



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **PLANNING AGENDA**

**Tuesday, 5 March 2013**

The Jeffrey Room, St. Giles Square, Northampton,  
NN1 1DE.

6:00 pm

**Members of the Committee**

**Councillor:** Penny Flavell (Chair), Councillor Matthew Golby (Deputy Chair)

**Councillors:** Geraldine Davies, Mike Hallam, Stephen Hibbert, Jamie Lane, Matthew Lynch, Lee Mason, Dennis Meredith, Brian Oldham, David Palethorpe and Mohammad Aziz Rahman

**Chief Executive** David Kennedy

If you have any enquiries about this agenda please contact  
[democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) or 01604 837722

# PLANNING COMMITTEE

## AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 5 March, 9 April, 7 May, 11 June, 1 July and 30 July 2013.

The Council permits public speaking at the Planning Committee as outlined below:

### Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

### How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.  
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837722
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- By email to: [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) (if no acknowledgement is received please telephone)

### When Do I Speak At The Meeting

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

### How Long Can I Speak For?

- All speakers are allowed to speak for a maximum of three minutes.

### Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.
- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.

on Tuesday, 5 March 2013

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) RECOMMENDED FINAL DISPOSAL OF APPLICATIONS:**

**N/2007/1161, N/2007/1344, N/2008/1036, N/2008/1256 AND N/2009/0187**

Report of Head of Planning

(copy herewith)

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

**(A) N/2013/0102- INSTALLATION OF AIR SOURCE HEAT PUMPS AT 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, & 30 LODGE AVENUE, COLLINGTREE**

Report of Head of Planning

(copy herewith)

**Ward: Nene Valley**

**10. ITEMS FOR DETERMINATION**

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

- (A) N/2012/0904- TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT AND REAR EXTENSIONS AND ERECTION OF FRONT CANOPY (AS AMENDED BY REVISED PLAN RECEIVED ON 31 JANUARY 2013) AT 1 WHITTLEBURY CLOSE**

Report of Head of Planning  
(copy herewith)

**Ward: Sunnyside**

- (B) N/2012/1211- APPLICATION FOR APPROVAL OF RESERVED MATTERS OF OUTLINE APPLICATION 11/0053/OUTWNN (N/2011/0865) FOR A WAREHOUSE DISTRIBUTION DEVELOPMENT WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING AT UNIT 1. SITE NORTH OF FORMER CATTLEMARKE T, LILIPUT ROAD**

Report of Head of Planning  
(copy herewith)

**Ward: Rushmills**

- (C) N/2012/1212- APPLICATION FOR APPROVAL OF RESERVED MATTERS OF OUTLINE APPLICATION 11/0053/OUTWNN (N/2011/0865) FOR A WAREHOUSE AND DISTRIBUTION DEVELOPMENT WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING UNIT 2. SITE NORTH OF FORMER CATTLEMARKE T, LILIPUT ROAD**

Report of Head of Planning  
(copy herewith)

**Ward: Rushmills**

- (D) N/2012/1271- CONSTRUCTION OF NEW CAR DEALERSHIP INCLUDING TWO STOREY SHOWROOM, MOT WORKSHOP AND ANCILLARY BUILDING, VALET BUILDING AND CAR PARKING AREAS AT CAROUSEL WAY, NORTHAMPTON.**

Report of Head of Planning  
(copy herewith)

**Ward: Riverside**

- (E) N 2012/1281 - SINGLE STOREY FRONT PORCH EXTENSION, FIRST FLOOR BALCONY/TERRACE TO REAR & DETACHED TRIPLE GARAGE WITH STUDY ABOVE AT 5 BELFREY LANE, COLLINGTREE PARK**

Report of Head of Planning  
(copy herewith)

**Ward: East Hunsbury**

- (F) N/2013/0047- CHANGE OF USE FROM AMENITY LAND TO PRIVATE GARDEN INCLUDING ERECTION OF FENCING 1.8M HIGH TO THE FRONT SIDE AND REAR OF LAND ADJACENT TO 36 BOOTH MEADOW COURT.**

Report of Head of Planning  
(copy herewith)

**Ward: Talavera**

**(G) N/2013/0048- ERECTION OF 15NO. DWELLINGS COMPRISING OF 11NO. DWELLING HOUSES AND 4NO. SELF CONTAINED APARTMENTS INCLUDING ASSOCIATED LANDSCAPING AND PARKING (RE-SUBMISSION OF PLANNING APPLICATION N/2012/0987) AT FORMER MORRIS MAN PUBLIC HOUSE, WITHAM WAY, KINGS HEATH**

Report of Head of Planning  
(copy herewith)

**Ward: Kings Heath**

**(H) N/2013/0109- APPLICATION FOR NON-MATERIAL AMENDMENT FOLLOWING PLANNING PERMISSION N/2012/0314 - APPLICATION FOR NON MATERIAL AMENDMENT FOLLOWING PLANNING PERMISSION N/2012/0314 FOR NEW BUS INTERCHANGE- MINOR MODIFICATIONS INCLUDING AMENDED KERB AND EXTERNAL WALL POSITIONS AND ALTERATIONS TO BOTH THE FACILITY MANAGEMENT OFFICES AND TOILET FACILITIES AT SHEEP STREET AND BRADSHAW STREET.**

Report of Head of Planning  
(copy herewith)

**Ward:Castle**

**(I) N/2013/0114- VARIATION OF CONDITION 11 OF PLANNING PERMISSION 10/0077/FULWNN (CONSTRUCTION OF FACILITIES BUILDING) TO ALLOW AMENDMENT OF FINISHED FLOOR LEVELS AT NORTHAMPTON MARINA, VICTORIA PROMENADE**

Report of Head of Planning  
(copy herewith)

**Ward: Castle**

**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, 12 February 2013

**PRESENT:** Councillor Flavell (Chair); Councillors Aziz, Davies, Hallam, Hibbert, Lane, Mason, Meredith and Oldham

#### 1. APOLOGIES

Apologies for absence were received from Golby, Lynch and Palethorpe.

#### 2. MINUTES

The minutes of the meeting held on 15 January 2013 were agreed and signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

**RESOLVED:** That Mr Harrison be granted leave to address the Committee in respect of application nos N/2012/1225 and N/2012/1226.

#### 4. DECLARATIONS OF INTEREST/PREDETERMINATION

None.

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

None.

#### 6. LIST OF CURRENT APPEALS AND INQUIRIES

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

**RESOLVED:** That the report be noted.

#### 7. OTHER REPORTS

None.

#### 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

## **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None.

## **10. ITEMS FOR DETERMINATION**

- (A) N/2012/0904- TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT AND REAR EXTENSIONS AND ERECTION OF FRONT CANOPY (AS AMENDED BY REVISED PLAN RECEIVED ON 31 JANUARY 2013) AT 1 WHITTLEBURY CLOSE**

This application was withdrawn from the agenda.

- (B) N/2012/1225- APPLICATION FOR VARIATION OF CONDITIONS 2, 4, 5, 11, 12, 16, 17, 21 & 22 OF PLANNING PERMISSION N/2011/1160 (FOR THE DEMOLITION OF GARDEN CENTRE CONCESSION BUILDINGS AND ERECTION OF NEW SUPERMARKET; ERECTION OF NEW RETAIL BUILDING AND STORAGE BUILDING TO SERVE GARDEN CENTRE; RECONFIGURATION OF SERVICE AREA AND NEW SERVICE VEHICLE ROAD AND ALTERATIONS TO VEHICLE ACCESS.) TO ALLOW PROVISION OF AN ALTERNATIVE ACCESS FOR SERVICE VEHICLES AND AMENDMENTS TO CAR PARK LAYOUT AND TO AMEND THE HOURS OF OPENING FOR PROPOSED SUPERMARKET AT NORTHAMPTON GARDEN CENTRE, NEWPORT PAGNELL ROAD, NORTHAMPTON & N/2012/1226 APPLICATION FOR VARIATION OF CONDITIONS 2, 4, 5, 11, 12, 16, 21 AND 22 OF PLANNING PERMISSION N/2011/1160 (FOR THE DEMOLITION OF GARDEN CENTRE CONCESSION BUILDINGS AND ERECTION OF NEW SUPERMARKET; ERECTION OF NEW RETAIL BUILDING AND STORAGE BUILDING TO SERVE GARDEN CENTRE; RECONFIGURATION OF SERVICE AREA, NEW SERVICE VEHICLES ROAD AND ALTERATIONS TO VEHICLE ACCESS) TO ALLOW PROVISION OF AN ALTERNATIVE ACCESS FOR SERVICE VEHICLES AND AMENDMENTS TO CAR PARK LAYOUT AND A MINOR CHANGE TO THE ELEVATION OF THE PROPOSED SUPERMARKET AT NORTHAMPTON GARDEN CENTRE, NEWPORT PAGNELL ROAD, NORTHAMPTON**

The Head of Planning submitted a report in respect of application nos. N/2012/1225 and N/2012/1226, elaborated thereon and referred to the Addendum that set out comments from Wootton and East Hunsbury Parish Council and the response thereto.

Mr Harrison, the applicant's project surveyor, stated that the difference between the two applications was that one included a change to opening hours whilst the other did not. Two applications had been submitted so that if there were issues concerning the opening hours it would not delay the other matters that were comparatively modest. The principle elements of the applications were to change the opening hours, alterations to where the service road accessed the Newport Pagnell Road and a change to the materials of the front elevation of the supermarket. Mr Harrison explained that whilst Waitrose generally operated core opening hours nationally they did, depending on local demand, vary from these and also varied hours at peak trading times, such as the run up to Christmas. By altering where the service road



came out onto the Newport Pagnell Road it would not be necessary to alter the positioning of the existing pedestrian crossing which itself could be a lengthy process requiring a Traffic Regulation Order and possibly delay the project. It also had the advantage of increasing the car parking provision by over 30 spaces. The change to use brickwork on the front elevation of the supermarket was to enhance the effect of the signage on the building. In answer to questions Mr Harrison commented that the nearby girls school and Wootton and East Hunsbury Parish Council had not been directly consulted on these applications by Waitrose but that they had not raised anything during the course of the consultation on the original planning application; confirmed that the principle difference between the two applications was the change in opening hours and that it was hoped that if there were issues about this then the other matters would not be held up; that in respect of the use of the word “between” in terms of the opening hours allowed the supermarket to open within a defined start and finish time according to local demand; and that the change to the service road was to use the existing entrance to the garden centre.

The Head of Planning noted that the girls school and the parish council had been consulted upon both applications and had not raised any further comments than those already reported and in respect of the opening hours confirmed that the supermarket would be open for a range of hours within the times stated.

The Committee discussed the applications which were the subject of individual votes.

- RESOLVED:**
1. That the applications be approved subject to the conditions set out in the report and the prior resolution of the following matters:
    - i) To resolve the queries from the Environment Agency
    - ii) A legal agreement to ensure that the obligations contained within the Section 106 Agreement entered into in respect of Planning Permission N/2011/1160 is adhered to.

As the proposed variations of conditions would not create a significant impact upon visual amenity, neighbour amenity and highway safety. The proposed revised conditions are therefore in accordance with the requirements of the National Planning Policy Framework, Local Plan Policies E11, E19, E20 and E40.

2. That in the event that the legal agreement is not secured within three calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures not have being secured in order to make the proposed development acceptable in accordance with the NPPF.
3. That delegated authority be given to the Head of Planning to frame the conditions in respect of the approval in order to respond to the current application for the approval of details reserved by condition attached to the parent planning permission in order to avoid any unnecessary duplication.

## 11. ENFORCEMENT MATTERS

None.

## 12. ITEMS FOR CONSULTATION

- (A) **N/2012/1250- OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS & STRUCTURES ON SITE & THE CONSTRUCTION OF RETAIL FLOOR SPACE (USE CLASS A1), NON FOOD (BULKY GOODS) RETAIL FLOOR SPACE & NEW PETROL FILLING STATION (SUI GENERIS), TOGETHER WITH ALL ASSOCIATED AREAS OF HARDSTANDING, CAR PARKING, ENGINEERING & LANDSCAPE WORKS (ACCESS NOT RESERVED) AT LAND TO WEST OF EASTERN WAY, DAVENTRY & N/2012/1261 DEMOLITION OF EXISTING STRUCTURES ON SITE AND CONSTRUCTION OF NON-FOOD RETAIL FLOOR SPACE (USE CLASS A1), RESTAURANTS AND CAFÉ (USE CLASS A3), A NEW CINEMA COMPLEX (USE CLASS D2), REPLACEMENT LIBRARY (USE CLASS D1) AND ASSOCIATED INFRASTRUCTURE, ENGINEERING AND LANDSCAPE WORKS LAND TO NORTH OF HIGH STREET, DAVENTRY**

The Head of Planning submitted a report in respect of application nos. N/2012/1250 and N/2012/1261 elaborated thereon, and referred to the Addendum that set out an amendment to paragraph 7.11 of the report.

In answer to questions the Head of Planning commented these applications differed from the Rushden Lakes application in that they met a long term identified need local to Daventry which had been taken into account in the preparation of the Joint Core Strategy, whereas Rushden Lakes was not part of any development plan; the Daventry sites were town centre and edge of town centre as opposed to out of town; and the make-up of the developments was different. The Daventry sites were both previously developed land.

The Committee discussed the applications which were the subject of individual votes.

**RESOLVED:** That Daventry District Council be informed that the Council raise no objection to the applications for the following reason:

The proposed developments by reason of their scale and location would not adversely impact upon the viability and viability of Northampton and therefore accord with the requirements of the National Planning Policy Framework and Policies D1, D2, S2 and S8 of the West Northamptonshire Joint Core Strategy.

In terms of the application at the land to west of Eastern Way, Daventry, it is requested that DDC secure controls to ensure that the proposed convenience store is predominantly used for the sale of such goods (with ancillary comparison goods). This is to ensure certainty with regards to the potential impacts of the development and to accord with the details contained within the planning application.

The meeting concluded at 18.31 hours.



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



**List of Appeals and Determinations – 5<sup>th</sup> March 2013**

<b>Written Repls Procedure</b>			
<b>Application</b>	<b>Del/PC</b>	<b>Description</b>	<b>Decision</b>
<b>E/2012/0157</b> APP/V2825/C/12/2184313	ENF	Non ancillary storage and motor vehicles at 2 Sussex Close.	<b>AWAITED</b>
<b>N/2012/0166</b> APP/V2825/D/12/2186525	DEL	Two storey side and rear extension at 32 Rosemoor Drive	<b>AWAITED</b>
<b>N/2012/0250</b> APP/V2825/A/12/2186427/NWF	DEL	Change of use of ground floor from shop (use class A1) to restaurant (use class A3) including fume extraction system at 24 Market Square	<b>AWAITED</b>
<b>N/2012/0456</b> 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	<b>AWAITED</b>
<b>N/2012/0902</b> APP/V2825/D/13/2191659	DEL	Retrospective application for the erection of balcony and access ramp together with screen and gate to the rear of the property (revision of N/2011/0813). (As amended by revised plans received on 2nd November 2012) at 8A Gillsway	<b>AWAITED</b>
<b>N/2012/0967</b> APP/V2825/D/12/2191037	DEL	Extension of roof space above existing flat roofed side extension and erection of dormer windows to rear at 61 Oaklands Drive	<b>AWAITED</b>
<b>N/2012/1107</b> APP/V2825/D/12/2189711	DEL	First floor side extension and single storey rear extension at 42 Central Avenue	<b>DISMISSED</b>
<b>Public Inquiry</b>			
		None	
<b>Hearing</b>			
<b>N/2012/0640</b> 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 Appeal Hearing held on the 19 <sup>th</sup> February 2013	<b>AWAITED</b>

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



**PLANNING COMMITTEE:** 5<sup>th</sup> March 2013  
**DIRECTORATE:** Planning, Enterprise and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

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**N/2007/1161:** Residential development including demolition of 55 Berry Lane - Outline application at Land South of Berry Lane

**WARD:** Nene Valley

**APPLICANT:** Mr G Goodwin  
**AGENT:** Brian Barber Associates

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**N/2007/1344:** 19no. apartments with vehicular access and parking together with offset parking on land adjacent to 78 Trinity Avenue at Kingsthorpe Grove and Stanhope Road

**WARD:** Kingsthorpe and Kingsley

**APPLICANT:** Venulum Property Investments  
**AGENT:** Whittaker Prestige Architects LTD

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**N/2008/1036** Demolition of existing buildings and erection of 23no. flats with associated access and parking at Land at Balmoral Road.

**WARD:** Kingsthorpe

**APPLICANT:** Babington Properties  
**AGENT:** Shoosmiths

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**N/2008/1256:** Demolition of all on-site buildings and erection of 15no. 1 bed and 15no. 2 bed self-contained flats at Victoria Business Park

**WARD:** Castle

**APPLICANT:** Mr Steve Hofford  
**AGENT:** Rod Kilsby Partnership

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**N/2009/0187:** 68-72 Abbey Street Demolition of existing 4no. dwellings and business premises and erection of 29no. apartments.

**WARD:** St James

**APPLICANT:** P and G Brindisi  
**AGENT:** Shoosmiths

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**REFERRED BY:** Head of Planning  
**REASON:** Contrary to Previous Committee Decision

**DEPARTURE:** N/2007/161 – Yes, Others – No

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#### **APPLICATIONS FOR DETERMINATION:**

##### **1. RECOMMENDATION**

1.1 It is recommended that these planning applications are “**finally disposed of**” under the provisions of the 2010 Development Management Procedure Order.

##### **2. THE PLANNING APPLICATIONS**

2.1 N/2007/1161 – Outline application for residential development (all matters reserved)

2.2 N/2007/1344 – Demolition of existing buildings and erection of three storey block with 19 apartments.

2.3 N/2008/1036 – Demolition of existing buildings and erection of 23 flats in 3 / 4 storey blocks.

2.4 N/2008/1256 – Demolition of existing buildings and erection of three storey block of 15 flats.

2.5 N/2009/0187 – Demolition of four dwellings and business premises and erection of 3 storey block of 29 apartments.

##### **3. SITE DESCRIPTIONS**

3.1 N/2007/1161 – Area of open space, now under development following subsequent planning permissions.

3.2 N/2007/1344 – Car dealership and car storage area.

- 3.3 N/2008/1036 – Former social club.
- 3.4 N/2008/1256 – Former bakery premises, now disused and derelict.
- 3.5 N/2009/0187 – Former commercial premises and dwellings.

#### **4. PLANNING HISTORY**

- 4.1 **N/2007/1161** – No planning history prior to this application, subsequently there have been the following - *N/2009/0762 Outline application – Residential development including demolition of 55 Berry Lane. Approved 31-10-2011; N/2011/1249 - Erection of 14 detached dwellings with associated works following the demolition of single existing dwelling. Approved 15-06-2012.*
- 4.2 **N/2007/1344** – No Relevant History.
- 4.3 **N/2008/1036** – *99/0074 Demolition Of Existing Buildings & Erection Of 36 Flats - No Decision; N/2004/1112 20 New Flats Approved 15-11-2004; N/2007/1045 36no. New Flats with Associated Parking And Bin Stores And Associated Access - Refused 31-10-2007 Appeal 07-04-2008; N/2008/0261 Demolition of Existing Buildings and Erection Of 22no. Flats With Associated Access And Parking - Withdrawn 20-06-2008; N/2008/0762 Demolition Of Existing Buildings And Erection Of 23 Flats With Associated Access And Parking - Withdrawn 12-09-2008.*
- 4.4 **N/2008/1256** – No Relevant History.
- 4.5 **N/2009/0187** – No Relevant History.

#### **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 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**

H6, H17, H32, E20, and E40

#### **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 The consultations and representations received are not relevant to the current consideration as to whether the application should be finally disposed of.

## **7. APPRAISAL**

- 7.1 This report relates to a number of applications which have previously been considered by the Planning Committee, and have been Approved in Principle subject to the completion of a S106 Agreement.
- 7.2 The Agreements have not been progressed by the applicants to completion and authority is now sought from the Committee to “finally dispose of” the applications.
- 7.3 The 2010 Development Management Procedure Order (Part 7, Article 36, paragraph 13) sets out the circumstances in which an application may be “finally disposed of”; these are principally when both the statutory period for determination and the subsequent period for appeal against non-determination have passed. Whilst it would be open to the Council to alternatively refuse these applications, this would be subject to challenge by appeal and this would detrimentally affect performance statistics through no fault of the Council. The proper procedure in cases where there has been a long period of inactivity is in any event for the application to be finally disposed of.
- 7.4 These are historic applications, as Members may be aware it is now usual practice for delegated authority to be sought from Committee for applications to be refused or finally disposed of if legal agreements are not completed within a specified time frame (usually three months of the Committee resolution), however these applications pre-date the introduction of this approach. These are the only applications on the Council’s books in this situation and it will not, therefore, be necessary for a further report of this nature to be presented to Committee in future.
- 7.5 The progress on each of the applications since the relevant committee decisions are discussed in turn below.

### **N/2007/1161 – Land South of Berry Lane**

- 7.6 This application was reported to the Planning Committee in December 2007 and was approved subject to the completion of a Section 106 Agreement requiring affordable housing, a sustainable urban drainage system and a payment for the provision of education facilities.
- 7.7 Some progress was made on the Section 106 Agreement, however the applicants then acquired additional land adjacent to the site and a further application (N/2009/0762) was submitted and subsequently approved in principle by Committee. The Section 106 agreement was in this case signed and the decision was issued on 31<sup>st</sup> October 2011. Soon after this the land was sold and a third application (N/2011/1249) was made and was approved in principle by Committee, with the decision being issued, following signing of the legal agreement, on 15<sup>th</sup> June 2012.



- 7.8 The development is now under construction in respect of this third application and it is clear that the original proposals will not be progressed. On this basis it is recommended that Committee agree the final disposal of this application.

**N/2007/1344 – Kingsthorpe Grove**

- 7.9 This application was approved in principle on March 12<sup>th</sup> 2008, subject to a S106 agreement to secure affordable housing, a payment for education facilities, retention of the satellite parking area and payments for off-site children play / open space provision.
- 7.10 Whilst some initial progress was made on the Agreement, the applicants and their agent contested the figure for an open space provision. This was a requirement of the original Committee resolution and there is no known basis for this requirement to be set aside, furthermore agreements have been signed on other sites for comparable payments, so this approach would appear to be inequitable.
- 7.11 A series of meetings was held with the agent, however no progress has been made and no contact has been made by the agents since June 2011. Consequently, it is considered that this application may now legitimately be finally disposed of.

