derelict and previously developed land back into sustainable use, would support the sympathetic re-use of a listed building and would result in the provision of new homes without significant harm to the character of the area in accordance with guidance contained in National Planning Policy Framework and policies E6, H7 and H15 of the Northampton Local Plan.

1.2 The **S106** Agreement shall secure the provision of 35% of the development to be used for affordable housing. The reasons for this are set out in section 7 below.

1.3 **APPROVAL of Listed Building consent reference N/2012/0888** subject to conditions and for the following reason:

The proposed development would represent the affective re-use and refurbishment of a vacant listed building without significant harm to the historic and architectural character of the listed building, its setting or the visual amenities of the wider area in accordance with the guidance contained in National Planning Policy Framework and policy E26 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 As Lagan Homes has concluded that an extent permission to convert the Powerhouse building to 6 large residential units is unviable. The proposal is to now convert this redundant building to 17 residential units. The development would provide 4 studio flats, 4 one bedroom flats and 9 two bedroom flats with 20 parking spaces. Access to the site would be from Fishponds Road through the applicant's on-going residential development.

3. SITE DESCRIPTION

3.1 The site lies in the eastern district of Northampton between Wellingborough Road and Fishponds Road. The site is located on the former Pearce Leatherworks which is currently under construction by the applicant for residential development. The Powerhouse is one of the Grade II Listed Buildings on the site. Others include the main offices, factory (now partly demolished as permitted by previous consents to facilitate the redevelopment of the wider site), gate piers, gates, forecourt pool and ancillary buildings.

3.2 The site is allocated as an existing business area in the Northampton Local Plan. A brook runs to the north of the Powerhouse site within an area designated in the Local Plan as a Site of Acknowledged Nature Conservation Value. To the east of the site is an area of land occupied by trees, bushes and outbuildings. To the south of the site is an area of land that was formerly occupied by Pearce's factory. This has now been substantially demolished and will be developed with two storey housing. To the south west of the site is the retained Pearce's office building which is also listed.

4. BACKGROUND AND HISTORY

4.1 The Pearce Leatherworks was built in 1939 and was used for the production of leather since its construction until 2001, except for a period in the Second World War, when part of the building was used for

aircraft component production. In 2001 leather production ceased due to competition from abroad and the buildings remained predominantly empty and unused. The buildings were listed Grade II in January 2002.

- 4.2 In September 2003 various planning applications were submitted for a mixed use development on the site incorporating residential and employment use with the retention of the listed buildings. Various issues over viability of the proposal delayed the progress of the applications. In 2006 the powers to determine major planning applications transferred to West Northamptonshire Development Corporation. Northampton Borough Council remained the determining authority for the Listed Building Application. This was eventually approved in May 2008 (see below for details of applications). Lagan Homes now own and are developing the site.

10/0027/FULWNN – Partial demolition of Pearce Leatherworks and outbuildings with remaining building to be office use. Erection of new screen wall to enclose retained part of building and alterations to business area parking. Construction of 126 dwellings (including conversion of existing Power House to 6 units), associated highway works, public open space, landscaping and ancillary works - Approved 14/10/2010.

N/2010/214 – Partial demolition of leatherworks and outbuildings. Conversion of Powerhouse to 6 dwellings. Integration of screen walls into new residential development and erection of new screen wall – Listed Building Consent Approved 08/07/2010.

06/0011/FULWNN – Residential development including area of open space and provision of access to the site – outline application. Land to rear of Pearce Leatherworks – Jan 2007 - resolution to grant planning permission subject to s.106 (s.106 not signed).