**N/2008/1036 – Balmoral Road**

- 7.12 This application was approved in principle on December 19<sup>th</sup> 2008, subject to a S106 agreement to secure affordable housing and a payment for education facilities.
- 7.13 Whilst a draft agreement was produced, there has been no progress on this since February 2011. Consequently, it is considered that this application may also now legitimately be finally disposed of.

**N/2008/1256 - Victoria Business Park**

- 7.14 This application was reported to the Planning Committee in April 2009 and was approved in principle, subject to a Section 106 agreement requiring affordable housing, and payments for education, for a traffic regulation order and for improved changing facilities in Victoria Park.
- 7.15 Immediately following the Committee decision the requirement for a legal agreement was communicated to the applicant's agent by letter, and the Council's legal services were instructed. No response was received from the agent.
- 7.16 A further letter was sent to the agent in January 2011 advising that unless action was taken by them, the application would be disposed of. No response to that letter was received and a further two years have now elapsed. It is recommended, therefore, that Committee agree to this application being finally disposed of.

## **N/2009/0187 - 68 - 72 Abbey Street**

- 7.17 This application was reported to Planning Committee in July 2009 and was approved in principle, subject to a Section 106 agreement requiring affordable housing, a payment for the provision of education facilities and payment for a traffic regulation order.
- 7.18 Immediately following the Committee resolution the requirement for a legal agreement was communicated to the applicant's agent by letter, and the Council's legal services were instructed.
- 7.19 A letter was sent to the agent in January 2011 advising that unless action was taken by them, the application would be disposed of. A response to this was received in March 2011, however no undertaking was received that the Council's legal costs would be met, irrespective of whether the matter progressed and there has been no contact from the agents since March 2011.
- 7.20 It is recommended, therefore, that Committee agree to this application being finally disposed of.

## **8. CONCLUSION**

- 8.1 It is considered by officers that it is clear that these applications are very unlikely to be progressed by the applicants or their agents. With this in mind and given the considerable passage of time and the changes in planning circumstances that have occurred in the intervening period, Committee is asked to agree to their being finally disposed of as set out under relevant legislation.

## **9. BACKGROUND PAPERS**

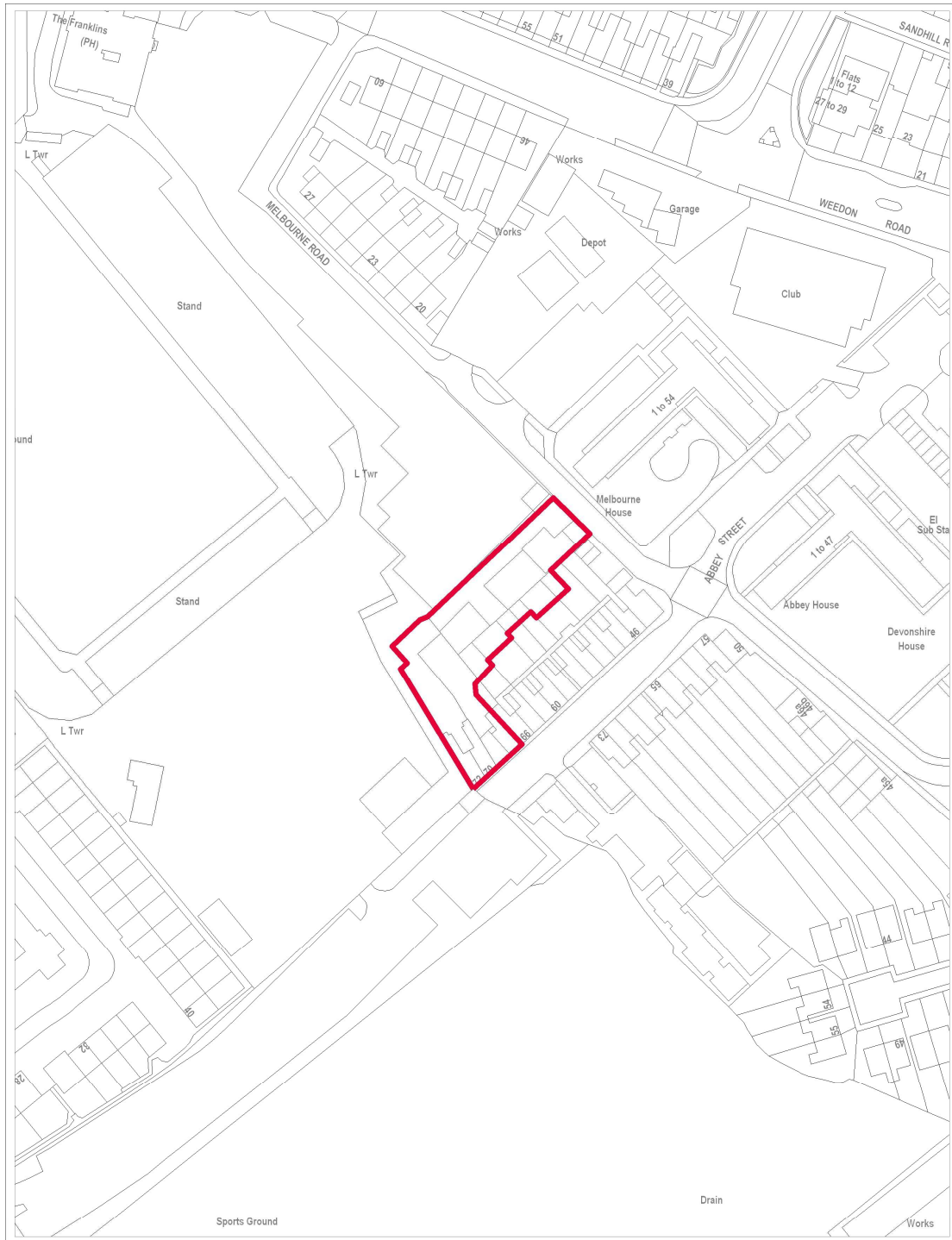
- 9.1. Application files N/2007/1161, N/2007/1344, N/2008/1036, N/2008/1256 and N/2009/0187.

## **10. LEGAL IMPLICATIONS**

- 10.1 None.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

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




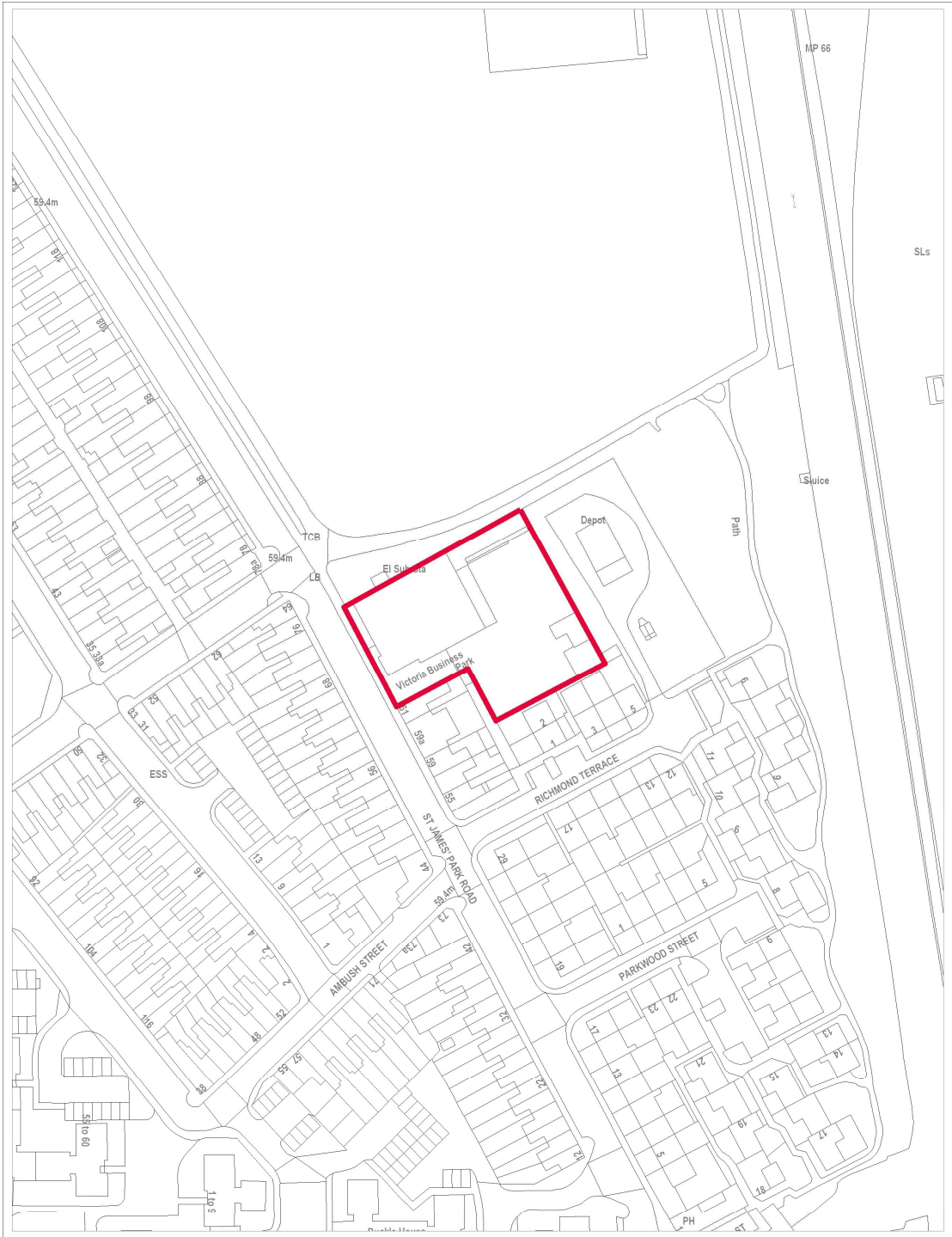
Name: **Planning**  
 Date: **19th February 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**

**Title**  
**68 - 70 Abbey Street**

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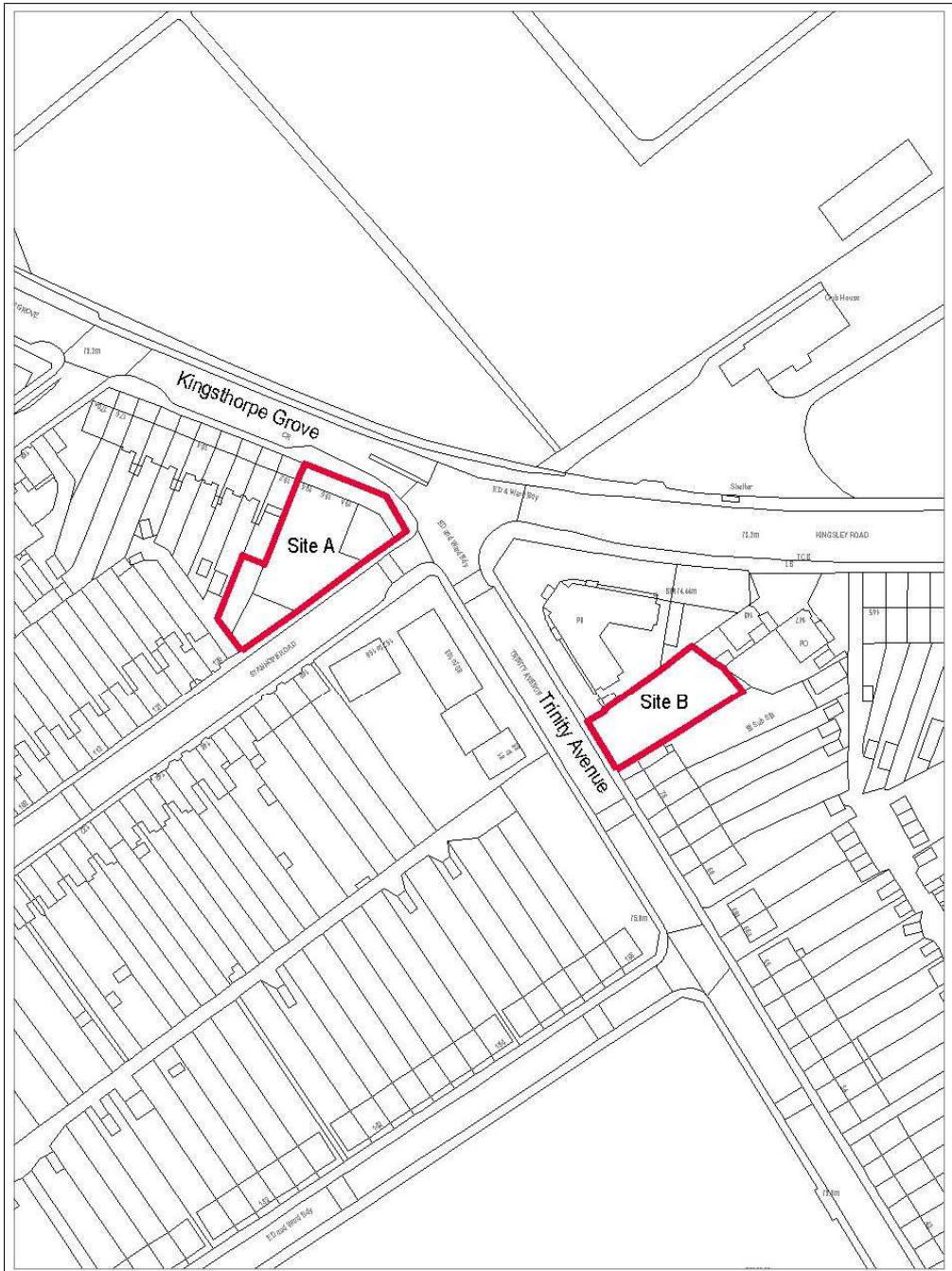
 <b>NORTHAMPTON</b> BOROUGH COUNCIL	<b>Inv:</b> Bvc Gittins	<b>Title:</b>
	<b>dt:</b> 4th December 2007	<b>Land south of Bry Lane, Wootton</b>
	<b>sk:</b> NTS	
	<b>sl:</b> Planning Support	
	<b>map:</b> Location Plan	
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Name: **Planning**  
 Date: **19th February 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**


**Title**  
**Victoria Business Park, St James Park Road**

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 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	km: D Greenwell dt: 29th February 2008 sk: 1:1250 st: Planning mt: Location Plan	<b>Title:</b> <b>Kingsthorpe Grove/Trinity Avenue</b> Produced from the 2008 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655
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 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>hm: SW          dt: 5th December 2002          nr: NTS          nt:          mp:</p>	<p>TiB:  <b>Land at Balmoral Road</b>          Produced from the 2008 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655</p>
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**PLANNING COMMITTEE:** 5 March 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0102**                      **Installation of air source heat pumps at  
8,10,12,14,16,18,20,22,24,26,28 & 30 Lodge  
Avenue, Collingtree**

**WARD:** Collingtree

**APPLICANT:** Miss L Humber  
**AGENT:** None

**REFERRED BY:** Scheme of delegation  
**REASON:** Council own land and applicant is Council  
employee

**DEPARTURE:** No

---

## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

- 1.1 As the consultation period for the application expires on 5 March 2013, it is recommended that the application be **APPROVED IN PRINCIPLE** and the final decision be delegated to the Head of Planning providing that no additional material issues/representations not discussed in the report below are received at the end of the consultation period, and subject to planning conditions attached in this report and for the following reason:

The proposed development due to their size, siting and design would not have an undue detrimental impact on the character and appearance of the host buildings, street scene or amenity of neighbours to comply with Policies E20, H18 and E39 of the Northampton Local Plan and aims of the National Planning Policy Framework.

### 2. THE PROPOSAL

- 2.1 Planning permission is sought for installation of air source heat pump units on the rear elevations of three blocks of residential properties



comprising 8 flats and 4 houses. The proposed units would measure 0.76m high, 0.99m length and 0.3m in width. They would be attached to the rear facades at ground level and resemble an air conditioning unit. They are rectangular in shape and consist of an external box which harvests renewable energy from outside and upgrades this into heat for hot water and heating inside the properties.

### **3. SITE DESCRIPTION**

- 3.1 The application site consists of 3 brick built residential blocks comprising flats and dwellings in a residential estate in Collingtree. The properties are a mix of two and single storeys and of modern design. The site is not located in a designated Conservation Area.

### **4. PLANNING HISTORY**

- 4.1 None relevant.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

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

#### **5.2 National Policies:**

National Planning Policy Framework

#### **5.3 Northampton Borough Local Plan**

E20 – New Development

E39 – Renewable Energy

H18- Residential Extensions and Alterations

#### **5.4 Supplementary Planning Guidance**

Residential Extensions Design Document (SPD)

### **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Public Protection (NBC)** - no objections.
- 6.2 **Collingtree Parish Council** - comments awaited.

### **7. APPRAISAL**

#### ***Main issues***

- 7.1 The principal considerations are the impact on character and appearance of the host buildings, street scene and whether the

proposed development would result in adverse noise and visual intrusion to neighbouring properties.

***Policy context***

- 7.2 Policy E20 of the Northampton Local Plan encourages good design in new development and is directly relevant to this proposal. Saved Policy E39 also sets out 3 criteria that must be satisfied for renewable energy installations as detailed below:-
- a) The design and appearance of the installation will not cause undue detriment to the amenity of the locality;
  - b) Any noise is considered acceptable in relation to surrounding uses;
  - c) The proposal does not adversely affect important views or skylines or the character of the surrounding area.
- 7.3 The proposed development would offer the benefits of reduced carbon emissions and deliver renewable energy in line with the objectives of the NPPF.

***Impact on appearance and character of host building and street scene***

- 7.4 The proposed units are reasonably small in scale and would be sited at the rear of the buildings. Given that the proposed development is not overly prominent from the street and would be sited away from public vantage points it is considered that the effect on the street scene would be limited. Due to the size of the units it is also considered that the effect on the character and appearance of the parent buildings would also be acceptable. It is considered by officers that in visual terms the proposal is acceptable in compliant with Local Plan Policies. The proposal would also comply with Paragraph 56 and 57 of the NPPF which promote satisfactory design in new developments.

***Noise***

- 7.5 The Council's Environmental Health Officers have been consulted on the application and raise no objection. A condition is recommended to ensure that noise levels are in accordance with the details submitted with the application.

***Impact on living conditions of neighbours***

- 7.6 Due to the separation with no. 6 Lodge Avenue and screening provided by boundary planting, it is considered that the proposed development is unlikely to result in an undue adverse impact on the amenity of neighbours in terms of visual intrusion.

**8. CONCLUSION**

- 8.1 For the reasons cited the proposed development is considered acceptable as it would comply with both development plan and national policies and is therefore recommended for approval subject to the conditions below.

## **9. CONDITIONS**

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

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

(2) The noise levels from the units hereby permitted shall not exceed the levels identified in the Design and Access Statement received on 8 February 2013.

Reason: In interests of residential amenity to comply with the aims of the National Planning policy Framework.

(3) The development hereby approved shall be implemented fully in accordance with the following approved plans and statement: Design and Access Statement, Location Plan and Coloured Photographs received on 8 February 2013.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

## **10. BACKGROUND PAPERS**

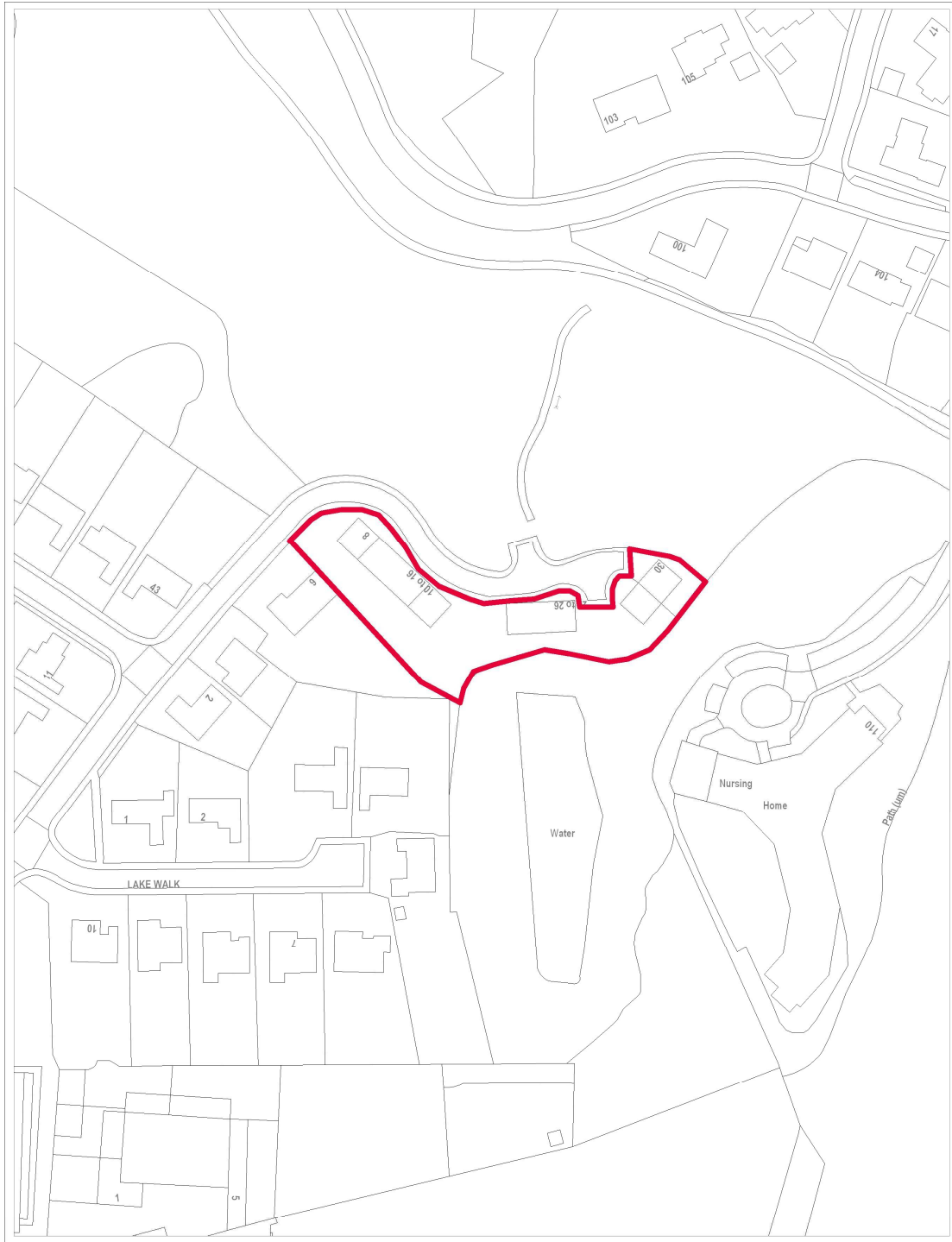
10.1 N/2013/0102

## **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: **Planning**  
Date: **19th February 2013**  
Scale: **1:1250**  
Dept: **Planning**  
Project: **Committee**

Title  
**8 Lodge Avenue**

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**Addendum to Agenda Items  
Tuesday 5<sup>th</sup> March 2013**

**7. OTHER REPORTS**

**7A.**

**Recommended Final Disposal of Applications: N/2007/1161, N/2007/1344, N/2008/1036, N/2008/1256 and N/2009/0187**

Nothing to add

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

**9A**

**N/2013/0102**

**Installation of air source heat pumps at 8 to 30 (even) Lodge Avenue, Collingtree**

Nothing to add

**10. ITEMS FOR DETERMINATION**

**10A**

**N/2012/0904**

**Two storey side extension, single storey front and rear extensions and front canopy at 1 Whittlebury Close**

As amended by revised plan received on 11<sup>th</sup> February 2013.