06/0012/FULWNN – Demolition of factory. Re-use and extension of offices & erection of 80 no. apartments on footprint of existing factory. Conversion of Power House to 6 apartments - Jan 2007 - resolution to grant planning permission subject to s.106 (s.106 not signed)

N/2003/1289 (LB) - Demolition of the factory. Re-use and extension of offices and erection of 85 apartments on footprint of existing factory. Conversion of Powerhouse to 6 apartments– Approved May, 2008

N/2003/1290 – Forming of new access drive. Erection of garages. Refurbishment of cottages & extension of the caretakers cottage – Caretakers & Engineers Cottages Pearce Leatherworks- Approved Jan, 2007

N/2003/1291 – As above – Listed Building Consent application- Approved Jan, 2007

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies:

NPPF – National Planning Policy Framework

5.3 Northampton Borough Local Plan

E19 – Implementing Development

E20 – New Development

E40 – Crime and vandalism

H7 - Housing Development Outside Primarily Residential Areas

B14 – Development for non-business uses in business areas.

5.4 Supplementary Planning Guidance

Northampton Affordable Housing Interim Statement – June 2012

Affordable Housing SPD – April 2009

Northamptonshire County Parking Standards SPG 2003

Planning Out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

6.1 **Access Officer (NBC)** – no comments received.

6.2 **Public Protection (NBC)** – suggest conditions regarding noise and contamination (if a site investigation has not already been carried out).

6.3 **Planning Policy (NBC)** – no objection subject to viability considerations and the increase in number of dwellings on the site overall is reflected by an increase in affordable housing provision consistent with the tenures sought in the Interim Affordable Housing Statement.

6.4 **English Heritage** - the application should be determined in accordance with national and local policy guidance and on the basis of your expert conservation advice.

6.5 **Conservation (NBC)** – no objections to principle of dividing the Powerhouse into additional units in order to create a viable scheme. Consider the success of the proposed development will rely heavily on the details of the scheme. The windows in particular are likely to be an issue and advice should be sought about the potential of retaining / replicating the existing windows. Particular concern expressed about the about the insertion of new windows at first floor level above the

existing garage doors on the south elevation. Consider it would be preferable if the accommodation was reconfigured and these windows were removed.

- 6.6 **Arboricultural Officer (NBC)** – It appears the proposed development around the old Powerhouse (which includes the construction of a car parking areas) will require the removal of potentially three trees to the front of the site including a young Ash tree, 8-10 m tall (suppressed), False Cypress 12-14m tall (in decline) and a Western Red Cedar, 12-14m tall (good condition though multi stemmed and with ivy up main stem). I do not anticipate that these trees would be eligible for inclusion within a TPO due to their condition and limited visibility from the main road. Though of course they are visible on entering the site and do provide a good screen to the development around the former powerhouse! The retention of these trees as a screen would be favourable though could be offset with some new compensatory plantings. There is a line of trees, some dead some in decline to the front of the site (adjacent to the new car park) which could be removed and replanted with suitable species. The reestablishment of this linear group would assist in maintaining tree cover to the front of the site and help screen the car park from the main Wellingborough Road.
- 6.7 **Housing Strategy (NBC)** –There is a requirement for 35% of the development to be used for affordable housing (6 units). There is a requirement for the affordable units to meet a minimum of Code for Sustainable Homes Level 3 and 1 ground floor unit be made into a fully wheelchair adapted property. There have been discussions with the applicant regarding the entire block being for affordable rented housing. Considering the general under-provision of affordable housing on the larger site, these are discussions that I see as positive, and will pursue further. However the size of some of the units will be unlikely comply with the Housing Quality Indicator size requirements as laid out by the HCA, therefore these units would be unacceptable for affordable housing purposes. Therefore my recommendation would be to reduce the unit numbers down to 15 which had been discussed previously and would mean that unit sizes would be more appropriate. There have been some initial discussions with the applicant regarding the Registered Provider which will take on the affordable housing units. Further discussions are required, however the RP must be one of the Council's framework partners.
- 6.8 **Highway Authority (NCC)** – proposal is acceptable subject to Section 38 Technical Audit that is currently being carried out by our adoption team. A metre footpath/ strip proposed at the entrance of the development may be adopted as part of the road adoption.
- 6.9 **Northamptonshire Police Crime Prevention Design Advisor** –The elevations show a good deal of 'spandrel' glass. I understand this to be a toughened glass product. On this site the rest of the housing is the subject of a Secured by Design application for part 2 accreditation. In

order to obtain the award the developer has to install certificated and tested doors and windows which meet certain standards and in light of the known crime context for the area laminated glazing is mandatory. I would therefore recommend that laminated glazing is used on ground floor doors and windows to reduce the opportunity for burglary.