Amended Condition 2:

2) The development hereby permitted shall be carried out in accordance with the following approved plans: A117-3a (November 2012) and A117-1 (August 2012).

Reason: For the avoidance of doubt.

**10B and 10C**

**N/2012/1211 Application for approval of reserved matters of outline application 11/0053/OUTWNN (N/2011/0865) for a warehouse and distribution development with associated landscaping (Unit 1).**

**N/2012/1212 Application for approval of reserved matters of outline application 11/0053/OUTWNN (N/2011/0865) for a warehouse and distribution development with associated landscaping (Unit 2).**

A letter and a supplementary e-mail have been submitted on behalf of the applicants (Roxhill Developments Ltd.) with regard to the management of night time noise from both units on the site vis-à-vis the recommended condition 4 of both reserved matters applications. The letter sets out the applicant's willingness to accept a noise management condition and puts forward a number of measures that could be included within the noise management plan, including:

- Appointment of an individual working at the site during the night time who would have responsibility for ensuring that noise control measures are implemented.
- Drivers to be informed of the parts of the night time management plan which

relate to their vehicles through signage in the yard areas and information given at the gatehouse.

- Information given to drivers regarding behaviour within the site.
- Doors to remain closed when not in use.
- Engines and radios to be switched off.
- Loading dock seals to be fully engaged where available.

The applicants point out that the plan would operate in conjunction with other noise mitigation measures (as outlined in the main report).

However, the letter highlights some concerns with the proposed wording of condition 4 as set out in the committee report. Specifically, these concerns relate to the reference to points a) and b) with regard to the submission of details relating to the numbers of deliveries and hours at which these deliveries will be made. Given that the use is a 24 hour distribution development, control over these matters is difficult and flexibility is required.

Accordingly, a revised wording of condition 4 has been put forward as follows:

***4) Prior to the Unit first being occupied a Management Plan for the control of night time noise (between the hours of 2300 and 0700) from the premises and its external environs shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of the provisions to be made for the handling of freight being delivered to / from the site and measures for the control of vehicle and plant / machinery noise during night time hours. Thereafter, the operation of the unit shall only be carried out in accordance with the Night Noise Management Plan as agreed, unless consent for any variation is first given in writing by the Local Planning Authority.***

*Officer's Response:*

Officers accept that the elements of condition 4 requiring details of delivery numbers and exact times of those deliveries would be difficult and onerous to control, both for the applicant and the planning authority due to the nature of the proposed use. It is considered that the revised condition, as submitted by the applicants is a satisfactory alternative that will require a detailed management plan to be submitted and agreed by all parties prior to the occupation of either unit.

Accordingly, it is recommended that the recommendation is revised to allow for the inclusion of condition 4, as set out above.

**10D**

**N/2012/1271**

**Construction of new car dealership, including two-storey showroom, MOT workshop and ancillary building, valet building and car parking area at Land off Carousel Way, Northampton**

Additional recommended condition re noise control as requested by NBC Environmental Health (paragraph 6.2):

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

Reason - To protect the amenities of ~~24~~ nearby occupants from noise and vibration

amenity in accordance with the advice contained in the NPPF.

**10E**

**N/2012/1281**

**Single storey front porch extension, first floor balcony/terrace to rear and detached triple garage with study above at 5 Belfry Lane, Collingtree Park**

Representation received from one of the residents in **Belfry Lane** (no exact address given) – garage development would be out of keeping with the surrounding properties, and would restrict light to the immediate neighbour, also this project over develops the site. The development of the additional three garages would severely restrict the parking area and handicap the access to the existing two garages. The new building would appear to be constructed on or near the drainage for nos. 3, 5 and 7.

*Officer's Response:*

See Officer's appraisal in Committee Report paragraphs 7.1 to 7.11.

**10F**

**N/2013/0047**

**Change of use from amenity land to private garden including erection of fencing 1.8m high to the front side and rear of land adjacent to 36 Booth Meadow Court**

Nothing to add.

**10G**

**N/2013/0048**

**Erection of 15 dwellings comprising 11 houses and four self-contained apartments including associated landscaping and parking. Re-submission of Planning Application N/2012/0987 at Former Morris Man Public House site, Witham Way, Northampton**

Representations have been received from **Northamptonshire Police's Crime Prevention Design Advisor**, commenting on the need to provide defensive landscaping adjacent to Plots 1 and 9; the need to provide a secure, electronically operated entry gate to the parking area that should not be set back from the building edge; rear fences should be a minimum of 1.4m in height, with 0.4m trellis; that the rear garden gates should be secure; the car parking areas should be overlooked; and that sheds should not feature windows.

*Officer's response:*

A landscaping scheme has been submitted and would be secured by condition, which includes the areas adjacent to Plots 1 and 9. Secure entry gates are discussed within the Committee Report (Paragraph 7.9) and be the subject of a condition. A condition is proposed that would cover boundary treatments. The car parking spaces are overlooked by windows from a number of dwellings, plus they are prominently located, meaning they would be the subject of natural surveillance. The sheds do not require planning permission; however, the advice of Northamptonshire Police can be included within an informative to the developer.

**10H**

**N/2013/0109**

**Application for non-material amendment following planning permission N/2012/0314 for the new bus interchange - minor modifications including amended kerb and external wall positions and alterations to both the facility management offices and toilet facilities at Sheep Street and Bradshaw Street**

Nothing to add

**10I**

**N/2013/0109**

**Application for non-material amendment following planning permission N/2012/0314 for the new bus interchange - minor modifications including amended kerb and external wall positions and alterations to both the facility management offices and toilet facilities at Sheep Street and Bradshaw Street**

Nothing to add





**PLANNING COMMITTEE:** 5 March 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/0904**                      **Two storey side extension, single storey front and rear extensions and front canopy (As amended by revised plan received on 31<sup>st</sup> January 2013) at 1 Whittlebury Close, Northampton**

**WARD:**                                      **Sunnyside**

**APPLICANT:**                              **Direct Property Services**  
**AGENT:**                                      **Design Board Architectural Services**

**REFERRED BY:**                              **Cllr. Mary Markham**  
**REASON:**                                      **Development would have a detrimental impact on road safety, overbearing, residential amenity, character of the area and overdevelopment / is out of scale.**

**DEPARTURE:**                              **No**

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

The siting, design and appearance of the proposed extensions and alterations are acceptable and will not be detrimental to visual or residential amenity or highway safety in accordance with Policies H18 or E20 of the Northampton Local Plan.

### **2. THE PROPOSAL**

**2.1** Erection of two storey side extension 6m wide and 7.5m deep with a hip roof. Single storey side extension 5.5 metres wide and 7.5 metres deep with a flat roof. Single storey rear extension 5m wide and 1.5 metres deep with a pitched roof. Front porch-like structure that would like the hall to the lounge. An existing conservatory located on the northern side and double garage on the southern side would be demolished. This scheme has been amended by the removal of the first floor element to the extension on the northern side.

- 2.2 The house currently has an open-plan lounge / dining room, conservatory, kitchen and garage at ground floor and 3 bedrooms and a family bathroom at first floor. The proposed extensions and alterations would enlarge the ground floor accommodation to provide a lounge, hall, study, kitchen and utility room, dining room and Jacuzzi room. At the first floor there would be 4 bedrooms (one with an en suite) and a family bathroom.

### **3. SITE DESCRIPTION**

- 3.1 Existing detached dwelling situated at the junction of Whittlebury Close and Hinton Road. The property has a conservatory to the northern side and a double garage accessed off Whittlebury Close. Whittlebury Close is a narrow road giving access to 10 detached dwellings. The area is residential in character.

### **4. PLANNING HISTORY**

- 4.1 None relevant.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

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

#### **5.2 National Policies:**

National Planning Policy Framework.

#### **5.3 Northampton Borough Local Plan**

E20 – New Development

H18 – House Extensions

#### **5.4 Supplementary Guidance**

Residential Extensions and Alterations Design Guide SPD

### **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **119 Hinton Road** – objection – property may become a HIMO and create amenity, extend beyond the building line and parking problems.
- 6.2 **Michael Ellis MP** – objection after having the development brought my attention by a number of constituents’ objections – property would be too large, extend beyond the building line of Hinton Road and result in parking problems.
- 6.3 **6 Whittlebury Close** - objection – will breach building line, out of keeping with the area, and property could become a HIMO. Initially commented that the main concern is parking (including the loss of the

existing garage) and restricted street parking, following revisions to the proposals advise that one additional bedroom would be unlikely to cause a significant difference and therefore have no objection in this regard.

- 6.4 **4 Whittlebury Close** – objection – size and shape are disproportionate / out of character, will result in parking problems / limited road width, will be out of character, outside the existing building line, could become a HIMO.
- 6.5 **125 Hinton Road** – objection – extensions are over dominant and out of keeping, similar development has been refused in the vicinity, is situated beyond the building line, does not provide adequate parking provision, the roads are narrow, and increase the number of HIMO's in the vicinity.
- 6.6 **123 Hinton Road** – objection – extensions are over dominant and out of keeping, similar development has been refused in the vicinity, is situated beyond the building line, does not provide adequate parking provision, the roads are narrow, and increase the number of HIMO's in the vicinity.
- 6.7 **2 Whittlebury Close** - objection – does not provide additional parking, the roads are narrow, will set precedent for extensions situated beyond the building line, would be over dominant and may become a HIMO.
- 6.8 **9 Whittlebury Close** – no objection – it would be a very nice / attractive in keeping with its surroundings. It would enhance the Close, create a nice family house and has plenty of off road parking.
- 6.9 **132 Hinton Road** – objection – will be overbearing and out of character with the area, beyond the building line, will result in overlooking, exacerbate parking problems, could become a HIMO with the associated noise and disturbance issues.
- 6.10 **3 Whittlebury Close** - objection – will reduce light and privacy, extend beyond the building line, would be over dominant, lack of adequate parking, the roads are narrow, and could become a HIMO.
- 6.11 **Petition of objection** signed by 19 occupants of 2, 3, 4, 5 & 6 Whittlebury Close, 119, 121, 123, 125, 127, 132 & 134 Hinton Road and 197 Boughton Green Road, on the grounds: it would be beyond the building line of Hinton Road, overlooking, out of proportion with surroundings, closes the open design of the area, impact on access / parking issues and grave concern re potential use as a house in multiple occupation.

## 7. APPRAISAL

### *Design and appearance*

- 7.1 The scheme as originally showed a two storey extension to be erected on the northern side of the existing dwelling close to the boundary with

Hinton Road. This was considered by officers to be an over-development of the site and of poor design which would result in an intrusive feature detrimental to the street scene.

- 7.2 Following negotiation a revised scheme was submitted with the first floor element of this extension removed. The scheme as revised is considered to be acceptable as the two storey extension situated on the southern side has been designed to appear sub-ordinate to the existing dwelling with a hip roof to match. Furthermore, as there is a separation distance of 2 metres to the adjacent dwelling at No. 3 Whittlebury Close, there would not be any significant impact on the amenity of that property.
- 7.3 The single storey extension situated on the northern side replaces an existing conservatory and whilst the proposed extension has a larger footprint, it will have a flat roof which will not be highly visible behind the boundary wall. Comments have been received regarding the protrusion of this extension beyond the building line of Hinton Road. This extension is not set forward of the principle front elevation of this property in Whittlebury Close and the side elevations of both the existing dwelling and conservatory are already situated in front of the dwellings in Hinton Road. Therefore, as it will only be 2 metres nearer to the boundary than the existing conservatory and given it single storey scale, it is not considered that it would have a detrimental effect on the street scene or harm the character of the area.

#### ***Future use of the property***

- 7.4 A significant number of representations have been received relating to the possible future use of the property. It is appreciated that residents have had concerns regarding the use of a number of properties as HIMO's in the locality. Nonetheless this application is submitted as a householder application for an extension to a house and must be considered and determined as such. If it was planned to use the property as a HIMO in the future, then a further planning permission would be required and this would be considered at that stage.
- 7.5 Including the proposed extensions, the property would have 4 bedrooms which would all be of reasonable proportions comparable to those of other four-bedroom houses that can be found elsewhere in the Borough. This is considered to be normal and acceptable for a detached dwelling on a relatively large plot in a residential area.

#### ***Parking and highway safety***

- 7.6 The local residents also have concerns regarding parking provision and the associated highway safety issues. Whilst it is acknowledged that Whittlebury Close is a relatively narrow road which makes street parking difficult, even with the loss of the garage, there is still enough room for the parking of at least 4 vehicles on the driveway. This is considered sufficient for a dwelling with 4 bedrooms and complies with the relevant parking guidance. There is adequate visibility for vehicles egressing from the site to ensure that highway safety is not

compromised.

### **Conclusion**

- 7.7 The proposed extensions and alterations are considered acceptable as the design and appearance of the resulting dwelling will not be detrimental to either residential or visual amenity. There is sufficient on-site parking for a dwelling of this size and if the property is to become a HIMO in the future, a further permission will be required on which the local residents will be consulted.

## **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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A117-3 (January 2013); A117-1 (August 2012).  
Reason: For the avoidance of doubt.
- 3) The external wall and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing dwelling.  
Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing dwelling in accordance with Policy EH18 of the Northampton Local Plan.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the southern side elevation of the proposed development without the prior written consent of the Local Planning Authority.  
Reason: To safeguard the privacy of adjoining properties in accordance with Policy H18 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

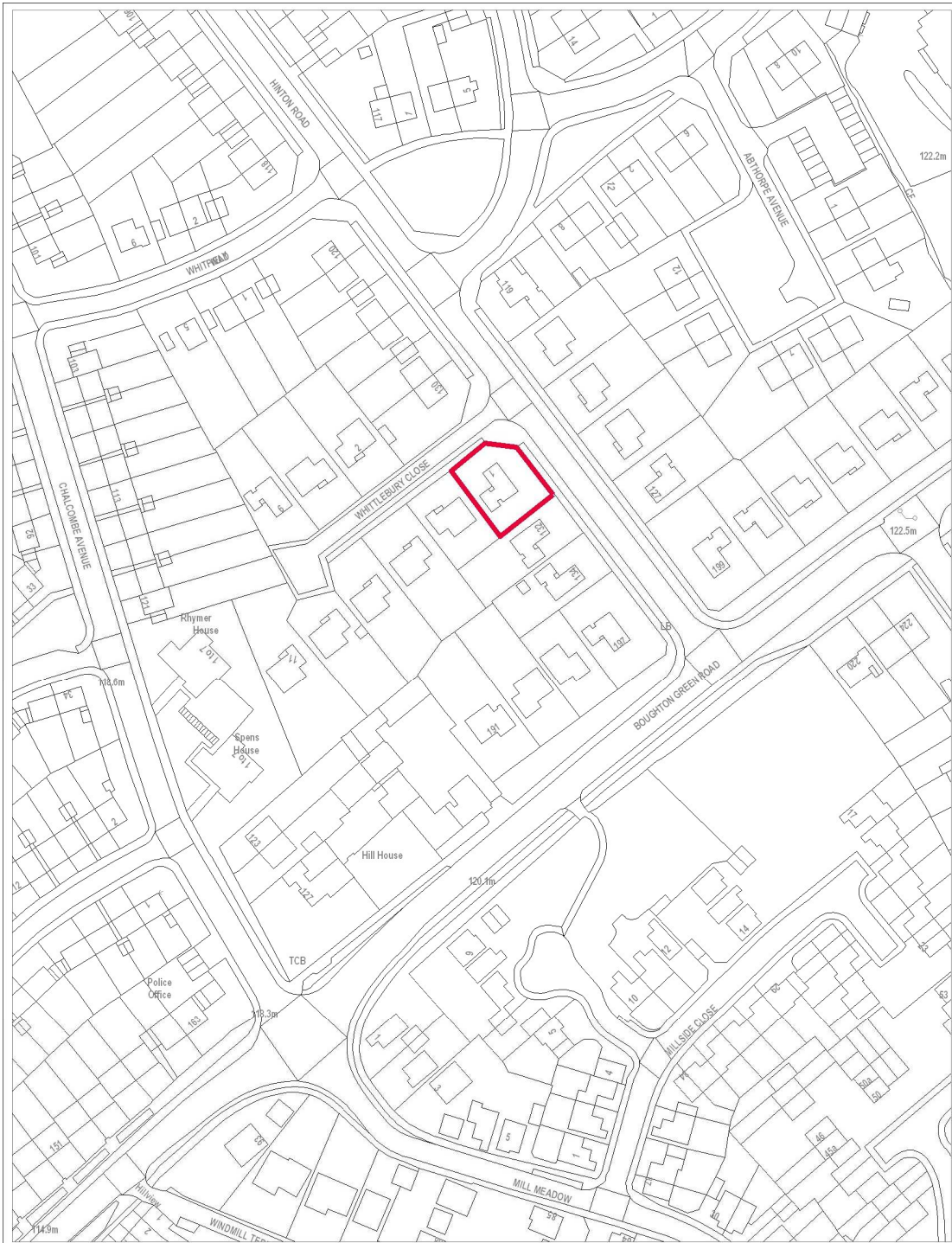
- 10.1 N/2012/0904

## **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: **29th January 2013**  
 Scale: **NTS**  
 Dept: **Planning Registration Team**  
 Project: **Location Plan**

**Title**  
**1 Whittlebury Close**

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**PLANNING COMMITTEE:** 5<sup>th</sup> March 2013  
**DIRECTORATE:** Planning, Enterprise and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/1211:** Application for approval of reserved matters of outline application 11/0053/OUTWNN (N/2011/0865) for a warehouse and distribution development with associated infrastructure and landscaping (Unit 1). Site North of Former Cattlemarket, Liliput Road

**WARD:** Rushmills

**APPLICANT:** Roxhill Developments Ltd.  
**AGENT:** Savills

**REFERRED BY:** Cllr. P Larratt  
**REASON:** Potential Impact upon Great Houghton

**DEPARTURE:** YES

---

## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to conditions and the matters in paragraphs 1.2 for the following reason:

The details submitted accord with the parameters for the development that were approved at outline stage under application reference (11/0053/OUTWNN). The appearance of the development is considered to be acceptable and the visual impact of the development can be adequately mitigated through the structural landscaping proposed. The scale of the building is substantially lower than the maximum parameters agreed at outline stage and tested through the Environmental Impact Assessment. The layout of the proposal is acceptable in terms of highway safety and, whilst concerns have been expressed regarding the potential for noise and disturbance in relation to residential properties in Great Houghton it is considered that the mitigation measures proposed and the imposition of appropriate conditions will ensure that there will be no adverse impact resulting

from the scheme. Therefore, the details submitted are acceptable in relation to saved policies E1, E6, E9, E14, E20, E40 and T12 of the Northampton Local Plan and the principles of the National Planning Policy Framework.

- 1.2 As the statutory consultation period does not expire until 12<sup>th</sup> March, it is requested that the final decision on this application be delegated to the Head of Planning providing that no material considerations additional to those presented to the Committee are raised within this timescale.

## **2. THE PROPOSAL**

- 2.1 The proposal is a Reserved Matters application pursuant to an Outline planning permission for the erection of warehousing within Use Class B8. The outline application was approved by WNDC in March 2012 and all matters were reserved except for the access arrangements into the site which will come from the existing round-a-bout at Liliput Road.
- 2.2 The Outline scheme was accompanied by an Environmental Impact Assessment and a number of development parameters were 'fixed' by the outline permission. These identify the maximum permitted scope of the development as set out below:
- Gross internal floorspace proposed is a maximum of 39,018m<sup>2</sup>
  - A maximum height to ridge of 15.5 metres
  - Maximum site area 10.24 hectares.
- 2.3 Therefore, the principle of the development has already been approved, providing that the scheme stays within the parameters set out within the outline approval. The only detailed matter submitted with the outline scheme was means of access, leaving matters of appearance, landscaping, layout and scale for subsequent approval. An indicative plan was submitted showing a potential layout with a larger building across the rear section of the site (the former cattlemarket land) and a smaller building at the front corner adjacent to the Bedford Road round-a-bout. It is important for Members to be clear about the purpose of the indicative plan. The reason for submitting the indicative plan was to demonstrate that the scale of development proposed (within the identified parameters) could be accommodated on the site i.e. an indication to show one way of achieving the proposed level of development. The indicative plan was purely that and did not form part of the approved suite of documents.
- 2.4 The outline scheme covered a greater site. The applicants have chosen to make two separate submissions for all of the reserved matters. The submission to which this report relates seeks approval for the appearance, layout and scale of Unit 1, along with a full, site wide, landscaping scheme. A separate application has been submitted for the details of appearance, scale and layout of Unit 2 (ref: N/2012/1212). A report regarding that unit is also on this agenda.