- 6.10 **Development Management (NCC)** – Request financial payments towards the provision of the fire service.
- 6.11 **Site Notice, newspaper advert and neighbouring properties** – 1 objection received from occupant of **16 Pippin Lane**. **Objects** to building work taking place and the loss of unspoilt views. Strongly objects to further work taking place, wants the open fields maintained and the current work to finish.

7. APPRAISAL

Planning Policy and Principle of Development

- 7.1 Planning permission has already been established for the conversion of the Powerhouse to residential by the current approval for 6 no. two, three and four bedroom apartments. Lagan Homes has reviewed the size and mix of this accommodation and found that it is not financially viable against the significant conversion costs and importantly against the consequential affordability of the apartments. The main issue therefore is whether the proposed increase in the number and type of dwellings is acceptable along with the detailed impact of the conversion works on the listed building.

Local Plan Policy

- 7.2 Both the Northampton Affordable Housing Interim Statement and the Affordable Housing SPD set out thresholds for providing affordable housing as 15 or more dwellings on all sites. The application proposes 17 dwellings on this site and is therefore required to provide 35% affordable housing. Northampton Affordable Housing Interim Statement also states that it is expected that the tenure mix of 70% Social Rent and 30% Intermediate Housing will be provided as part of the 35% requirement. There have been discussions with the applicant regarding the whole block being for affordable rented housing although some of the units are unlikely to comply with requirements for affordable housing purposes. However as the requirement for 35% affordable housing can be met the proposed development is acceptable on this basis.

National Planning Policy

- 7.3 National Planning Policy Framework states that it is important to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

The Local Planning Authority is required to plan for a mix of housing needs. It is considered that the proposal to increase the number of dwellings in the Powerhouse is preferable to deliver housing rather than freezing an unviable scheme. The proposal will contribute towards the housing delivery target and increase the affordable housing provision on the site and is therefore acceptable in policy terms.

Impact on Listed Building

- 7.4 One of the key issues is whether the proposed development retains the special interest of the listed building. The Power House has already been the subject of a building recording exercise and the record has been made publically available. The existing Power House is an industrial building on a monumental scale. The building is described in the listed building description as the generator and garage block. It is constructed in the same 'International Modern' style as the principal leather works building, but is strongly functional in form. A key element of the significance of the Power House lies in its relationship with the principle factory building and this would not be compromised by the proposed development. The impact of the proposal on the character and appearance of the building is considered as follows:

South elevation

- 7.5 This is the principal elevation, which lies in close proximity to the principal listed building. The detailing in this area is crucial. The proposal to re-instate the original ground floor window in the tower (shown on original model of Pearce Leather Works) is welcomed and is considered to better reveal the significance of the heritage asset. The proposed solution to replace the existing roller shutter doors in the garage openings is considered acceptable in principle, but samples will be required of the proposed infill panels. The proposal to elongate the existing window in the central block is considered acceptable and the best solution for the area, but samples and further details will be required for the blank panels to cover the floor levels.
- 7.6 Conservation Officers have concerns about the new windows at first floor level above the existing garage doors. In the design and access statement that accompanies the application it is stated that "*These are of appropriate style and scale in keeping with similar windows and openings used elsewhere on the Power House and office building*". The Conservation Officer considers that although shallow windows of this type are used in buildings of this style the design detail usually follows the rhythm of the principal fenestration and that the shallow windows immediately above the panelled infill garage doors create a visually jarring effect. Without these windows there would be no light or ventilation to one of the first floor studio flats and limited light and ventilation to another. If the windows were omitted a reconfiguration of the internal space in this area of the building would be required

resulting in a reduction in the number of dwellings. In the circumstances and given that these windows would be located in a section of the building recessed from the main front elevation, their siting is considered acceptable.