### ***Layout and Scale***

- 2.5 Unit 1 is the larger of the two units and is situated towards the rear of the site, largely on land that was associated with the former livestock market (see site description below). Following the outline approval the owners of the site have agreed terms with Dachser (a logistics company) to move into Unit 1, utilising this as a warehouse, 'trans-shipment hall' and head office, consolidating and expanding their existing premises in Northampton into one site. The proposals submitted include a warehouse and transshipment hall set out on an L-shaped plan with the warehouse located towards the Bedford Road end of the site and the trans-shipment hall running off the warehouse back towards Liliput Road. The warehouse is the largest element, having a roughly square footprint (96m by 110m) comprising 10,562m<sup>2</sup> internal floorspace with a height of 14.5 metres. The trans-shipment hall would be longer and thinner (51.3m by 187.2m) but significantly lower with a height of 9.1 metres to the parapet. Dachser intend to build the trans-shipment hall in two phases, with the initial phase having a length of 140 metres, with the potential to expand up to 187.2 in future. Full details have been submitted for both phases.
- 2.6 Access to the warehouse would come from the north-west elevation, facing towards Bedford Road but the trans-shipment hall would be dual aspect, with loading bays on both the north-west and south-east facing elevations. The loading bays in the south-east elevation are on the Great Houghton side of the building.
- 2.7 In addition, a free standing office building would be situated to the rear of the site, in-between the south-east facing loading bays and the rear boundary. The building would be 2 storeys in height, with a floorspace of 1,954m<sup>2</sup>.

### ***Appearance***

- 2.8 As one would anticipate with large scale logistics uses, the external appearance of the buildings is of utilitarian appearance. The warehouse is essentially a square block with the shallow sloping roof hidden behind the parapet. The trans-shipment hall is of the same design, a shallower, thinner rectangular block, punctuated by the loading docks on either side. The office to the rear is also a two storey rectangular block with a flat roof hidden behind a parapet. The warehouse/ trans-shipment buildings would be clad in profiled cladding in Dachser's dark blue corporate colours and the office building would have the same livery but would utilise non-profiled flat cladding.

### ***Landscaping***

- 2.9 The site wide landscaping scheme incorporates screen planting all around the perimeter of the site, with varying depths and thickness. The bulk of the landscaping is focussed on the Bedford Road aspect where a combination of earth bunding and structural planting is proposed to provide screening to the development. The greatest depth

is achieved at the rear end of the site, adjacent to the warehouse building where bunding is also proposed. To give an indication of the level of bunding, the land in the eastern corner (closest to Martin's Farm) would be bunded up to a height of 64m (AOD), in comparison to the finished floor level of the warehouse of 58m. The height and depth of the landscaped mounds then varies along the length of Bedford Road with a height ranging from 58m at the front section, adjacent to Unit 2 increasing to 61m in the middle section of the site. Tree planting is proposed along the length of the road concentrated in clumps of trees to give screening interspersed with thinner areas of planting to give views into the site at certain points. Tree planting is also proposed along the rear boundary, to supplement the existing hedgerow running alongside the footpath.

- 2.10 An existing area of trees alongside Liliput Road would be maintained on the western flank of Unit 2 and a limited amount of ornamental/ decorative landscaping incorporated within the site, including an avenue of trees on the main entrance road.

### **3. SITE DESCRIPTION**

- 3.1 The Reserved Matters details for the site have been submitted in two applications, as described above. The entirety of the application site (covering Unit 1 and Unit 2) is a roughly triangular area of land, covering 10.24 hectares, situated between the eastern edge of Brackmills Industrial Estate and the A428 Bedford Road. A public footpath runs along the southern boundary of the site connecting Bedford Road to the Brackmills Estate. Beyond the southern boundary a green wedge of pasture land rises up to the edge of Great Houghton which is roughly 250-300 metres to the south east. The site is fully in the ownership of the applicants (Roxhill Developments Ltd.) but previously comprised two main parcels - the site of the former Northampton Livestock Market in the southern section and an undeveloped but allocated development site (Site D1) in the northern section in-between the Bedford Road and Liliput Road. In simple terms, Unit 1 (to which this report relates) is the element of the site occupied by the former cattlemarket and Unit 2 occupies the element of the site at the junction between Bedford Road and Liliput Road. Unit 1 would be situated on the largest section of the site, running from the round-a-bout at Liliput Road across to the Bedford Road. The rear boundary runs adjacent to the public footpath which runs from Bedford Road into the Brackmills estate. Beyond is agricultural land which rises up to the village of Great Houghton.
- 3.2 In terms of topography, the site slopes gently upwards in a south-westerly direction from a ground level of 56 metres adjacent to the Bedford Road/ Liliput Road round-a-bout to a maximum height of 62 metres in the south-west corner on the edge of the Brackmills Estate. A man made bund rising to 60 metres is also present to the eastern edge of the site adjacent to Martin's Farm on the Bedford Road. This bund is the capped area of a former landfill site. The buildings associated with

the livestock market were demolished in 2011 but the concrete hardstanding remains in-situ. The finished floor level of the former buildings on site ranges between 57 and 58 metres AOD. To give an indication of the change in levels to the south, the centre of Great Houghton lies between the 85 and 90 metre contour.

- 3.3 Vehicular access into the site is solely from the Liliput Road round-about within the Brackmills Estate. A public footpath/ right of way running between Bedford Road and Great Houghton cuts through the eastern end of the site.
- 3.4 In a wider context, approximately 200m to the north of Bedford Road are the Clifford Hill Gravel Pits which form part of the Upper Nene Valley Gravel Pits Site of Special Scientific Interest, Special Protection Area and Ramsar Site (a designation of international importance). The town centre is approximately 3km to the north west of the site.
- 3.5 A number of designations cover the site in terms of the Northampton Local Plan. Site D1 (referred to above) at the corner of Bedford Road and Liliput Road is allocated for employment development within Use Class B1 (offices) or a mix of uses within B1, B2 and B8. Land in-between the Cattlemarket site and Bedford Road is identified as Greenspace in the Local Plan. The area in-between the site and Great Houghton is designated as a Locally Important Landscape Area, in addition to the Greenspace designation.

#### **4. PLANNING HISTORY**

- 4.1 N/1995/0430 – Erection of Auction and Sales Centre with Associated Facilities and Overnight Lorry parking Area approved 6/09/1995. The application referenced led to the relocation of the Cattlemarket onto the site. Following its erection, various planning applications were submitted with regard to the site, primarily for extensions/ alterations and changes of use. None of these are directly relevant to the current scheme.
- 4.2 11/0053/OUTWNN - Outline application for warehouse and distribution development, with associated infrastructure and landscaping. All matters reserved except access.

#### **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

E1 – Landscape impact

E6 – Greenspace

E9 – Locally Important Landscape Areas

E14 – Corridors of Travel

E20 – New development (design)

E40 – Crime and vandalism

B7 – Brackmills height restrictions

B8 – Northampton Cattlemarket

D1 – Land adjacent to Bedford Road and Liliput Road

T12 – Development requiring servicing

## 6. CONSULTATIONS/ REPRESENTATIONS

### *Consultations*

6.1 **Natural England:** Natural England commented on the outline application and has re-iterated the advice given at that time (Officer Note: issues raised at outline stage were addressed and relevant conditions attached to the outline approval to cover these matters).

6.2 **Northamptonshire Police:** The site has a public footpath running through it and a link from this footpath is shown into the site. If this is required for workers then the link should be secured with an access controlled fob or proxy reader. Hope that the applicant will consider the Secured by Design element of the BREEAM assessment.

6.3 **NBC Environmental Health:** No objection to the reserved matters applications for both Unit 1 and Unit 2.

*Lighting:* Both applications contain a lighting scheme and the submitted information is satisfactory to prevent light spill off the site. Request a condition to ensure that the lighting scheme is implemented prior to the occupation of the site.

*Contamination:* The contamination report is satisfactory. Request clarification on whether the units will benefit from gas protection measures.

*Construction Management Plan:* Look forward to receiving the full management plan prior to commencement.

*Noise:* Recommend a condition to ensure that the noise mitigation measures proposed in the accompanying acoustic reports are implemented in full and that a validation statement is submitted to that effect to the satisfaction of the Local Planning Authority. A further condition is recommended requesting that HGV's and other vehicles reversing on site shall use broadband/ white noise signals, rather than reversing sirens. This is the most common form of complaint from such sites. Some elements of the noise survey are not yet complete because the exact nature of the plant to be used is not yet known i.e. car wash and external ventilation plant. Recommend a condition for further details prior to occupation of the units.

- 6.4 **Environment Agency:** Requested clarification on the documents submitted with the application (see comments in officer report at paragraph 7.23).
- 6.5 **Ramblers Association:** Previous comments in relation to the outline application are still germane but would like to add the following points. A minimum width of 1.8metres should be specified for the public footpath and it is requested that it is properly surfaced with stone chippings. The least restrictive means of access should be adopted to the site i.e. gaps or handgates/ kissing gates, not stiles.
- 6.6 **NCC Archaeology:** Note correspondence with the applicants regarding the need for trial trenching within the site in order to satisfactorily understand any on site remains. Confirms NCC's position that trial trenching will be required.

### ***Representations***

- 6.7 **Great Houghton Parish Council made the following points (summarised by planning officer):**
- Recognise that the principle of the site is allocated for development and has outline consent.
  - Note that the height of development is limited to 15.5m by the outline consent but the scale of development remains a significant concern. Comments made to WNDK dated 7<sup>th</sup> October 2011 are still valid.
  - The outline application was approved on the basis that the number of jobs to be created was in excess of 500 for unit 1. Given that the end user is relocating from existing premises in Brackmills, the job creation will be reduced tenfold. This must reduce the weight attached to the economic benefit of the scheme. It is questioned whether this still outweighs the effect on the Locally Important Landscape Area, Greenspace and setting of Great Houghton Conservation Area.
  - The planning statement quotes the NPPF regarding sustainable development and the definition of sustainable development encompassing environmental, social and economic elements. The economic benefits have been reduced by a factor of ten and there are environmental impacts of the development. With these points in mind, it is considered that the development is not "sustainable".
  - The applicant's Planning Statement states that the saved policies of the Northampton Local Plan should be given limited weight. This is an unusual statement. It is expected that all Saved policies will be given equal weight.
  - The consultation undertaken by the applicants with the Parish is welcomed. However, the original design intent to face loading areas away from the village has been reversed to produce a proposal that has the potential to have the greatest impact upon the village from noise and light pollution.
  - The lighting report does not give consideration to lights of vehicles

from 24 hour working.

- The noise report is inconclusive and makes many assumptions. Noise from the vehicle wash could not be estimated and reversing alarms are not mentioned in the report. This issue was reported to environmental health in 2012.
- After due consideration Great Houghton Parish Council objects to the application and feels that the site is more suited to single storey light industrial units that could be screened from the village and would not impact so greatly on the landscape or skyline.

**6.8 Letters have been received from the residents of 1 and 3 Rectory Close and 32a High Street, Great Houghton, objecting on the following grounds (summarised by planning officer):**

- Extremely concerned about the new orientation of the service yard facing Great Houghton which is completely at odds with statements made by the applicants in relation to the outline application to orientate the noise generating element away from this aspect. The new orientation gives no regard to noise or light pollution towards the village.
- 457 vehicles on a 24 hour basis will have a huge impact on noise and light.
- The noise report is ambiguous and makes no reference to reversing beepers, something which environmental health are investigating. It is clear that sound banking with soil in addition to acoustic fencing needs to be considered.
- Noise levels will be far higher than the noise reports suggests due to the topography of the site
- Traffic approaching Bedford road from Liliput Road is already heavy and the anticipated numbers of vehicular trips to the site will add to this at peak times.
- Job creation was given significant weight in the original application. Given that Dachser are simply relocating, there appears to be no job creation.
- Consideration should be given to the impact upon Great Houghton's Conservation Area and the ridge and furrow in proximity of the site. The development is at odds with saved policies E1, E9 and E20.
- Grey panels were originally proposed to merge with the skyline. Dark blue is now proposed and this will have a huge impact on the area.
- The proposed design is hugely inefficient creating an additional journey of 450m around the building in each direction, wasting 1km of fuel for every trip. In terms of location, a freight hub should be located near a motorway – Brackmills is the wrong location.
- Traffic impact needs to be re-assessed due to the increased number of loading bays in the current proposal as opposed to the outline scheme

6.8 The residents of **Martin's Farm** adjacent to the site note that they are promoting their land for development and do not object to the principle of development but state that they continue to live adjacent to the site in the present time. Therefore, they request that suitable acoustic

measures are put in place to protect their amenity, along with adequate screen planting.

## **7. APPRAISAL**

7.1 As discussed in the introduction to the proposals at the head of this report, officers reiterate the nature of the current applications. The principle of the use proposed has already been approved at outline stage and the current applications seek consent for the detailed elements of the scheme. Therefore, comments received about the principle of the development, the suitability of the location, or the type/number of jobs to be created cannot be taken into account within the determination of the current scheme.

7.2 In particular, comments have been received to the effect that the end occupier of Unit 1 (Dachser) are relocating from other units in Brackmills thereby putting into doubt the economic arguments used in favour of the outline scheme. The consideration of the outline scheme was based upon an assessment of the additional floorspace generated by the proposals, not on any specific end occupier. The net effect of the scheme is still the same. Should Dachser relocate from existing premises, these will become available to alternative occupants thus generating additional employment benefits. Therefore, the submission of the reserved matters details does not offer the opportunity to re-assess the principle of the scheme. Members are therefore advised to examine the merits of the details submitted and form judgement on the specific elements relating to layout, appearance, scale and landscaping having regard to the parameters set by the outline permission.

### ***Scale***

7.3 Condition 4 of the outline approval specified maximum parameters for the scale of development on the site. To reiterate, this was as follows:

- Gross internal floorspace proposed is a maximum of 39,018m<sup>2</sup>
- A maximum height to ridge of 15.5 metres
- Maximum site area 10.24 hectares.

7.4 The reserved matters currently proposed for Unit 1 has a maximum building height of 14.5metres in the warehouse building, with a significantly lower height to the trans-shipment hall. In terms of height, there are significant benefits to the reduction in scale of the unit, particularly in the ability to screen the impact of the proposals with the landscaping and bunding around the perimeter of the site. The main warehouse element will still be a substantial structure but the reduction in height across a large part of the building's width will substantially reduce the visual impact, compared to the monolithic 15.5m warehouse put forward indicatively at outline stage.

7.5 The overall floorspace put forward in units 1 and 2 is 31,083m<sup>2</sup>, 7,917m<sup>2</sup> below the maximum scale of permitted floorspace, roughly a fifth less. Given that the outline application and the requirements of the

Environmental Impact Assessment were very specific and prescriptive regarding scale and that the current details fall well within those limits, officers advise that the current proposals are acceptable in this regard.

### ***Layout***

- 7.6 It is clear from the representations received from residents and Great Houghton Parish Council that the key concern relating to the current proposals is the orientation of loading bays within Unit 1 on the aspect facing the village. In particular those concerns relate to noise and light spill. The applicants were advised by officers prior to submitting the application that these issues would be sensitive and detailed noise and light reports were requested.
- 7.7 Clearly, the indicative layout submitted with the outline application offered the opportunity to screen the village from noise within the site, using the buildings themselves, with a blank elevation facing Great Houghton. However, that does not preclude other solutions providing that the potential impact is properly considered. In this case, the noise report puts forward a number of mitigation measures, including acoustic fencing, planting and utilising the protection offered by the location of the office building. The noise assessment undertaken by the applicant concludes that the proposal will meet accepted World health Organisation noise limits for impact on the closest residential units.
- 7.8 NBC's Environmental Health officers have reviewed the report and are aware of the sensitivity of noise from Brackmills, having investigated previous complaints relating to other premises. They are satisfied that the operation of the development will not adversely affect residents providing that the mitigating measures are installed and maintained. They have also requested a condition to use white noise/ broadband instead of reversing beepers. On the basis of the noise assessment undertaken, and the comments from Environmental Health it is considered that the layout of the scheme is acceptable in planning terms.
- 7.9 In effect, what the noise assessment demonstrates is that it is possible for the development to operate within acceptable noise levels. Members should also bear in mind that Environmental Health have separate powers to enforce against any statutory noise nuisance should noise levels exceed reasonable limits in future. However, from a planning perspective, there is nothing to suggest that the proposed layout will give rise to a level of noise or disturbance to warrant the refusal of the details proposed.
- 7.10 Similarly, Environmental Health Officers are satisfied with the implications of the development in relation to light spill. It is considered that the topography of the site in relation to surrounding residential areas, plus boundary treatments and the location of buildings will prevent any undue impact in this regard. These matters can be



controlled by conditions.

- 7.11 Comments were received from a neighbouring property stating that the layout was unsustainable, resulting in unnecessarily lengthy internal HGV movements around the perimeter of the building. The end occupants, Dachser are a large scale logistics company and the layout has been designed by them to create an efficient layout taking account of operational requirements, site safety and security. Any site of this size will have its own particular internal vehicular movements based upon the needs of the end occupier and there is nothing inherently unsustainable in the layout put forward in this instance.
- 7.12 In view of the above, it is considered that the layout of the proposed scheme is acceptable, subject to conditions to ensure that the mitigation measures put forward within the noise and lighting reports are implemented and to prevent reversing beepers being used during night-time hours.

### ***Appearance***

- 7.13 The appearance of the proposed buildings could be described as minimalist. The warehouse, trans-shipment hall and office block are set out in Dachser's corporate colours (dark blue) and the arrangement is made up of a series of simple 'blocks' with shallow-pitched roofs hidden behind parapet walls. The end result, when viewed from street level, is of a simple block structure, the warehouse being the largest and most visible element. The office block is, to a large extent, hidden behind the warehousing and shipment hall and will not be particularly visible from outside the site.
- 7.14 Clearly, the external form of warehousing units of this scale is largely dictated by the function of the building. It is difficult to create buildings of significant merit or interest. Having examined a number of schemes on major warehouse sites, approaches to the external appearance generally either take a minimalist approach, as seen here, or try to enliven the external appearance using different roof forms or external cladding solutions. One approach aims to minimise impact by keeping the buildings as simple and uncluttered as possible, the other aims to introduce features to give more interest/ lessen the long range views on the skyline. Both approaches can be utilised effectively and officers are satisfied with the treatment shown in this instance.
- 7.15 In considering the outline planning application, the planning authority at the time (WNDC), accepted the scale and bulk of the building at Unit 1 on the basis that the landscaping scheme would provide adequate mitigation and, that the key views into the site would be from the Bedford Road round-a-bout. In that respect, the design and appearance of Unit 2 was considered to be the key element and a successful design of that unit, in addition to adequate landscaping, would screen the larger unit to the rear.

- 7.16 This is still considered to be a valid approach, particularly in view of the reduced building height of Unit 1. Consequently, the simple nature of the building proposed is considered to be satisfactory, when viewed in the round with other elements of the scheme. In particular, the site wide landscaping scheme will be critical in mitigating the impact of the development.

### ***Landscaping***

- 7.17 As discussed above, achieving a successful landscaping scheme is a key component of the landscape and visual impact mitigation for the scheme. A fully detailed landscaping plan has been submitted with the application, along with a management strategy and maintenance schedule.
- 7.18 It is impossible to fully screen buildings of the scale proposed. The approach taken in this instance has been to utilise bunding and planting to provide as much screening as possible to the least attractive elements (i.e. loading bays, service yards etc) with other boundary planting aimed at providing a landscaped setting allowing key views of the buildings themselves. Supplementary planting is proposed along the south-east facing boundary of the site to complement existing trees and hedgerows running adjacent to the public right of way.
- 7.19 The most substantial area of landscaping is proposed on the Bedford Road side of the scheme. The combination of bunding and planting along this aspect is substantial and will provide adequate mitigation, once established from the key road corridor. The planting to the south-east boundary will maintain the setting of the footpath and also mitigate long range views of the development from the edge of Great Houghton. Due to the change in level and distances between the site and Great Houghton, the scheme as submitted will ensure that there is no detrimental effect upon the setting of the Great Houghton Conservation Area.
- 7.20 In terms of phasing, it is important to ensure that the site-wide landscaping scheme is implemented prior to the occupation of either unit 1 or unit 2 because the mitigation is required for both units, regardless of when each unit is constructed. In other words, it is possible that either building could be erected well in advance of the other and it is essential that the full landscaping scheme is implemented early in the process to allow proper mitigation.

### ***Other Matters***

- 7.21 As noted within this report, the Outline application was accompanied by an Environmental Impact Assessment which examined the potential impact of the scheme. Regulation 8 of the Town and Country Planning (Environmental impact Assessment) Regulations 2011 governs procedures to be followed in relation to “subsequent applications” where environmental information has been provided previously. A

subsequent application includes Reserved Matters submissions.

- 7.22 Regulation 8 paragraph 2 states that, 'Where it appears to the relevant planning authority that the environmental information already before them is adequate to assess the environmental effects of the development they shall take that information into consideration in their decision for subsequent consent'. The reserved matters applications are set within the parameters outlined in the original EIA and this has been reviewed to ensure that sufficient information is available to make a full assessment. Officers are satisfied that the level of information provided is adequate in this respect.
- 7.23 Comments have been received as a result of consultation from the Environment Agency (with regard to drainage matters) and the County Archaeologist (regarding the need for trial trenching as part of the evaluation scheme). Both of these matters are covered by conditions attached to the outline permission. Information relating to these conditions will need to be submitted to the Planning Department and approved prior to the commencement of work on the scheme. Therefore, there is no need for further information at this stage.

## **8. CONCLUSION**

- 8.1 In summary, the applicants have submitted details of the full range of reserved matters pursuant to the outline approval granted by WNDC in March 2012. The details submitted are below the maximum parameters prescribed by that approval in terms of height and floorspace and the scale of development is therefore acceptable.
- 8.2 The layout is different to that envisaged in the indicative plan submitted with the outline application, notably through the introduction of the double aspect trans-shipment hall, with loading bays facing in the direction of Great Houghton. Officers have considered the implications of this carefully and taken advice from the Environmental Health team, following the submission of a noise assessment. The concerns expressed by residents and the Parish Council in this respect are noted but, on the evidence presented, there would be insufficient grounds to substantiate a refusal. Subject to a number of mitigation measures being put in place, there is not expected to be an undue impact on neighbouring amenity.
- 8.3 The appearance of the scheme is acceptable and, when combined with the detailed and substantial landscaping scheme, will ensure that the landscape and visual impact is minimised. Officers recommend that the reserved matters details are accepted subject to the conditions set out below.

## **9. CONDITIONS**

- 1) The development hereby permitted shall be carried out in accordance with the approved plans as specified in section 7 (Supporting

Information) of the reserved matters application form submitted with the application.

Reason: For the avoidance of doubt and to secure the satisfactory implementation of the scheme in accordance with the National Planning Policy Framework.

- 2) The site wide landscaping scheme prepared by Barry Chinn Associates, as shown on drawing numbers 01 (rev. H), 02 (rev. C), 03 (rev. E), 04 (rev. A), and 05 (rev. A), including all planting, hard landscaping and bunding, shall be implemented in full within first planting season following the occupation of the unit hereby approved. Thereafter, the landscaping shall be maintained for a period of 5 years in accordance with the management and maintenance plan (ref: 1264/12/RP01 rev. A). Such maintenance shall include the replacement in the current or nearest planting season, whichever is the sooner of trees and shrubs that 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 the National Planning Policy Framework.

- 3) Prior to the occupation of the building hereby permitted the mitigation measures outlined within the noise assessment undertaken by Vanguardia Consulting, dated November 2012, shall be implemented in full and a validation report submitted to the Local Planning Authority demonstrating how each measure has been completed. Thereafter, the mitigation measures shall remain in place and be maintained for the lifetime of the development.

Reason: To ensure that the impact on neighbouring amenity is controlled within acceptable levels, in accordance with the National Planning Policy Framework.

Reason: To protect the amenities of adjacent residents and uses from potential sources of noise in accordance with the National Planning Policy Framework

- 4) Prior to the Unit first being occupied a Management Plan for the control of night time noise (between the hours of 2300 and 0700) from the premises and its external environs shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of the following:

- a. The numbers of deliveries to the site and the type and size of delivery vehicles
- b. The hours at which those deliveries will be made
- c. Provisions to be made for handling of goods and materials

being delivered to the site and measures for the control of vehicle noise, including reversing sirens.

Thereafter, the operation of the unit shall only be carried out in accordance with the details as agreed, unless consent for any variation is first given in writing by the Local Planning Authority

Reason: To protect the amenities of adjacent residents from potential sources of noise in accordance with the National Planning Policy Framework.

- 5) Prior to the installation of the vehicle wash facility and/or any external ventilation/ air conditioning equipment, a further noise assessment shall be submitted to and approved in writing by the Local Planning Authority, specifying the level of noise to be generated by the plant/ equipment and setting out any mitigation measures required to prevent undue disturbance to neighbouring residential amenity. Thereafter, the plant/ equipment shall be installed in accordance with the approved details and maintained for the duration of the development.

Reason: To protect the amenities of adjacent residents from potential sources of noise in accordance with the National Planning Policy Framework.

- 6) Any external lighting of the site shall be carried out in accordance with the external lighting report provided by Roxhill and the Lighting Schedule Plans numbered 1265/EL/001 and 002, prepared by Wright Design and Management, unless consent to any variation is first given in writing by the Local Planning Authority..

Reason: To ensure that the levels of light emanating from the site are controlled to acceptable levels in the interests of the amenity of the wider area.

- 7) Prior to the commencement of work on the development, details of the materials to be used in the external finish of the building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with saved policy E20 of the Northampton Local Plan.

- 8) No new access gates, stiles or barriers shall be installed along the route of the public right of way running through the site unless details of the location and design of those features has first been submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that the design and functionality of any features located on the right of way is appropriate in terms of access and visual amenity.

- 9) The development hereby approved shall not be brought into use until the internal and off-site highway works have been completed in accordance with the details shown on the approved plans numbered 12-0560 102 rev. A, 12-0560 103 rev. A and site layout plan numbered 3854 D/017. Thereafter, the site access and car parking areas shall be maintained free from obstruction and available for use whilst ever the use subsists

Reason: To ensure a satisfactory standard of development in the interests of highway safety in accordance the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

- 10.1 N/1995/0430, 11/0053/OUTWNN, N/2012/1211 and N/2012/1212.

## **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: **Planning**  
Date: **20th February 2013**  
Scale: **1:3000**  
Dept: **Planning**  
Project: **Committee**

Title  
**Liliput Road**

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**PLANNING COMMITTEE:** 5<sup>th</sup> March 2013  
**DIRECTORATE:** Planning, Enterprise and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/1212:** Application for approval of reserved matters of outline application 11/0053/OUTWNN (N/2011/0865) for a warehouse and distribution development with associated infrastructure and landscaping (Unit 2). Site North of Former Cattlemarket, Liliput Road

**WARD:** Rushmills

**APPLICANT:** Roxhill Developments Ltd.  
**AGENT:** Savills

**REFERRED BY:** Cllr. P Larratt  
**REASON:** Potential Impact Upon Great Houghton

**DEPARTURE:** YES

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to conditions and the matters in paragraphs 1.2 for the following reason:

The details submitted accord with the parameters for the development that were approved at outline stage under application reference (11/0053/OUTWNN). The appearance of the development is considered to be acceptable at this key gateway location and the visual impact of the development can be adequately mitigated through the structural landscaping proposed in the site wide landscaping scheme. The scale of the building is within the maximum parameters agreed at outline stage and tested through the Environmental Impact Assessment. The layout of the proposal is acceptable in terms of highway safety and it is considered that the mitigation measures proposed in relation to noise and light spill will ensure that there will be no adverse impact on neighbouring amenity resulting from the scheme.



Therefore, the details submitted are acceptable in relation to saved policies D1, E1, E6, E9, E14, E20, E40 and T12 of the Northampton Local Plan and the principles of the National Planning Policy Framework.

- 1.2 As the statutory consultation period does not expire until 12<sup>th</sup> March, it is requested that the final decision on this application be delegated to the Head of Planning providing that no material considerations additional to those presented to the Committee are raised within this timescale.

## **2. THE PROPOSAL**

- 2.1 The proposal is a Reserved Matters application pursuant to an Outline planning application for the erection of warehousing within Use Class B8. The outline application was approved by WNDC in March 2012 and all matters were reserved except for the access arrangements into the site which will come from the existing round-a-bout at Liliput Road.

- 2.2 The Outline scheme was accompanied by an Environmental Impact Assessment and a number of development parameters were 'fixed' by the outline permission. These identify the maximum permitted scope of the development as set out below:

- Gross internal floorspace proposed is a maximum of 39,018m<sup>2</sup>
- A maximum height to ridge of 15.5 metres
- Maximum site area 10.24 hectares.

- 2.3 Therefore, the principle of the development has already been approved, providing that the scheme stays within the parameters set out within the outline approval. The only detailed matter submitted with the outline scheme was means of access, leaving matters of appearance, landscaping, layout and scale for subsequent approval. An indicative plan was submitted showing a potential layout with a larger building across the rear section of the site (the former cattlemarket land) and a smaller building at the front corner adjacent to the Bedford Road round-a-bout. It is important for members to be clear about the purpose of the indicative plan. The reason for submitting the indicative plan was to demonstrate that the scale of development proposed (within the identified parameters) could be accommodated on the site i.e. an indication to show one way of achieving the proposed level of development. The indicative plan was purely that and did not form part of the approved suite of documents.

- 2.4 The outline scheme covered a greater site but the applicants have chosen to make two separate submissions for all of the reserved matters. The submission to which this report relates seeks approval for the appearance, layout and scale of Unit 2. A separate application has been submitted for the appearance, layout and scale of Unit 1, along with a full, site wide, landscaping scheme (N/2012/1211). A report regarding that application is also on this agenda.

### ***Layout and Scale***

- 2.5 Unit 2 is the smaller of the two units and is situated at the junction between Bedford Road and Liliput Road (see site description below). The layout of the unit is consistent with the indicative plan that was submitted at outline stage. Access would be gained from a new service road branching off from the Liliput Road round-a-bout. The main yard and loading bays would front onto the Bedford Road, with the front façade of the building and the office element facing the Bedford Road/ Liliput Road round-a-bout. A blank façade at the rear would face Liliput Road.
- 2.6 The scale of the unit is 10,220m<sup>2</sup> (9,755m<sup>2</sup> warehousing and 465m<sup>2</sup> office space). The site area for Unit 2 is 3.7 hectares. In terms of height, the ridge line would be 15.5 metres, in line with the maximum parameters.

### ***Appearance***

- 2.7 In terms of appearance, the unit is similar to the indicative plan in terms of the overall shape and form of the building – a rectangular warehouse with metal clad wall panels and a shallow pitched roof. A key factor when determining the outline application was the need to secure an attractive frontage to the Bedford Road round-a-bout. As a design response, the applicants have introduced substantial areas of vertical glazing stretching from ground floor up to the base of the parapet roof. The corner of the unit would also be fully glazed in the location of the office element.
- 2.8 The external panelling would be a combination of graded colours stretching horizontally around the building, darker in the bottom sections of the building and becoming lighter, and white at the uppermost section.

### ***Landscaping***

- 2.9 The site wide landscaping scheme incorporates screen planting all around the perimeter of the site, with varying depths and thickness. This scheme has been submitted as part of application N/2012/1211 but applies equally to Unit 2. The bulk of the landscaping is focussed on the Bedford Road aspect where a combination of earth bunding and structural planting is proposed to provide screening to the development. The greatest depth is achieved at the rear end of the site, adjacent to the warehouse building where bunding is also proposed. To give an indication of the level of bunding, the land in the eastern corner (closest to Martin's Farm) would be bunded up to a height of 64m (AOD), in comparison to the finished floor level of the warehouse of 58m. The height and depth of the landscaped mounds then varies along the length of Bedford Road with a height ranging from 58m at the front section, adjacent to Unit 2 increasing to 61m in

the middle section of the site. Tree planting is proposed along the length of the road concentrated in clumps of trees to give screening interspersed with thinner areas of planting to give views into the site at certain points. Tree planting is also proposed along the rear boundary, to supplement the existing hedgerow running alongside the footpath.

- 2.10 An existing area of trees alongside Liliput Road would be maintained on the western flank of Unit 2 and a limited amount of ornamental/ decorative landscaping incorporated within the site, including an avenue of trees on the main entrance road.

### **3. SITE DESCRIPTION**

- 3.1 The Reserved Matters details for the site have been submitted in two applications, as described above. The entirety of the application site (covering Unit 1 and Unit 2) is a roughly triangular area of land, covering 10.24 hectares, situated between the eastern edge of Brackmills Industrial Estate and the A428 Bedford Road. A public footpath runs along the southern boundary of the site connecting Bedford Road to the Brackmills Estate. Beyond the southern boundary a green wedge of pasture land rises up to the edge of Great Houghton which is roughly 250-300 metres to the south east. The site is fully in the ownership of the applicants (Roxhill Developments Ltd.) but previously comprised two main parcels - the site of the former Northampton Livestock Market in the southern section and an undeveloped but allocated development site (Site D1) in the northern section in-between the Bedford Road and Liliput Road. In simple terms, Unit 1 (to which this report relates) is the element of the site occupied by the former cattlemarket and Unit 2 occupies the element of the site at the junction between Bedford Road and Liliput Road. Unit 1 would be situated on the largest section of the site, running from the round-a-bout at Liliput Road across to the Bedford Road. The rear boundary runs adjacent to the public footpath which runs from Bedford Road into the Brackmills estate. Beyond is agricultural land which rises up to the village of Great Houghton.
- 3.2 In terms of topography, the site slopes gently upwards in a south-westerly direction from a ground level of 56 metres adjacent to the Bedford Road/ Liliput Road round-a-bout to a maximum height of 62 metres in the south-west corner on the edge of the Brackmills Estate. A man made bund rising to 60 metres is also present to the eastern edge of the site adjacent to Martin's Farm on the Bedford Road. This bund is the capped area of a former landfill site. The buildings associated with the livestock market were demolished in 2011 but the concrete hardstanding remains in-situ. The finished floor level of the former buildings on site ranges between 57 and 58 metres AOD. To give an indication of the change in levels to the south, the centre of Great Houghton lies between the 85 and 90 metre contour.

- 3.3 Vehicular access into the site is solely from the Liliput Road round-about within the Brackmills Estate. A public footpath/ right of way running between Bedford Road and Great Houghton cuts through the eastern end of the site.
- 3.4 In a wider context, approximately 200m to the north of Bedford Road are the Clifford Hill Gravel Pits which form part of the Upper Nene Valley Gravel Pits Site of Special Scientific Interest, Special Protection Area and Ramsar Site (a designation of international importance). The town centre is approximately 3km to the north west of the site.
- 3.5 A number of designations cover the site in terms of the Northampton Local Plan. Site D1 (referred to above) at the corner of Bedford Road and Liliput Road is allocated for employment development within Use Class B1 (offices) or a mix of uses within B1, B2 and B8. Land in-between the Cattlemarket site and Bedford Road is identified as Greenspace in the Local Plan. The area in-between the site and Great Houghton is designated as a Locally Important Landscape Area, in addition to the Greenspace designation.

#### **4. PLANNING HISTORY**

- 4.1 N/1995/0430 – Erection of Auction and Sales Centre with Associated Facilities and Overnight Lorry parking Area approved 6/09/1995. The application referenced led to the relocation of the Cattlemarket onto the site. Following its erection, various planning applications were submitted with regard to the site, primarily for extensions/ alterations and changes of use. None of these are directly relevant to the current scheme.
- 4.2 11/0053/OUTWNN - Outline application for warehouse and distribution development, with associated infrastructure and landscaping. All matters reserved except access.

#### **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**

E1 – Landscape impact

E6 – Greenspace

E9 – Locally Important Landscape Areas  
E14 – Corridors of Travel  
E20 – New development (design)  
E40 – Crime and vandalism  
B7 – Brackmills height restrictions  
B8 – Northampton Cattlemarket  
D1 – Land adjacent to Bedford Road and Liliput Road  
T12 – Development requiring servicing

## 6. CONSULTATIONS/ REPRESENTATIONS

### *Consultations*

- 6.1 **Natural England:** Natural England commented on the outline application and has re-iterated the advice given at that time (Officer Note: issues raised at outline stage were addressed and relevant conditions attached to the outline approval to cover these matters).
- 6.2 **Northamptonshire Police:** The site has a public footpath running through it and a link from this footpath is shown into the site. If this is required for workers then the link should be secured with an access controlled fob or proxy reader. Hope that the applicant will consider the Secured by Design element of the BREEAM assessment.
- 6.3 **NBC Environmental Health:** No objection to the reserved matters applications for both Unit 1 and Unit 2.  
*Lighting:* Both applications contain a lighting scheme and the submitted information is satisfactory to prevent light spill off the site. Request a condition to ensure that the lighting scheme is implemented prior to the occupation of the site.  
*Contamination:* The contamination report is satisfactory. Request clarification on whether the units will benefit from gas protection measures.  
*Construction Management Plan:* Look forward to receiving the full management plan prior to commencement.  
*Noise:* Recommend a condition to ensure that the noise mitigation measures proposed in the accompanying acoustic reports are implemented in full and that a validation statement is submitted to that effect to the satisfaction of the Local Planning Authority. A further condition is recommended requesting that HGV's and other vehicles reversing on site shall use broadband/ white noise signals, rather than reversing sirens. This is the most common form of complaint from such sites. Some elements of the noise survey are not yet complete because the exact nature of the plant to be used is not yet known i.e. car wash and external ventilation plant. Recommend a condition for further details prior to occupation of the units.
- 6.4 **Environment Agency:** Requested clarification on the documents submitted with the application (see comments in officer report).

- 6.5 **Ramblers Association:** Previous comments in relation to the outline application are still germane but would like to add the following points. A minimum width of 1.8metres should be specified for the public footpath and it is requested that it is properly surfaced with stone chippings. The least restrictive means of access should be adopted to the site i.e. gaps or handgates/ kissing gates, not stiles.

### ***Representations***

6.6 **Great Houghton Parish Council made the following points (summarised by planning officer):**

- Recognise that the principle of the site is allocated for development and has outline consent.
- Note that the height of development is limited to 15.5m by the outline consent but the scale of development remains a significant concern. Comments made to WNDK dated 7<sup>th</sup> October 2011 are still valid.
- The outline application was approved on the basis that the number of jobs to be created was in excess of 500 for unit 1. Given that the end user is relocating from existing premises in Brackmills, the job creation will be reduced tenfold. This must reduce the weight attached to the economic benefit of the scheme. It is questioned whether this still outweighs the effect on the Locally Important Landscape Area, Greenspace and setting of Great Houghton Conservation Area.
- The planning statement quotes the NPPF regarding sustainable development and the definition of sustainable development encompassing environmental, social and economic elements. The economic benefits have been reduced by a factor of ten and there are environmental impacts of the development. With these points in mind, it is considered that the development is not “sustainable”.
- The applicant’s Planning Statement states that the saved policies of the Northampton Local Plan should be given limited weight. This is an unusual statement. It is expected that all Saved policies will be given equal weight.
- The consultation undertaken by the applicants with the Parish is welcomed. However, the original design intent to face loading areas away from the village has been reversed to produce a proposal that has the potential to have the greatest impact upon the village from noise and light pollution.
- The lighting report does not give consideration to lights of vehicles from 24 hour working.
- The noise report is inconclusive and makes many assumptions. Noise from the vehicle wash could not be estimated and reversing alarms are not mentioned in the report. This issue was reported to environmental health in 2012.
- After due consideration Great Houghton Parish Council objects to the application and feels that the site is more suited to single storey light industrial units that could be screened from the village and would not impact so greatly on the landscape or skyline.

6.7 **Letters have been received from the residents of 1 and 3 Rectory Close and 32a High Street, Great Houghton, objecting on the following grounds (summarised by planning officer):**

- Extremely concerned about the new orientation of the service yard facing Great Houghton which is completely at odds with statements made by the applicants in relation to the outline application to orientate the noise generating element away from this aspect. The new orientation gives no regard to noise or light pollution towards the village.
- 457 vehicles on a 24 hour basis will have a huge impact on noise and light.
- The noise report is ambiguous and makes no reference to reversing beepers, something which environmental health are investigating. It is clear that sound banking with soil in addition to acoustic fencing needs to be considered.
- Noise levels will be far higher than the noise reports suggests due to the topography of the site
- Traffic approaching Bedford road from Liliput Road is already heavy and the anticipated numbers of vehicular trips to the site will add to this at peak times.
- Job creation was given significant weight in the original application. Given that Dachser are simply relocating, there appears to be no job creation.
- Consideration should be given to the impact upon Great Houghton's Conservation Area and the ridge and furrow in proximity of the site. The development is at odds with saved policies E1, E9 and E20.
- Grey panels were originally proposed to merge with the skyline. Dark blue is now proposed and this will have a huge impact on the area.
- The proposed design is hugely inefficient creating an additional journey of 450m around the building in each direction, wasting 1km of fuel for every trip. In terms of location, a freight hub should be located near a motorway – Brackmills is the wrong location.
- Traffic impact needs to be re-assessed due to the increased number of loading bays in the current proposal as opposed to the outline scheme

6.8 The residents of **Martin's Farm** adjacent to the site note that they are promoting their land for development and do not object to the principle of development but state that they continue to live adjacent to the site in the present time. Therefore, they request that suitable acoustic measures are put in place to protect their amenity, along with adequate screen planting.

## 7. APPRAISAL

7.1 As discussed in the introduction to the proposals at the head of this report officers reiterate the nature of the current applications. The principle of the use proposed has already been approved at outline

stage and the current applications seek consent for the detailed elements of the scheme. Therefore, comments received about the principle of the development, the suitability of the location, or the type/number of jobs to be created cannot be taken into account within the determination of the current scheme. Therefore, the submission of the reserved matters details does not offer the opportunity to re-assess the principle of the scheme. Members are therefore advised to examine the merits of the details submitted and form judgement on the specific elements relating to layout, appearance and scale having regard to the parameters set by the outline permission.

### ***Scale***

- 7.2 Condition 4 of the outline approval specified maximum parameters for the scale of development on the site. To reiterate, this was as follows:
- Gross internal floorspace proposed is a maximum of 39,018m<sup>2</sup>
  - A maximum height to ridge of 15.5 metres
  - Maximum site area 10.24 hectares.
- 7.3 The reserved matters currently put forward for Unit 2 has a maximum building height of 15.5metres and floorspace of 10,220m<sup>2</sup>. The overall floorspace put forward in units 1 and 2 is 31,083m<sup>2</sup>, 7,917m<sup>2</sup> below the maximum scale of permitted floorspace, roughly a fifth less. Given that the outline application and the requirements of the Environmental Impact Assessment were very specific and prescriptive regarding scale and that the current details fall well within those limits, officers advise that the current proposals are acceptable in this regard.

### ***Layout***

- 7.4 It is clear from the representations received from residents and Great Houghton Parish Council that the key concern relating to the current proposals is the orientation of loading bays within Unit 1 on the aspect facing the village. No specific comments have been received as a result of consultation regarding the layout of Unit 2 to which this application applies.
- 7.5 With regard to Unit 2, the layout is very similar to that shown on the indicative plan submitted with the outline application. The shape of the site and the location of the access point from Liliput Road effectively dictates the position of the main access into the site and the logical position of the service yard and car parking areas.
- 7.6 A noise report has been submitted by the applicants to examine the likely impact of the scheme. NBC's Environmental Health officers have reviewed the report and are satisfied that the location of the yard will not result in an adverse impact on neighbouring uses, particularly the hotel on the opposite side of Bedford Road. Mitigation measures will be required as a result of the report, including an acoustic screen around the north-eastern perimeter of the service yard. Similarly, a



lighting report has been submitted and includes measures to prevent light spill into adjacent areas. These measures will need to be controlled by condition.

- 7.7 In view of the above, it is considered that the layout of the proposed scheme is acceptable, subject to conditions to ensure that the mitigation measures put forward within the noise and lighting reports are implemented.