West elevation

- 7.7 This is a sensitive elevation as it faces the frontage of the site. There are no objections to the proposal to reposition the existing windows and brick panels at ground floor level and to replicate the windows and panels at first floor. The design ethos of the building is considered to be retained. The proposal to elongate the existing window in the south-west block is considered acceptable.

North and east elevations

- 7.8 The north and east elevations of the building are less sensitive than the south and west elevations of the building due to their orientation away from the principal building and the designed landscape; therefore a greater degree of compromise is considered acceptable. Significant changes to the fenestration of the building are proposed in order to produce a viable scheme, but this is considered acceptable as the industrial aesthetic of the design of the building is retained.
- 7.9 In order to find a sustainable new use for the building it is recognised that compromises are needed both with the internal spaces and the external fenestration. The precedent for this has already been established with the previous scheme. Guidance is given in the National Planning Policy Framework Paragraph 134 on balancing harm and benefit to heritage assets *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'*. It is considered that it is in the public benefit to have a sustainable new use for the building and that alterations can be made to the building retaining the fundamental design ethos of the building without undue harm to its character and appearance.

Impact on residential amenity

- 7.10 The site lies within a wider residential location and it is not considered that the proposal would have an unduly adverse effect on residential amenity through noise, privacy or disturbance. Concerns expressed about impact during construction on their own do not justify refusing development but warrant controls (through planning conditions) where a development is of a scale that extensive operations are envisaged. The proposed development would form a continuation to adjacent new residential development.

Land Contamination and Noise

- 7.11 The site was formerly a tannery and it is known that there is contamination of the site due to these processes. A Ground Investigation Report has previously been submitted as a requirement of existing consents.
- 7.12 Public Protection Officers have raised concerns regarding the proximity of the site to a busy road and potential for disturbance from road traffic. This can be mitigated by an appropriate condition.

Parking

- 7.13 The existing approved scheme provides 12 spaces for 6 apartments, a ratio of 200%. The current scheme for 17 apartments provides 20 spaces; a ratio of 100% plus 3 visitor spaces. The additional 8 spaces are accommodated by an extension of the parking area proposed previously while also removing double parking bays. This is considered to be acceptable given the sustainable location of the site close to main public transport routes. The extended car park is not considered to be detrimental to the character or appearance of the area.

Trees

- 7.14 With regard to trees, an arboricultural survey has been submitted on the site as a requirement of existing consents. It shows there are some significant trees to the rear of the main Pearce's site with the majority being to the front and side boundaries of the site. Those to the front and sides of the existing buildings will not be affected by the proposals. With regard to those trees affected it is inevitable that the development of this site will result in the loss of some trees and this was considered acceptable as part of the previous proposals and therefore the current proposal is considered to have no additional arboricultural harm.

Planning Obligations

- 7.15 With regard to affordable housing as discussed in paragraph 7.2, it is recommended that a legal agreement is entered into to secure 35% affordable houses.
- 7.16 The County Council has requested financial contributions towards funding of fire services however given the scale and type of the development, the fact it is not clear how such contributions would be directly related to the proposed development and as such capital costs can no longer be pooled and secured by a Section 106 Agreement, it is considered that any request for a financial contribution to these matters could not be reasonably sustained.

8. CONCLUSION

8.1 The proposed development represents the effective reuse of the former Power House and would provide a source of affordable accommodation within the town. Furthermore, the proposed development is considered to be acceptable in design terms and would not cause significant harm to the historic and architectural character of the listed building, its setting, the visual amenities of the wider area, adjoining properties or highway safety.

9. CONDITIONS

9.1 Planning Application – N/2012/0926

(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 development hereby permitted shall be carried out in accordance with the approved plans.

Reason: For the avoidance of doubt and in the interests of amenity in accordance with Policies E20 and H7 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) 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 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 a 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) No development shall commence until details of tree protection measures in accordance with BS 5837:2005 to be employed on site have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and remain in place at all times until all construction activity and/or plant and materials have been removed from the site.

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

(7) No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, details of the intended hours and duration of work, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities) and the location of waste management and site compound areas within the site.

Reason: To manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy E19 of the Northampton Local Plan.

(8) 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 purposes 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.

(9) Full details of the facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained thereafter.

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

(10) The parking spaces shown on the submitted plans shall be constructed prior to the first occupation of the building hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with guidance in the National Planning Policy Framework.

(11) Prior to the development commencing the applicant shall submit to the Planning Authority an assessment of the Noise Exposure Category of each habitable room due to its exposure to transportation (and street noise). This must take into account, the likely growth of traffic over the next 15 years.

Reason: In the interests of residential amenity in accordance with Policy H7 of the Northampton Local Plan.

(12) Where any part of a façade of any residential premises does not fall into NEC A, a noise insulation scheme to protect habitable rooms on that façade, which will require the provision of suitable mechanical ventilation, shall be submitted to the Local Planning Authority for written approval. The approved scheme shall be implemented prior to the properties being occupied.

Reason: In the interests of residential amenity in accordance with Policy H7 of the Northampton Local Plan.

Informative: Northamptonshire Police recommends that Doors should meet the requirements of BS PAS 24:2007 and windows should meet the requirements of BS7950.

Listed Building Consent – N/2012/0888

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

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

(2) Prior to the commencement of any work on site, a detailed timetable for the redevelopment of the site, shall be submitted to and approved in writing by the Local Planning Authority. Unless agreed in writing by the Local Planning Authority, the permitted works shall be carried out in full compliance with the approved timetable.

Reason: To ensure that the improvement works to the listed buildings are implemented in the interests of preserving and enhancing the special character of these buildings in accordance with the National Planning Policy Framework.

(3) All new or replacement rainwater goods shall be cast-iron or cast aluminium. Further details of any new external pipework including soil pipes, rainwater goods, and service pipes, shall be submitted to and approved in

writing by the Local Planning Authority prior to work commencing. Development shall be carried out in accordance with the approved details.

Reason: To protect the historic integrity of the historic building and secure a satisfactory standard of development in accordance with the National Planning Policy Framework.

(4) Further details of the location, dimensions and materials for any vents, flues or extract grilles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved details.

Reason: To protect the historic integrity of the historic building and secure a satisfactory standard of development in accordance with the National Planning Policy Framework.

(5) The external elevations shall not be cleaned without the prior written approval of the Local Planning Authority.

Reason: To protect the historic integrity of the historic building and secure a satisfactory standard of development in accordance with the National Planning Policy Framework.

(6) Details of the proposed method of repairing the external elevations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with the National Planning Policy Framework.

(7) Before any work is carried out, further precise details of the doors including sections and profiles at a scale of 1:10 or 1:20, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the listed building in accordance with guidance contained in the National Planning Policy Framework.

(8) Before any work is carried out, further precise details of the windows including sections and profiles at a scale of 1:10 or 1:20, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the listed building in accordance with guidance contained in the National Planning Policy Framework.

(9) Details and samples of all external facing materials (including infill panels) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with the National Planning Policy Framework.

(10) The existing windows shall be retained and repaired in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with the National Planning Policy Framework.

(11) The existing glazing shall not be replaced without the further written consent of the Local Planning Authority.

Reason: To safeguard the integrity of the listed building in accordance with the National Planning Policy Framework.

(12) Notwithstanding the details submitted further details of the method of upgrading for the purpose of heat loss, sound attenuation and spread of fire, including doors, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with Planning the National Planning Policy Framework.