### ***Appearance***

- 7.8 Achieving a suitable appearance for Unit 2 is considered to be a key element in securing a successful scheme at the Brackmills Point site. The key visual impression of the site will be gained from the Bedford Road, particularly when leaving the town. Saved policy D1 of the Northampton Local Plan envisaged a high quality office development at this key gateway location. In considering the outline scheme, WNDC accepted that the site was no longer suited to office development due to the requirement of national policy and emerging local policy to locate office development within the town centre. Warehousing was accepted on the basis that the design of the Unit provided a high quality gateway building. Achieving an attractive elevation on this aspect, in addition to the structural landscaping will also help to screen the larger building at Unit 1 to the rear of the site.
- 7.9 Clearly, the functional nature of large scale warehousing impacts strongly on their external form and appearance. The scale and imposing presence cannot be avoided. However, the visual impact can be enlivened through the use of materials and fenestration. In this case, the applicants have substantially altered the appearance of the principal elevation of the building from that shown indicatively at outline stage. A series of large vertical windows are incorporated, stretching almost the full height of the building up to the parapet roof. In between the windows, vertical cladding would be used to delineate a series of columns terminating at parapet level where horizontal cladding would be utilised. This use of materials and fenestration gives the building interest and rhythm and would, in the opinion of officers, present an acceptable and high quality façade to the principal elevation given the use and parameters permitted by the parent Outline planning permission.
- 7.10 The remainder of the unit would be situated within the site, behind the structural landscaping. Whilst the elevations would still be visible, the use of horizontally layered cladding will provide a suitable finish, helping to mitigate long/ medium range views.
- 7.11 In view of the above, the external finish is considered to be acceptable. As noted in relation to application N/2012/1211, the landscaping scheme submitted covers the whole site. The implementation of that scheme should be a condition on both reserved matters applications to

ensure that full mitigation is achieved, regardless of the order in which the units are constructed.

### ***Other Matters***

- 7.12 As noted within this report, the Outline application was accompanied by an Environmental Impact Assessment which examined the potential impact of the scheme. Regulation 8 of the Town and Country Planning (Environmental impact Assessment) Regulations 2011 governs procedures to be followed in relation to “subsequent applications” where environmental information has been provided previously. A subsequent application includes Reserved Matters submissions.
- 7.13 Regulation 8 paragraph 2 states that, ‘Where it appears to the relevant planning authority that the environmental information already before them is adequate to assess the environmental effects of the development they shall take that information into consideration in their decision for subsequent consent’. The reserved matters applications are set within the parameters outlined in the original EIA and this has been reviewed to ensure that sufficient information is available to make a full assessment. Officers are satisfied that the level of information provided is adequate in this respect.
- 7.14 Comments have been received as a result of consultation from the Environment Agency (with regard to drainage matters) and the County Archaeologist (regarding the need for trial trenching as part of the evaluation scheme). Both of these matters are covered by conditions attached to the outline scheme. Information relating to these conditions will need to be submitted to the Planning Department and approved prior to the commencement of work on the scheme. Therefore, there is no need for further information at this stage.

## **8. CONCLUSION**

- 8.1 In summary, the applicants have submitted details of the full range of reserved matters pursuant to the outline approval granted by WNDC in March 2012. The details submitted are below the maximum parameters prescribed by that approval in terms of height and floorspace and the scale of development is therefore acceptable.
- 8.2 The appearance of the scheme has been carefully considered and, when combined with the detailed and substantial landscaping scheme, will ensure that the visual impact is acceptable at this key gateway given the use and parameters permitted by the parent Outline planning permission. Officers recommend that the reserved matters details are accepted subject to the conditions set out below.

## 9. CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the approved plans as specified in section 7 (Supporting Information) of the reserved matters application form submitted with the application.

Reason: For the avoidance of doubt and to secure the satisfactory implementation of the scheme in accordance with the National Planning Policy Framework.

- 2) The site wide landscaping scheme prepared by Barry Chinn Associates, as shown on drawing numbers 01 (rev. H), 02 (rev. C), 03 (rev. E), 04 (rev. A), and 05 (rev. A), including all planting, hard landscaping and bunding, shall be implemented in full within first planting season following the occupation of the unit hereby approved. Thereafter, the landscaping shall be maintained for a period of 5 years in accordance with the management and maintenance plan (ref: 1264/12/RP01 rev. A). Such maintenance shall include the replacement in the current or nearest planting season, whichever is the sooner of trees and shrubs that 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 the National Planning Policy Framework.

- 3) Prior to the occupation of the building hereby permitted the mitigation measures outlined within the noise assessment undertaken by Vanguardia Consulting, dated November 2012, shall be implemented in full and a validation report submitted to the Local Planning Authority demonstrating how each measure has been completed. Thereafter, the mitigation measures shall remain in place and be maintained for the lifetime of the development.

Reason: To ensure that the impact on neighbouring amenity is controlled within acceptable levels, in accordance with the National Planning Policy Framework.

Reason: To protect the amenities of adjacent residents and uses from potential sources of noise in accordance with the National Planning Policy Framework

- 4) Prior to the Unit first being occupied a Management Plan for the control of night time noise (between the hours of 2300 and 0700) from the premises and its external environs shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of the following:

- a. The numbers of deliveries to the site and the type and size of delivery vehicles
- b. The hours at which those deliveries will be made
- c. Provisions to be made for handling of goods and materials being delivered to the site and measures for the control of vehicle noise, including reversing sirens.

Thereafter, the operation of the unit shall only be carried out in accordance with the details as agreed, unless consent for any variation is first given in writing by the Local Planning Authority

Reason: To protect the amenities of adjacent residents from potential sources of noise in accordance with the National Planning Policy Framework.

- 5) Any external lighting of the site shall be carried out in accordance with the external lighting report provided by Roxhill and the Lighting Schedule Plans numbered 1265/EL/001 and 002, prepared by Wright Design and Management, unless consent to any variation is first given in writing by the Local Planning Authority..

Reason: To ensure that the levels of light emanating from the site are controlled to acceptable levels in the interests of the amenity of the wider area.

- 6) Prior to the commencement of work on the development, details of the materials to be used in the external finish of the building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so approved.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with saved policy E20 of the Northampton Local Plan.

- 7) The development hereby approved shall not be brought into use until the internal and off-site highway works have been completed in accordance with the details shown on the approved plans numbered 12-0560 102 rev. A, 12-0560 103 rev. A and site layout plan numbered 3854 D/017. Thereafter, the site access and car parking areas shall be maintained free from obstruction and available for use whilst ever the use subsists

Reason: To ensure a satisfactory standard of development in the interests of highway safety in accordance the National Planning Policy Framework.

**10. BACKGROUND PAPERS**

10.1 N/1995/0430, 11/0053/OUTWNN, N/2012/1211 and N/2012/1212.

**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: **Planning**  
Date: **20th February 2013**  
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Dept: **Planning**  
Project: **Committee**

Title  
**Liliput Road**

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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 not having 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 a car dealership and associated ancillary items such as a valeting building and external display areas.

## **3. SITE DESCRIPTION**

- 3.1 The application site is reasonably flat in nature and located within a flood zone. The surrounding land uses are a combination of car dealerships, retailing and other business uses. The adjoining site benefits from planning permission for a comparable use that was granted in 2012 (reference: N/2012/0163). Planning permission has been granted on this site for a car dealership (which also included the land to the east of the site) in 2008; however, this permission was not implemented and has since lapsed.

## **4. PLANNING HISTORY**

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

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

08/0158/FULWNN – Construction of motor vehicle dealership comprising two storey building including showroom, workshop, Mot testing, vehicle and parts storage offices and single storey valet building; formation of new access, provision of parking and circulation space and new planting and landscaping – Approved

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



N/2012/0163 – Construction of a new dealership including two storey showroom building, MOT facility, workshop and car parking areas – Approved

## **5. PLANNING POLICY**

### **5.1 Development Plan**

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

### **5.2 National Policies:**

National Planning Policy Framework and specifically the following paragraphs:

- Paragraph 17 sets out the core principles of planning including the promotion of sustainable developments; seeking to achieve high quality buildings, a good standard of amenity and that planning be a plan led system that provides a practical framework for the determination of planning applications. This paragraph also states that planning should proactively support economic development.

### **5.3 Northampton Borough Local Plan**

E19 – Implementing Development

E20 – New Development

E40 – Planning and crime and anti-social behaviour

R15 – Car showrooms

### **5.4 Supplementary Planning Policy**

Planning Obligations SPD – agreed by Cabinet 13 February 2013

Northamptonshire County Parking Standards

Planning Out Crime in Northamptonshire

## **6. CONSULTATIONS / REPRESENTATIONS**

**6.1 Environment Agency** – Request a condition in relation to flood mitigation.

**6.2 Environmental Health (NBC)** – No objections. Request a condition relating to the investigation of noise.

**6.3 Highway Authority (NCC)** – Request that the parking layout be revised in order to allow for ease of movement of larger vehicles; that the entry barrier be set back 18m from the edge of the highway; that a Traffic Regulation Order be secured to limit parking within Carousel Way; and a Section 106 Agreement be entered into improvements to cycle ways. (*Officer's note: In response to these comments the scheme*

*has now been revised to alter the parking layout in order to enable sufficient manoeuvring space for large vehicles).*

## **7. APPRAISAL**

### ***Principle of the development***

- 7.1 By reason of the prevailing commercial character of the surrounding area (including a number of car dealerships), the principle of the proposed development is acceptable as it would support the existing commercial function of the locality without negatively impacting upon the viability and vitality of other areas and supports the continued economic development of this area of Northampton. On account of the positioning of the application site and the nature of the surrounding land uses, combined with the proximity of the site to the primary road network, it is considered that the proposed development is in accordance with the requirements of Local Plan Policy R15.
- 7.2 Whilst the proposed design is functional in appearance, it would be viewed against a backdrop of buildings that feature significant variation in terms of style and appearance. For this reason, it is likely that the building would have a neutral impact upon visual amenity.
- 7.3 The developer has proposed that the building be constructed from materials that are consistent with the structure that has been erected on the adjoining, eastern site. For this reason, the proposed development would have a neutral impact upon visual amenity as required by Local Plan Policy E20. The positioning of the building is such that there would be no undue detrimental impact upon the amenities of neighbouring properties.
- 7.4 Whilst it is noted that a request has been made from the Council's Environmental Health section, with regards to a condition covering noise levels from plant and equipment, it is considered that as the application site is situated within an area where comparable activities take place within the adjoining sites such a condition is unnecessary due to the limited impacts that this proposal would have. This approach is consistent with the conditions attached to the planning permission at the adjacent site, which was granted in 2012.

### ***Highways considerations***

- 7.5 The proposed development includes the provision of some 61 parking spaces (including 3 spaces for people with disabilities), which is consistent with the requirements of the SPG – Parking. As a result of this, there is sufficient parking to meet the needs of the development, without causing undue congestion within the environs of the site.
- 7.6 The County Council as Highway Authority has requested that the entrance barrier be set back 18m from the highway boundary. It would appear that this is to ensure that the articulated lorries can manoeuvre

off of the highway before the barrier is opened in order to prevent the road or pavement from being blocked. However, it is considered that on the grounds that such large vehicles are only likely to arrive at the development site by prior notification and during periods in which the dealership is operational, it is therefore probable that the operators of the site would be in a position to ensure that the barrier is open. Therefore it is not considered necessary to require the applicant to make this amendment.

- 7.7 A request has also been made from the Highway Authority for a financial payment to be made to fund the provision of cycleway improvements within the vicinity of the application site. Given the nature of the location of the site and the fact that it is separated from the rest of Northampton by a number of factors, such as the route of the A45, it is considered that potential visitors and employees would be likely to use private cars to access the development. The provision of an enhanced cycle route is likely to assist in encouraging sustainable means of travel. This approach is consistent with the emphasis upon sustainability that is included within the National Planning Policy Framework.
- 7.8 It is understood that the request for a traffic regulation order within Carousel Way is to limit car parking in order to ensure that there is adequate visibility for vehicles leaving the site. However, due to the presence of sufficient car parking within the application site and the consented scheme on the adjacent site, it is considered that this request does not meet the prescribed tests for necessity and reasonableness for S106 Agreements.

### ***Flooding***

- 7.9 As the application site lies within Flood Zones 2 and 3 it is necessary to demonstrate that the proposed development would not give rise to increased flood risk either within the vicinity of the application site or elsewhere. An acceptable flood risk assessment has been submitted and the Environment Agency has not raised any objections subject to a condition. As such the proposal would not increase the potential for increased flooding and as such the development is compliant with the requirements of the National Planning Policy Framework within this regard.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed development represents an acceptable use for this vacant plot and would not cause any undue detriment to neighbour and visual amenity and highway safety. For these reasons, it is considered that the proposed development is compliant with the National Planning Policy Framework and Local Plan 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. The development shall be carried out in accordance with the following approved plans: (00)001 Rev. P1; 2785/12/G/01 Rev. P2' PL01 Rev. P1; PL02 Rev. P1; PL03 Rev. P2; PLO4 Rev. P1; PL05 Rev. P2; PL06 Rev. P1; PL07 Rev. P1; PL08 Rev. P2; and PL10 Rev P1;

Reason: For the avoidance of doubt and to accord with the planning application.

3. The development hereby permitted shall be constructed from the following facing materials in accordance with the details submitted as part of the application:

Showroom Cladding: Kingspan KS1000MR horizontally laid panels Metallic Silver RAL 9006

Workshop Cladding: Kingspan KS1000MR horizontally laid panels Dark Grey RAL 7016

Roof Cladding: Kingspan Roof Panels: Goosewing Grey RAL 7038.

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

4. The boundary treatments as shown on drawing PL03 Rev. P2 and 'Manual Arm barrier' specification (as submitted to the Council on the 29/01/13) shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policy E40.

5. The development hereby permitted shall be carried out in accordance with the landscaping scheme as shown in drawing PL05 Rev. P2.

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. 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.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted to and agreed by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which shall be submitted to and approved by the Local Planning Authority.

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

8. The development hereby permitted shall be implemented in accordance with the lighting scheme as shown on drawing 2785/12/G/01, which shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

9. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) BWB Reference NTS/2282/FRA Rev A dated 20 December 2012 and the following mitigation measures detailed within the FRA:

- i. Finished floor levels are set no lower than 52.77m above Ordnance Datum (AOD).
- ii. Finished external levels in the southern section of the development kept commensurate with existing ground levels with no land rising.
- iii. Boundary treatments should not impede flood flows.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants; to ensure that flood water is not impeded; and to ensure that flood water is not impeded in accordance with the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

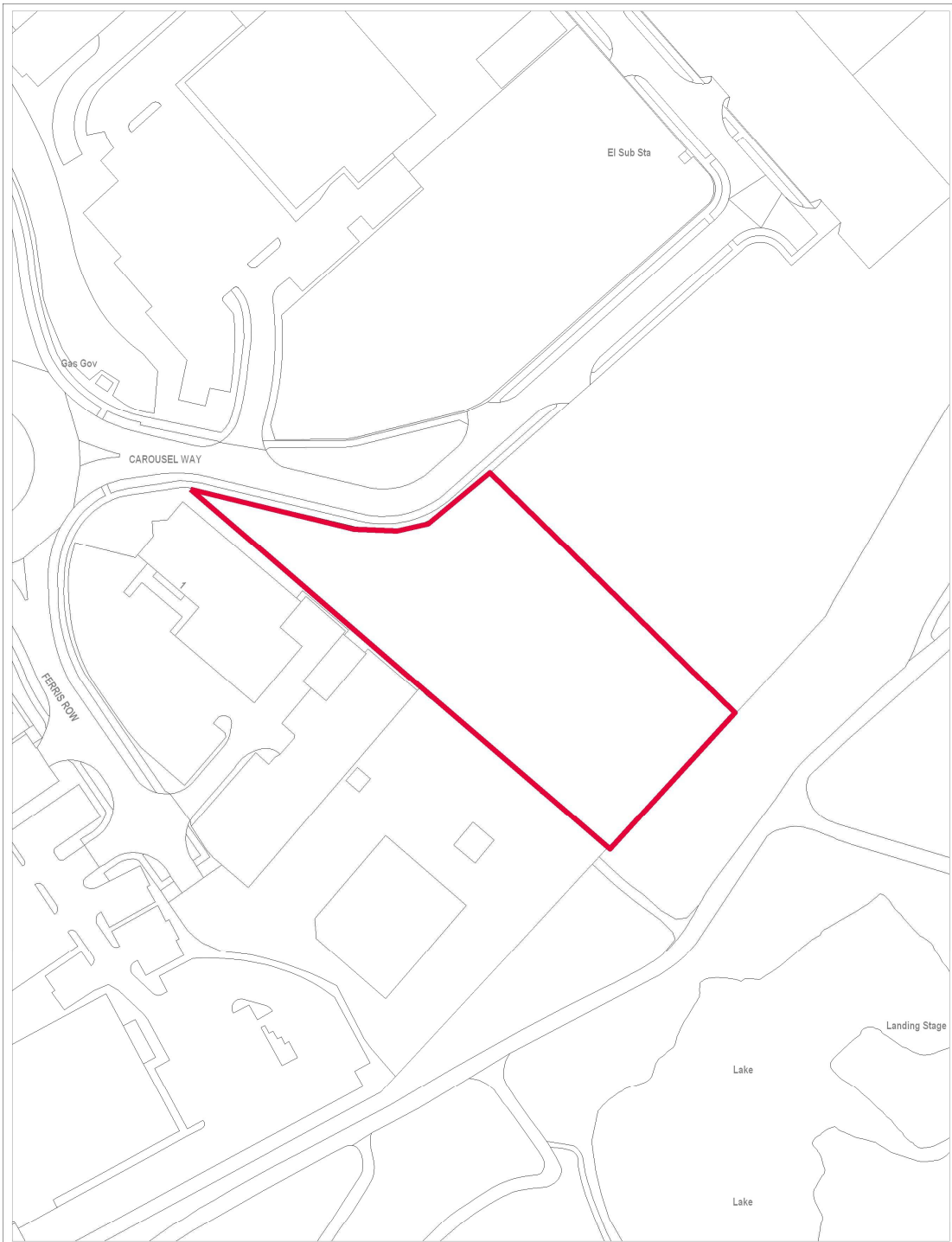
- 10.1 N/2012/1271, 93/0095, 98/0659, 08/0158/FULWNN, 11/0066/REPWNN, 08/0158/FULWNN and N/2012/0163

**11. LEGAL IMPLICATIONS**

11.1 None.

**12. SUMMARY AND LINKS TO CORPORATE PLAN**

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



Name: **Planning**  
Date: **19th February 2013**  
Scale: **1:1250**  
Dept: **Planning**  
Project: **Committee**

Title

### **Riverside Prime Site, Carousel Way**

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**PLANNING COMMITTEE:** 5 March 2013  
**DIRECTORATE:** Regeneration Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/1281**                      **Single storey front porch extension, first floor balcony/terrace to rear, and erection of detached triple garage with study above at 5 Belfry Lane, Collingtree Park**

**WARD:** East Hunsbury

**APPLICANT:** Mr I Fernandez  
**AGENT:** Mr Philip Corbett

**REFERRED BY:** Cllr M Hill  
**REASON:** Out of character with surrounding properties

**DEPARTURE:** No

---

## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

The impact of the proposed development on the character of the original building, street scene and residential amenity is considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan.

### **2. THE PROPOSAL**

2.1 Permission is sought for a small front porch extension, a rear balcony, and a detached triple garage with study over at the front of the property.

### **3. SITE DESCRIPTION**

3.1 A large detached dwelling located in Collingtree Park, a residential estate characterised by similarly large dwellings with spacious gardens. There is an attached double garage to the property.



- 3.2 The property includes a substantial front garden with paved driveway and enclosed by lower brick walls with ironing railings and metal gates. The site falls within Flood Zone 2.

#### **4. PLANNING HISTORY**

- 4.1 N/2005/1250 – loft conversion – approved  
N/2006/0095 – front wall and gates - approved

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

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

##### **5.2 National Policies**

National Planning Policy Framework

##### **5.3 Northampton Local Plan**

E20 – New Development  
H18 – House Extensions

##### **5.4 Supplementary Planning Guidance**

Residential Extensions and Alterations Design Guide SPD

#### **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 **Collingtree Parish Council:** supports local concerns re overdevelopment of the site, the garages will be an unnecessary/unwelcome intrusion to the street scene which will block views along the street and cause impairment to the amenity, light and vista of the house to the west. Also concerns re the development impinging upon underground pipework in an area prone to flooding.

- 6.2 **14 Belfry Lane** – objecting on the following grounds:

- plans not accurate;
- overdevelopment of the site, property would have 5 garages;
- less off-road parking resulting in vehicles parking on the road;
- garages too close to boundary and will restrict light to neighbouring property;
- drainage lines discharge along boundaries of nos. 5 and 7;
- new garage will be forward of accepted building line, not in keeping with existing landscaping layout of Belfry Lane;
- balcony overlooking adjoining property.

- 6.3 **7 Belfry Lane** – objecting on following grounds:

- no.5 plot is too small to carry such a large garage block extension;
  - building work would take months and horrendous to tolerate the noise/mess, inconvenience re. road obstruction;
  - triple garage to be built right next to boundary, which will block out light to house and garden, also obstruct outlook;
  - unwilling for builders to come onto their property;
  - garage will ruin the dynamics of the lane;
  - no. 5 will have 5 garages, and garages not used.
- 6.4 Letter from an unidentified **Belfry Lane** address: considers extension unnecessary as it will make the street too crowded and increase risk of flooding.
- 6.5 Letter from an unidentified **Turnberry Lane** address: street is already very crowded; unnecessary extensions such as these should not be allowed as it will increase risk of flooding.

## 7. APPRAISAL

### *Design and appearance*

- 7.1 The main issue is considered to be the impact of the garage block on the street scene and visual amenity.
- 7.2 The proposed garage measures 6m x 10m, 5.65m high, and would be positioned approximately 8m back from the footpath (highway). The dwellings are generally set well back from the highway on this estate, with some garages forward of the main building line. It is considered that the proposed garage block will appear somewhat prominent to the generally open character of this part of the street, however, given the size of the plot and similar development at no.7 Belfry Lane, the visual impact to the wider street scene is not considered to be significant enough to warrant refusal of the application.
- 7.3 The proposed balcony measures 2.5m x 3.2m and is positioned on the SW corner of the dwelling, built over an existing rear conservatory. In design terms, the balcony is considered acceptable as it will have no significant adverse visual impact upon the host dwelling or the surrounding.
- 7.4 The front porch extension measures 1.4m x 3.35m, with a single pitch roof, is considered in keeping with the existing dwelling and acceptable in scale and design.

### *Impact on neighbours*

- 7.5 The proposed garage would be situated 9m away from front of the adjacent property at no.7 immediately to the west boundary. It is acknowledged that this will partially obstruct the outlook to the front of no.7, given the angle of view and the distance between (the closest

ground floor window serving a habitable room would be some 11 away), the issue of restriction of outlook is not considered to cause substantial harm to warrant refusal of the application.

- 7.6 Amended plans have been received to include a 1.8m high glazed screen on the west side of the proposed balcony. This is considered to acceptably mitigate the issue of potential overlooking to no.7.

***Other material considerations***

- 7.7 Neighbours have raised the following additional issues:
- 7.8 Overdevelopment of the site - it is considered that the size of the site is of sufficient size to accommodate the proposed development, with adequate spacing between the buildings and sufficient space for off-street parking and manoeuvring of vehicles.
- 7.9 Drainage issues - the effect of the proposed development upon underground services would be covered by Building Regulations. The applicant has completed the required Flood Risk Assessment for householders, as required by the Environment Agency, and an Informative Note will be added to any permission directing the applicant's attention to flood-proofing/resilience and resistance techniques in the relevant Government publication.
- 7.10 Accuracy of plans - it is noted that the rear conservatory on the SE corner of no.5 and the timber framed structure in the rear garden are not shown on the submitted plans. However, it is considered that this does not materially affect the application proposal under consideration, and the plot is sufficiently large to accommodate the proposed development.
- 7.11 The other issues raised by neighbours, including number of garages and whether they are used, inconvenience during construction, and underground pipes, are not material planning considerations.

**8. CONCLUSION**

- 8.1 It is considered that the proposal is acceptable in design terms, and that it will cause no substantial harm to the street scene or neighbouring amenity. Accordingly, the application is recommended for approval.

**9. CONDITIONS**

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 12/077/01a, 12/077/02a, 12/077/03.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

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

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

(4) The balcony screening as detailed on plan ref. 12/077/01a shall be implemented prior to the first use of the balcony hereby permitted and retained thereafter.

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

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

Reason: To protect the residential amenities of nearby properties in accordance with Policy E20 of the Northampton Local Plan.

**Informative Note:**

Information on flood-proofing/resilience and resistance techniques is available from publication 'Improving the flood performance of new buildings' CLG (2007), as per the Environment Agency Guidance for Householder extensions in Flood Zones.

**10. BACKGROUND PAPERS**

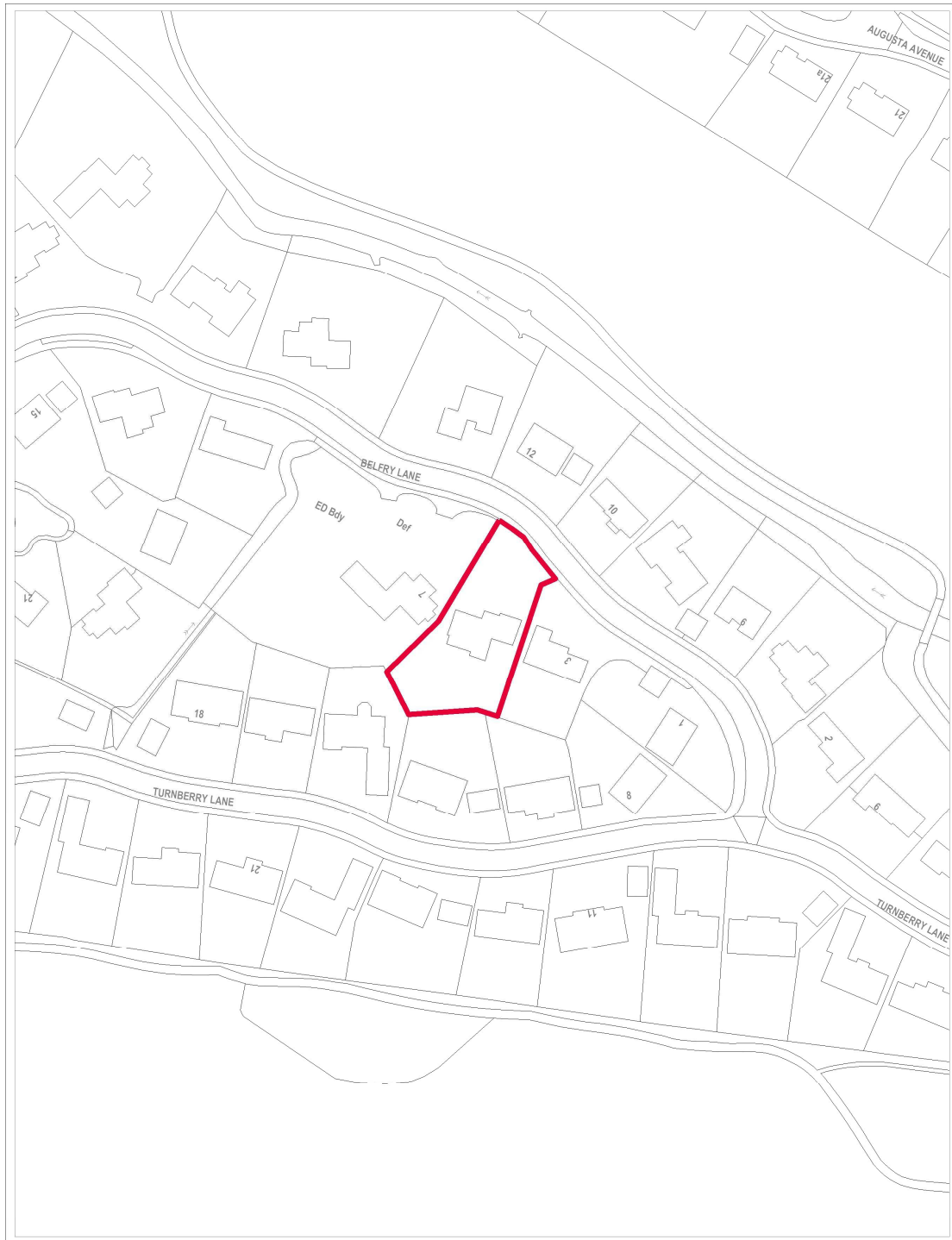
10.1 None.

**11. LEGAL IMPLICATIONS**

11.1 None.

**12. SUMMARY AND LINKS TO CORPORATE PLAN**

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



Name: **Planning**  
Date: **19th February 2013**  
Scale: **1:1250**  
Dept: **Planning**  
Project: **Committee**

Title  
**5 Belfry Lane**

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**PLANNING COMMITTEE:** 5 March 2013  
**DIRECTORATE:** Planning, Enterprise and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0047:** Change of use from amenity land to private garden including 1.8m fencing to side and rear at land adjacent to 36 Booth Meadow Court, Northampton

**WARD:** Talavera

**APPLICANT:** Mrs. Hyacinth Chin  
**AGENT:** None

**REFERRED BY:** Head of Planning  
**REASON:** NBC owned land

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

The proposed development will not adversely affect the character of the street scene or residential amenity and is considered to be acceptable and in accordance with Policy E20 of the Northampton Local Plan and the NPPF.

### **2. THE PROPOSAL**

2.1 Permission is sought for the change of use of land to the side of the dwelling from amenity space to domestic garden, with 1.8m fencing.

### **3. SITE DESCRIPTION**

3.1 Land to the side of an end of terrace, three storey dwelling, located on an estate of similar style dwellings. The property is accessed by footpath, and the estate is of a generally open plan character.

#### **4. PLANNING HISTORY**

4.1 None.

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

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

##### **5.2 National Policies:**

National Planning Policy Framework

##### **5.3 Northampton Borough Local Plan**

E20 – New Development

#### **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 NBC Estates Dept. and surrounding neighbours notified.

6.2 No responses received.

#### **7. APPRAISAL**

7.1 The proposal seeks to incorporate a strip of land 4-6m wide into the domestic garden of no.36. There will still remain an open grassed space to the north measuring 7-9m wide. It is therefore considered that the open, green character of the estate will not be adversely affected by the proposal.

7.2 Details of the fencing proposed to enclose the land within the garden area have been included with the application, however, as the site is not adjacent to a highway used by vehicles, the proposed 1.8m fencing is considered to be permitted development and does not of itself require planning.

#### **8. CONCLUSION**

8.1 As the proposal is not considered to adversely affect the visual amenity of the street scene, the application is recommended for approval.

#### **9. CONDITIONS**

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

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

**10. BACKGROUND PAPERS**

10.1 None.

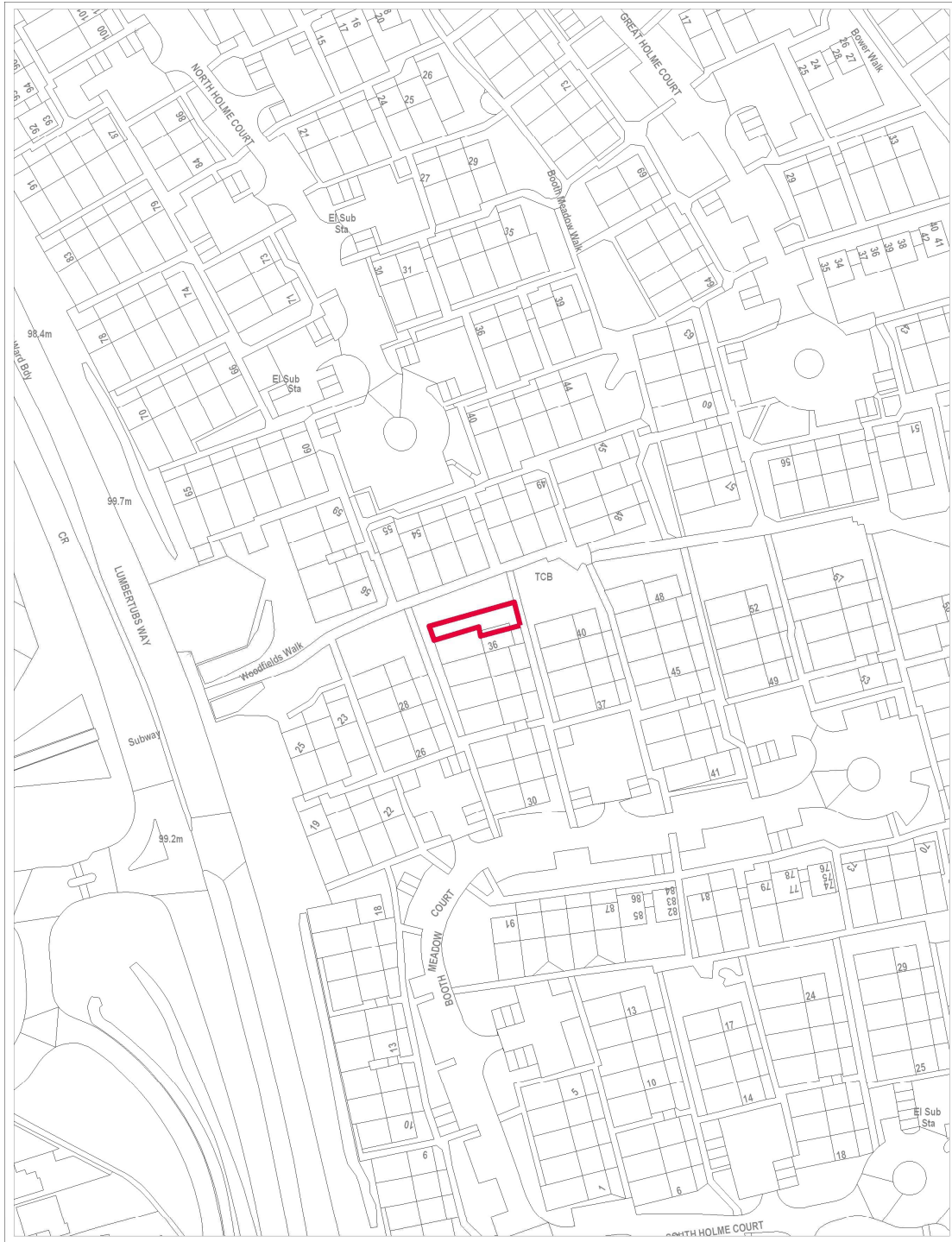
**11. LEGAL IMPLICATIONS**

11.1 None.

**12. SUMMARY AND LINKS TO CORPORATE PLAN**

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





Name: **Planning**  
 Date: **21st February 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**

Title  
**36 Booth Meadow Court**

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**PLANNING COMMITTEE:** 5<sup>th</sup> March 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0048**                      **Erection of 15 dwellings comprising 11 houses and four self-contained apartments including associated landscaping and parking. Re-submission of Planning Application N/2012/0987. Former Morris Man Public House site, Witham Way, Northampton**

**WARD:** Kings Heath

**APPLICANT:** Home Group CTP  
**AGENT:** Mr S. Bratby; Greenspace Solutions Ltd

**REFERRED BY:** Head of Planning  
**REASON:** Major development and requires a legal agreement

**DEPARTURE:** No

---

## **APPLICATIONS FOR DETERMINATION:**

### **1. RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to conditions the matters in paragraphs 1.2 and 1.3 for the following reason:

The proposed development would result in the effective reuse of this vacant site and would have a neutral impact upon visual and neighbour amenity and highway safety. The proposal is therefore compliant with the requirements of the National Planning Policy Framework and Local Plan Policies E20, E40 and H6.

**1.2** As the statutory consultation period does not expire until 14<sup>th</sup> March, it is requested that the final decision on this application be delegated to the Head of Planning providing that no material considerations additional to those presented to the Committee are raised within this timescale.

- 1.3 That the application be approved, subject to the prior completion of a Section 106 Agreement covering the following Heads of Terms:
  - (i) 35% affordable housing on-site
  - (ii) A payment for the provision of primary school education facilities
  - (iii) Training opportunities for construction workers and associated administration costs
  - (iv) The Council's monitoring fee.
- 1.4 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 15 dwellings comprising 11 houses and four flats. The proposal also includes the provision of 19 off-street car parking spaces. These spaces are arranged within four clusters one within a central parking area and the others at the back of the pavement.

## **3. SITE DESCRIPTION**

- 3.1 The application site formerly contained a public house; which has now been demolished and the site left vacant. The land generally slopes upwards in a northern direction. The surrounding area primarily consists of residential accommodation of variety of scales and types. By reason of this, the surrounding built environment features a reasonable amount of diversity. Towards the north of the application is a pedestrian walkway that links Park Crescent West and Park Square.

## **4. PLANNING HISTORY**

- 4.1 N/2006/0060 – Redevelopment to provide two blocks of flats comprising a total of 14 units with car parking and amenity space – Refused, allowed on appeal

N/2012/0987 – Erection of 15 dwellings – Refused

- 4.2 The 2006 planning permission was not implemented and has since expired. In 2012, the Council considered a scheme for 15 units (comprising 12 houses and three flats), which was refused permission due to the lack of separation distances between dwellings and the lack of natural surveillance to the entrance of the communal parking area. The applicant has now submitted a different scheme of which the main

changes are revised positions to some dwellings and a relocation of the access to the communal car parking area.

## **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 and specifically the following paragraphs:

- Paragraph 17 sets out the core principles of planning including the promotion of sustainable developments; seeking to achieve high quality buildings, a good standard of amenity and that planning be a plan led system that provides a practical framework for the determination of planning applications. Local Planning Authorities should also ensure that a mixture of housing is provided and that the reuse of previously developed land.

### **5.3 Northampton Borough Local Plan**

E19 – Implementing development

E20 – New Development

E40 – Planning and crime and anti-social behaviour

H6 – Residential Development

### **5.4 Supplementary Planning Policy**

Planning Obligations SPD – agreed by Cabinet 13 February 2013

Northamptonshire County Parking Standards

Planning Out Crime in Northamptonshire

## **6. CONSULTATIONS / REPRESENTATIONS**

**6.1 Highway Authority (NCC)** – No objections in principle, but would request that the access gate is set back by 5.5m from the highway edge.

**6.2 Environmental Health (NBC)** – Requesting a condition in respect of potential contamination.

**6.3 Development Management (NCC)** – Requesting Section 106 obligations to make payments towards primary school education and the fire service.

- 6.4 **Housing Strategy (NBC)** – Support the application for it will provide 35% affordable housing, although it is understood that the developer will provide a level of affordable housing in excess of this.
- 6.5 **Construction Futures** – Requesting a Section 106 obligation for the provision of construction training opportunities.
- 6.6 **Anglian Water** – Requesting a condition requiring the submission of a drainage strategy.

## 7. APPRAISAL

### *Principle of the development*

- 7.1 By reason of the site's allocation within the Northampton Local Plan, it is considered that the principle of developing this site for residential purposes is acceptable. The proposal would also allow for the appropriate reuse of this previously developed and now unused site in a manner that is complementary to the existing land uses.
- 7.2 The proposed development includes the provision of 15 dwellings, which is a density that is consistent with the prevailing character of the environs of the application site. The proposal includes the provision of 19 off-street car parking spaces, which is considered to be an appropriate provision given the scale of the proposed dwellings.
- 7.3 Given the proposed use, a condition requiring the investigation into naturally occurring contamination is considered necessary and reasonable.

### *Design and appearance*

- 7.4 The proposed scale is very much in keeping with the surrounding area. Some of the dwellings include design features that are not common in the locality, such as the inclusion of vehicular entrance within the ground floor of the westernmost block and the inclusion of a flat-over-garage. Nonetheless, it is considered that due to the variety of building types within the vicinity, the overall impact upon visual amenity of these elements would not be significant. The applicant has submitted details of the proposed facing materials, which are considered to be in character with the context.
- 7.5 The proposed layout includes dwellings that front onto South Oval, Park Crescent West and Park Walk. As a result of this the proposal, the development would include adequate active frontages onto key public areas.
- 7.6 The proposed houses include the provision of adequate private garden spaces to meet the future needs of the occupiers of the development. The proposed dwellings are separated and arranged in such a way as

to ensure that each property would have a suitable level of light, outlook and privacy as required by Local Plan Policy E20.

- 7.7 By reason of the layout and scale of the proposed buildings, it is considered that the development would not cause any undue detrimental impact on the occupiers of existing neighbouring properties as required by Local Plan Policies E20 and H6 and the National Planning Policy Framework.
- 7.8 The central parking area would benefit from a good degree of natural surveillance from the first floor windows of the entire development and particularly from the adjacent flat above the garage. Furthermore, the applicant has proposed that the area features 1.8m brick walls on the north-eastern boundary, which would make this private space secure; this can be controlled by condition. In addition, the vehicular entrance from Park Crescent West would feature security gates. The car parking spaces accessed directly from the street would be overlooked through a number of windows in addition to the nature surveillance arising from people passing by the site. For this combination of reasons, it is considered that the proposed development would be in accordance with the requirements of Local Plan Policy E40.
- 7.9 It is noted that the Highway Authority has requested that the secure access gate be set back from the highway by a distance of 5.5m. It is understood that the reason for this request is to ensure that the vehicles do not block the pavement whilst the security gates are opened. Whilst this point is noted, it is considered that the period of time where vehicles are stopped whilst the gates are opening is likely to be relatively small (particularly if the gates are electronically operated). Should the access gate be set back from the front elevation of the building, it is likely that this would result in a cumbersome arrangement that would not be conducive to a good standard of visual amenity as well as creating an area that would be allow for people to congregate contrary to Local Plan Policy E40.

#### ***Legal obligations***

- 7.10 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.
- 7.11 By reason of the amount of development (i.e. 15 dwellings), 35% of the development should be secured for the permanent provision of affordable housing, which would ensure that the proposal complies with

the requirements of local planning policies provide a proportionate response to the housing needs established within the Strategic Housing Market Assessment. The development will also make a payment towards the provision of primary school education, which is considered necessary due to the current shortage of school places and the fact that family accommodation has been proposed within the development. The development will also make a payment and opportunities for the provision of construction worker training.

- 7.12 It is noted that a request has been received from the County Council requesting payments towards the fire service. However, due to the limited planning policy requirements for this and with reference to the tests as described within Paragraph 7.10, it is considered that this request cannot be supported.

## **8. CONCLUSION**

- 8.1 The proposed development is of an acceptable scale and design and would result in the effective reuse of this previously developed site. The scheme includes sufficient parking and would not result in an unacceptable detrimental impact upon residential amenity. Furthermore, through a Section 106 Agreement, the proposed development would secure sufficient mitigation through matters such as education provision, affordable housing and construction training.

## **9. CONDITIONS**

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

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

2. The development shall be carried out in accordance with the following approved plans: 001 Rev. D; 003; 004 Rev. B; 005 Rev. B, 006 Rev. B; 007; and 008.

Reason: For the avoidance of doubt and to accord with the planning application.

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

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

4. Prior to the first occupation of any of the dwellings hereby permitted the vehicular access shall be fitted with automatic electronic gates. The details of which shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include the method

of hanging the gates and the associated closing mechanisms. The approved scheme shall be retained thereafter.

Reason: In the interests of highway safety, the free flow of traffic and residential amenity in accordance with Policy E40 of the Northampton Local Plan.

5. The development hereby permitted shall be constructed from materials as detailed upon the schedule as detailed upon drawing 007.

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

6. The development hereby permitted shall be carried out in accordance with the landscaping scheme as detailed upon drawing 008.

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

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

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

8. 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 NPPF.



9. No development shall take place until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved.

Reason: To prevent amenity and environmental problems arising from flooding in accordance with the National Planning Policy Framework.