10. BACKGROUND PAPERS

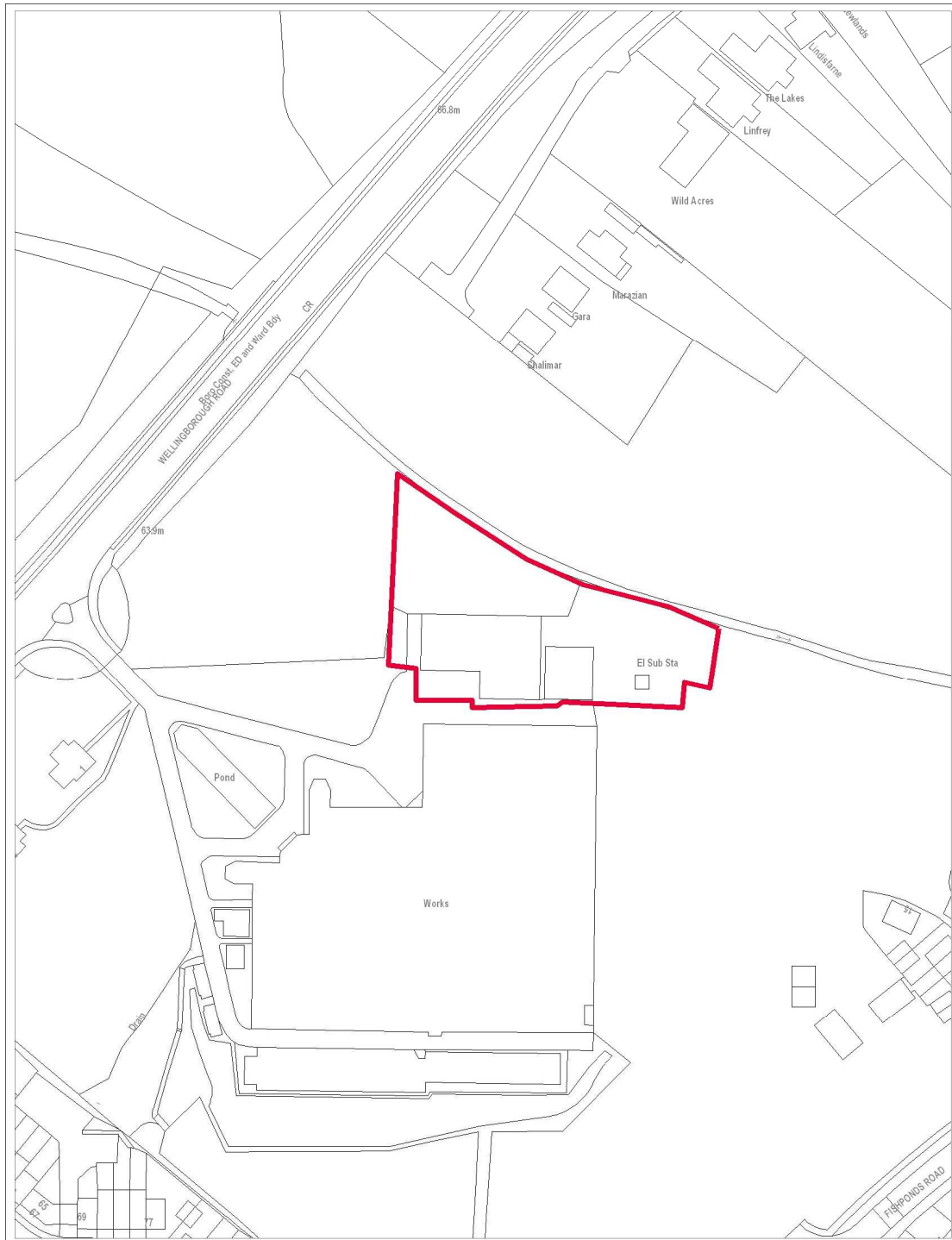
10.1 N/2012/0926, N/2012/0888, N/2010/0214, 10/0027/FULWNN, 06/0011/FULWNN, 06/0012/FULWNN, N/2003/1289, N/2003/1290, N/2003/1291

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.



Name: **Becky Gittins**
 Date: **15th November 2012**
 Scale: **1:1250**
 Dept: **Registration Team**
 Project: **Location Plan**

Title

Former Pearce Leather works, Wellingborough Road

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PLANNING COMMITTEE: 27 November 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0993: Proposed erection of single span polythene covered canopy to cover an existing outside sales area at Cramden Nursery, Harborough Road North

WARD: Spring Park

APPLICANT: Mr Nicholas Palmer
AGENT: None

REFERRED BY: Scheme of delegation
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

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

The proposed structure is considered to be in keeping with the character of the site as a nursery and is acceptable in terms of highway safety without undue impact on amenity of nearby residents in accordance with Policies E6 and E20 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought for the erection of a single span polythene covered canopy at the Cramden Nursery to cover an existing outside sales area.

2.2 The proposed canopy will be constructed in galvanised rectangular posts with roof covering using ultra violet inhibited white polythene. The proposed structure measures 15m x 10m with a roof height of 2.8m from the gutter level rising to 4.65m at its highest point.

3. SITE DESCRIPTION

- 3.1 The application site has been used as a plant nursery for many years and the land is owned by the Borough Council. It is located immediately to the north of Kingsthorpe Cemetery and access is via a private road off Harborough Road North.
- 3.2 The nursery site consists of a single storey office building, machine sheds, car park and a series of growing buildings mainly greenhouses and polytunnels.

4. PLANNING HISTORY

- 4.1 **N/2009/722** - Erection of 12m x 10m double span polytunnel approved October 2009.
- 4.2 **N/2008/0163** - Marquee for staff training/ demonstration and widening site entrance to main road (A508) – approved April 2008.
- 4.3 **N/2003/1251** - 4 no. growing area polythene roof canopies – approved October 2003.
- 4.4 Various consents relating to the nursery dating back to the 1950s.

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

E6 - Greenspace

E20 - New Development

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **NCC Highways** – no observation.

7. APPRAISAL

- 7.1 The main consideration relates to the principle of development within a greenspace, and whether it would have undue impact on amenity of neighbouring properties and impact on highway safety.

Principle of development

- 7.2 The proposal relates to land that is identified as Greenspace in saved Policy E6 of the Local Plan which states that development will only be permitted where it would not prejudice the function of the land specified in the Plan. In Cramden Nursery's case, the Greenspace allocation covers the entire nursery site including longstanding nursery buildings. The proposed canopy structure will be located amongst other greenhouses and polytunnels/canopies and is almost entirely out of public view. It is well within the established nursery curtilage and wholly in keeping with the character of the site. It is considered therefore that the proposal would not harm the function and character of the Greenspace as identified in the Local Plan.

Impact on amenity of neighbouring properties

- 7.3 The proposed structure would be located over 80 metres away from the nearest residential properties on Harborough Road North and would not be readily visible from any public roads as it would be shielded by existing nursery buildings.
- 7.4 The proposed canopy is designed to be used to shelter existing floor level growing area from the elements. The applicant has confirmed that plants have suffered damage from the past two years high rain fall and the canopy would enable them to better control their crop and thus reduce waste. It is considered that the proposed structure would not have undue visual impact affecting amenity of neighbouring properties.

Impact on highway safety

- 7.5 The proposed canopy is to be used to cover an existing planting area and would not result in the intensification of activities on site. The proposal would not impact on the access and parking requirement and the Local Highway Authority has no objection to the proposal.

8. CONCLUSION

- 8.1 The proposal would not impact on the function of Greenspace as identified in the Local Plan. It is considered acceptable and would not have undue impact on amenity of nearby residential properties and highway safety. The application is therefore recommended for approval subject to the condition 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.