**10. BACKGROUND PAPERS**

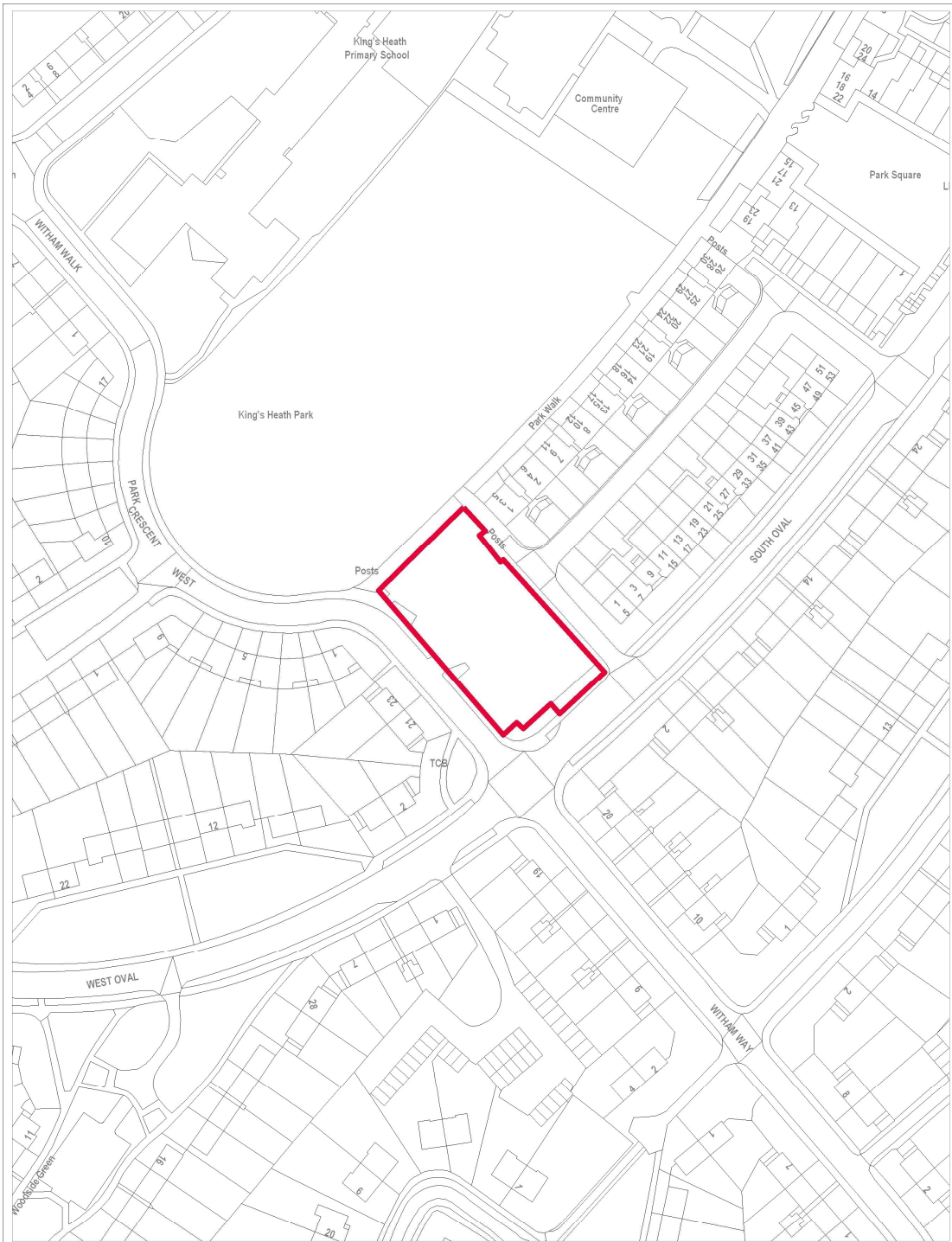
10.1 N/2006/0060, N/2012/0987 and N/2013/0048.

**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: **Planning**  
 Date: **20th February 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**

Title  
**Witham Way**

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**PLANNING COMMITTEE:** 5 March 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0109**                      **Application for non-material amendment following planning permission N/2012/0314 for the new bus interchange - minor modifications including amended kerb and external wall positions and alterations to both the facility management offices and toilet facilities at Sheep Street and Bradshaw Street**

**WARD:**                              **Castle**

**APPLICANT:**                      **Northamptonshire County Council**  
**AGENT:**                              **D5 Architects LLP**

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

**DEPARTURE:**                      **NO**

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 APPROVAL** for the following reason:

The proposed amendments are considered to be non-material and would not have any undue impact on visual amenity and highway safety.

### **2. THE PROPOSAL**

#### **2.1** The proposals relate to a number of different minor amendments across the previously approved scheme (see paragraphs 4.1 and 4.2), which can be summarised as follows:

- Kerbing has been slightly repositioned, most notably to the rear of the site to appropriately accommodate bus movements.

- To the Sheep Street frontage, the position of the external wall has been refined based upon updated building survey information.
- The Facility Management Offices to the northern end of the site have been slightly increased in size in order to accommodate additional toilets for drivers.
- High-level aluminium-framed glazed curtain walling has replaced brickwork at the Greyfriars (northern) end of the rear wall of the interchange and the positions of ETFE panelling immediately above have been slightly refined.
- The pedestrian entrance points within the Bradshaw Street and Sheep Street frontages have been amended to replace manual double doors with automatic sliding opening doors in slightly amended positions.
- The layout of the bin store to the rear of the site has been slightly amended.
- A single toilet cubicle has been omitted from the ladies' toilets in order to accommodate larger retained cubicles.
- The pedestrian crossing originally designed to diagonally cross The Drapery is omitted, although the approved raised table is to be retained within the highway.
- The layout of the internal Travel Centre has been slightly amended.
- The rear wall to Bradshaw Street has been slightly repositioned to allow an automatic opening door to serve the last bus stand.
- The extent of the turning head to Alley Yard has been reduced as it is no longer needed to be serviceable by refuse trucks.

### **3. SITE DESCRIPTION**

- 3.1 The site is the former Fishmarket located within the heart of Northampton town centre and the All Saints Conservation Area. The existing structures onsite are in the process of being demolished to make way for the development of a new bus interchange.

### **4. PLANNING HISTORY**

- 4.1 N/2012/0314 Provision of a new 21-stand bus interchange (12no. stands on the Fishmarket site accessed via Silver Street, 2no. stands on Bradshaw Street and 7no. stands on the Drapery), a travel information centre, passenger facilities (including toilets, waiting area, seating, retail / café kiosk) and staff facilities. Involves demolition of

the existing Fishmarket building, toilet block and ancillary buildings, the part-demolition of numbers 5 and 7 Sheep Street (including the retention of front facades, the reinstatement of roofs, the reinstatement of the gable end of 5 Sheep Street and the provision of a single retail unit) and the closure of the subway under Greyfriars to Mayorhold Car Park (Approved: August 2012)

- 4.2 N/2012/0315 Demolition of the existing Fishmarket building, toilet block and ancillary buildings, the part-demolition of numbers 5 and 7 Sheep Street (including the retention of front facades, the reinstatement of roofs, the reinstatement of the gable end of 5 Sheep Street) to allow for the provision of a new 21-stand bus interchange with retailing (Approved: August 2012)

## **5. PLANNING REGULATION**

- 5.1 Section 96A of the Town and Country Planning Act 1990 was brought into force on 1 October 2009, via the commencement of s.190 of the Planning Act 2008. Section 96A allows a non-material amendment to be made to an existing planning permission via a simple application procedure. For an amendment to be considered non-material, it must be considered so in the context of the overall originally approved scheme. Consequently no consultation is undertaken.

## **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 None.

## **7. APPRAISAL**

- 7.1 It is considered that the proposed alterations would not detract from the design achievements of the application as originally permitted. The alterations are partly based upon functionality improvements at vehicular and pedestrian access points and to the layout/extent of internal facilities. These alterations are considered non-material in the context of the scheme as a whole.
- 7.2 The outward appearance of the approved elevations would be largely unaltered. Most notably perhaps an extent of high level brickwork would be replaced by additional aluminium-framed curtain walling at the northern Greyfriars end of the site. This would not have a material effect upon the external appearance given the continuation of curtain walling (already approved at ground level).
- 7.3 The removal of the defined diagonal pedestrian crossing is in compliance with Local Highway Authority standards and requirements. This is a non-material alteration given that the surface would continue to form part of a raised table to be used by pedestrians for crossing the junction in conjunction with signalised control. 2no. formal defined

crossing points would remain on Sheep Street and Bradshaw Street respectively.

- 7.4 It should be noted that the full palate of external-facing and surfacing materials is to be agreed through the discharge of the relevant planning conditions.

## **8. CONCLUSION**

- 8.1 The proposed amendments are considered to be non-material in the context of the overall originally approved scheme and would not have any undue impact on visual amenity and highway safety.

## **9. BACKGROUND PAPERS**

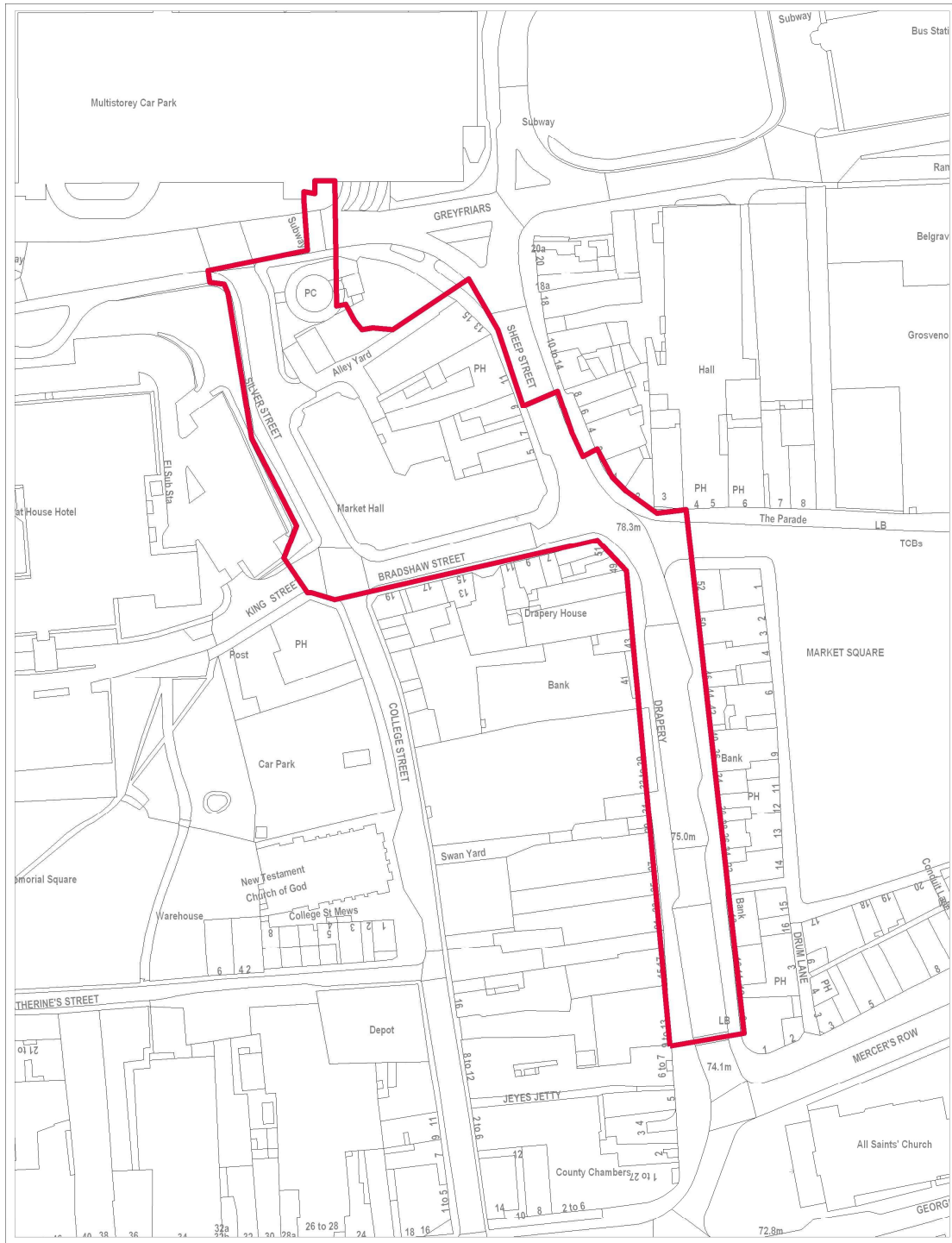
- 9.1 N/2012/0314, N/2012/0315 and N/2013/0109.

## **10. LEGAL IMPLICATIONS**

- 10.1 None for the Council as Local Planning Authority.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

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



Name: **Planning**  
 Date: **20th February 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**

**Title**  
**Bradshaw Street**

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**PLANNING COMMITTEE:** 5 March 2013  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0114**                      **Variation of Condition 11 of Planning Permission 10/0077/FULWNN (Construction of Facilities Building) to allow amendment of Finished Floor Levels. Northampton Marina, Victoria Promenade**

**WARD:** Castle

**APPLICANT:** Environment Agency

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

**DEPARTURE:** NO

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

- 1.1 To grant **APPROVAL** for the above proposal without compliance with Condition 11 imposed on planning permission 10/0077/FULWNN dated 8<sup>th</sup> July 2010 but subject to the other conditions imposed therein so far as they are still subsisting or capable of taking effect.
- 1.2 Subject to the expiry of the formal consultation period and delegated authority being given to the Head of Planning to address any further consultation comments received and to append or amend planning conditions as appropriate subject to the following conditions and for the following reason:
- 1.3 The principle of development has already been established whilst the proposed variation would not have any undue impact on visual amenity, highway safety or flood risk in compliance with the guidance contained within the National Planning Policy Framework.



## **2. THE PROPOSAL**

2.1 The proposals relate purely to the variation of Condition 11 attached to permission 10/0077/FULWNN. This condition secures compliance with the approved Flood Risk Assessment that was submitted in support of that application and specifically refers to acceptable finished floor levels as a flood mitigation measure. The present Condition 11 of 10/0077/FULWNN is worded as follows:

2.2 *“The development hereby permitted shall only be carried out in accordance with the approved Northampton Marina Flood Risk Assessment IMAN0017533 External Final Version 4 October 2009 and addendum (Version 1 June 2010) and the following mitigation measures detailed within the FRA;*

*– finished floor levels are set no lower than 58.6m above Ordnance Datum (AOD).*

*Reason: To reduce the risk of flooding to the proposed development.”*

2.3 The application centres upon a desire to relax the requirements of the aforementioned condition so as to allow for the finished floor level of non-habitable elements of the scheme to be set no lower than 58.3m above Ordnance Datum (30cm below the current limit). This proposed alteration is motivated by design development associated with the constraints offered by the topography of the site with the scheme being situated upon a raised flood bund adjacent to the marina. The revised wording of condition would read as follows (this would translate to Condition 1 of the new permission should consent be granted consent):

2.4 *“The development hereby permitted shall only be carried out in accordance with the approved Northampton Marina Flood Risk Assessment IMAN0017533 External Final Version 4 October 2009 and addendums (Version 1 June 2010 & Version 2 January 2013) and the following mitigation measures detailed within the FRA;*

*– finished floor levels of habitable buildings are set no lower than 58.6m above Ordnance Datum (AOD) and finished floor levels of non-habitable structures are set no lower than 58.3m above Ordnance Datum (AOD).*

*Reason: To reduce the risk of flooding to the proposed development.”*

## **3. SITE DESCRIPTION**

3.1 The site is located to the southern side of Beckett’s Park off the River Nene and adjacent to the new marina. It consists of a newly constructed Facilities Building, which houses toilets, showers, laundry and office accommodation as part of the overall marina development. Detached from the Facilities Building and located to its immediate

south is a single garage unit. The Facilities Building and garage have been constructed in a complimentary style and from an identical palette of materials. Both buildings exhibit low-level brickwork to their elevations with high-level timber cladding immediately above, both are also afforded steel-constructed mono-pitched roofs.

#### **4. PLANNING HISTORY**

- 4.1 10/0077/FULWNN Construction of a facilities building housing toilets, showers, laundry and office accommodation (Approved July 2010)
- 4.2 09/0120/FULWNN Construction of 82 berth marina (sui generis) for mixed leisure use (76 berths) and residential use (6 berths) and associated works (Approved February 2010)

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

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

##### **5.2 National Policies:**

National Planning Policy Framework

##### **5.3 Northampton Borough Local Plan**

E1 – Landscape & Open Space  
E9 – Locally Important Landscape Areas  
E18 – Site of Acknowledged Nature Conservation Value  
E20 – New Development  
L16 – Countryside and Water Recreation  
L17 – Countryside and Water Recreation  
L29 – Tourism

##### **5.4 Central Area Action Plan (February 2013)**

Policy 29 – The Waterside: Beckett's Park

#### **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 *Environment Agency*: No comments received.
- 6.2 In addition, 27no. neighbour notification letters were sent out on 20<sup>th</sup> February 2013 to close proximity neighbours. To date, no responses have been received. These consultations run for 21 days and expire on 13<sup>th</sup> March 2013 accordingly.

## 7. APPRAISAL

### *Principle of Development*

- 7.1 The principle of development was established as acceptable through the approval of application 10/0077/FULWNN. The inherent benefits of the new facilities were noted within the associated delegated officer report, as was general compliance with regional and local planning policies for this area. Further, the scheme complies with the newly adopted Central Area Action Plan (2013) through supporting the recreational role of Beckett's Park and its marina.

### *Design & Visual Impact*

- 7.2 The proposed variation of condition would allow the footings and finished floor level of the garage unit and neighbouring cycle storage facilities to be set up to a maximum of 30cm below the previously approved levels limit (as imposed by Condition 11). This variation would not have a material impact upon the visual appearance of the garage unit within the context of the wider site and its surroundings. The built structure on-site is considered to be in full compliance with the approved drawings related to permission 10/0077/FULWNN. The garage block remains subservient to the Facilities Building and located to its immediate northern side.

### *Flood Risk*

- 7.3 The application is accompanied by an addendum to the approved Flood Risk Assessment (October 2009). The addendum notes the design development that has occurred and specifically references the revised finished floor level of the garage, cycle and similar facilities whilst cross-referencing associated technical plans contained within the FRA. The Environment Agency (EA) have been formally consulted upon the proposals in their role as technical consultee; their comments are awaited. Any positive recommendation of this application would therefore need to be subject to the expiry of this formal consultation period and delegated authority being granted to append/amend planning conditions in accordance with any response received from the EA.

### *Other Matters*

- 7.4 The proposed variation would have no impact upon access and car parking arrangements at the site. There would also be no material impact upon neighbouring amenity. It should be noted that the consultation period associated with this application is still live; the recommendation therefore is required to reflect this. Delegated authority would be required to address any further comments received that are material to the determination of the application.

## **8. CONCLUSION**

- 8.1 The principle of development has already been established whilst the proposed variation would not have any undue impact on visual amenity, highway safety or flood risk in compliance with the guidance contained within the National Planning Policy Framework.

## **9. CONDITIONS**

1. The development hereby permitted shall only be carried out in accordance with the approved Northampton Marina Flood Risk Assessment IMAN0017533 External Final Version 4 October 2009 and addendums (Version 1 June 2010 & Version 2 January 2013) and the following mitigation measures detailed within the FRA;

– finished floor levels of habitable buildings are set no lower than 58.6m above Ordnance Datum (AOD) and finished floor levels of non-habitable structures are set no lower than 58.3m above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development.

## **10. BACKGROUND PAPERS**

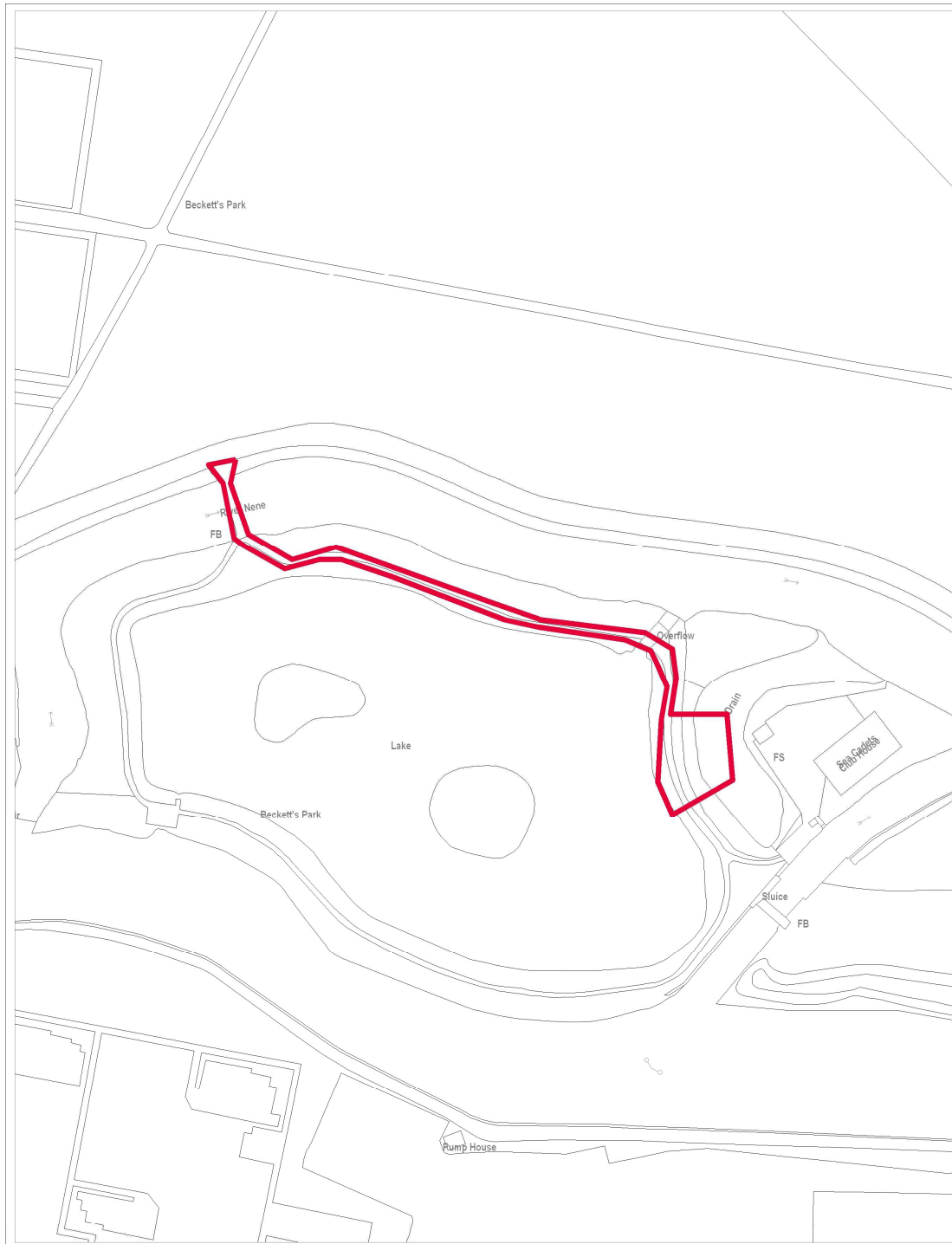
- 10.1 10/0077/FULWNN and N/2013/0114

## **11. LEGAL IMPLICATIONS**

- 11.1 None for the Council as Local Planning Authority.

## **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: **Planning**  
 Date: **20th February 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**

**Title**  
**Northampton Marina**

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