10. BACKGROUND PAPERS

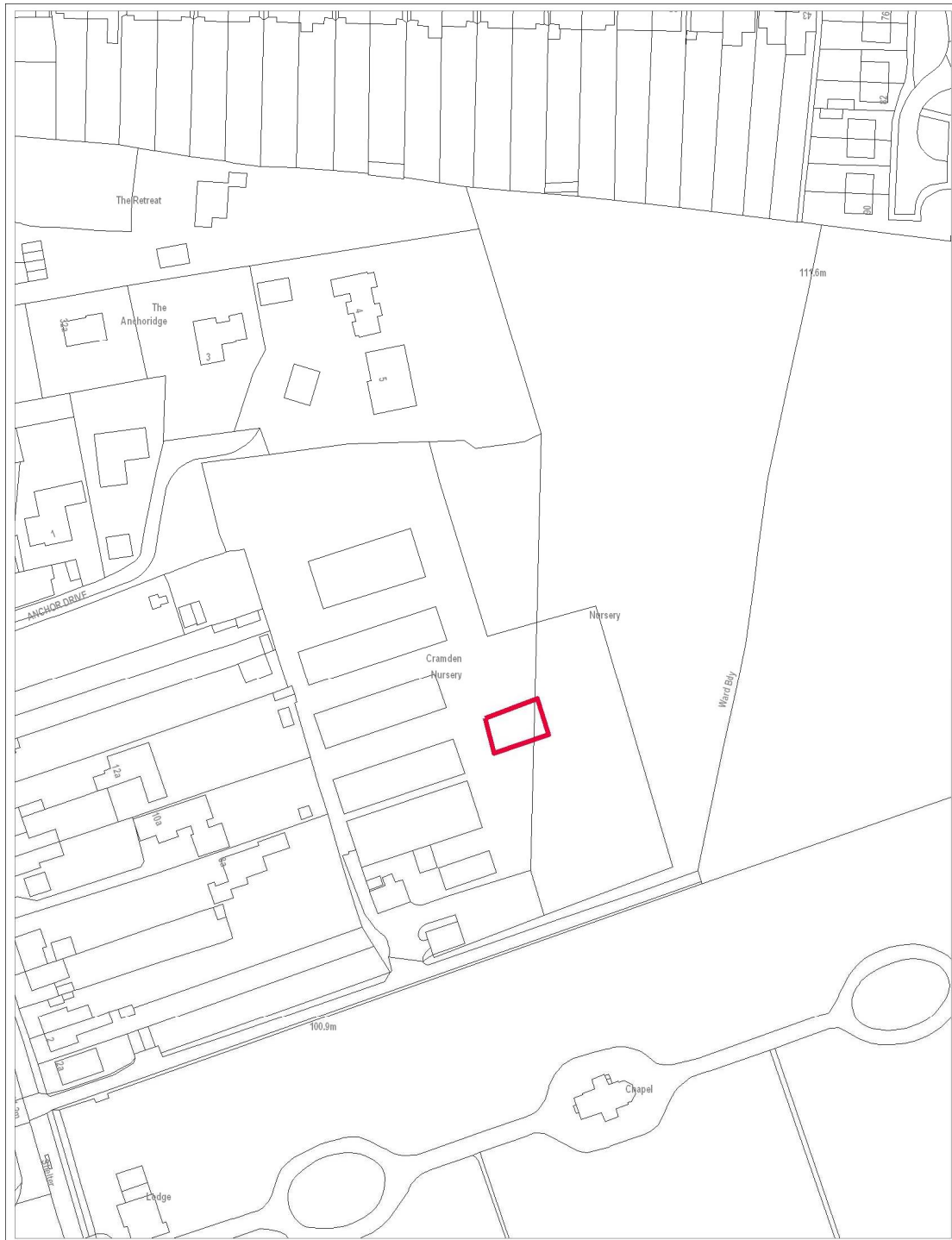
10.1 N/2012/0993; N/2009/0722; N/2008/0163; N/2003/1251

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.



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Cramden Nurseries, Harborough Road North

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