



NORTHAMPTON
BOROUGH COUNCIL

PLANNING AGENDA

Tuesday, 29 October 2013

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

6:00 pm

Members of the Committee

Councillor: Penny Flavell (Chair)

Councillors: Matthew Golby (Deputy Chair), John Caswell, Iftikhar Choudary, Nazim Choudary, 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 or 01604 837722

PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 1 October, 29 October, 26 November and 17 December 2013, 14 January, 11 February, 4 March, 8 April, 6 May, 10 June, 1 July and 29 July 2014.

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 837356
- 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 (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, 29 October 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) VARIATION OF S106 AGREEMENT DATED 3RD DECEMBER 2012 PURSUANT TO PLANNING PERMISSION N/2011/0241 - FORMER MILLWAY SCHOOL SITE

Report of the Head of Planning (copy herewith)

(B) AMENDMENTS TO STATEMENT OF COMMUNITY INVOLVEMENT

Report of the Head of Planning (copy herewith)

(C) RECOMMENDED FINAL DISPOSAL OF APPLICATION N/2008/1036

Report of the Head of Planning (copy herewith)

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2013/0613 - LISTED BUILDING CONSENT APPLICATION FOR REPAIR AND REFURBISHMENT OF 18TH CENTURY STABLE AND COACH HOUSE, DELAPRE ABBEY, LONDON ROAD N/2013/0612 - REPAIR AND REFURBISHMENT OF 18TH CENTURY STABLES AND COACH HOUSE, DELAPRE ABBEY, LONDON ROAD

Report of the Head of Planning (copy herewith)

10. ITEMS FOR DETERMINATION

(A) N/2013/0170 - APPLICATION FOR A NEW FOOD STORE; W GROSE SITE, KINGSTHORPE ROAD

Report of the Head of Planning (copy herewith)

(B) N/2013/0931 - CHANGE OF USE FROM OFFICES (B1) INTO HOUSE OF MULTIPLE OCCUPATION FOR 8 NO. OCCUPANTS (SUI GENERIS) INCLUDING ALTERATION TO WINDOW ON FRONT ELEVATION. 24 YORK ROAD

Report of the Head of Planning (copy herewith)

(C) N/2013/0944 - CHANGE OF USE FROM DWELLING HOUSE (C3) TO HOUSE IN MULTIPLE OCCUPANCY FOR 3 NO. TENANTS (C4), 148 ST ANDREWS ROAD

Report of the Head of Planning (copy herewith)

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.”

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 1 October 2013

PRESENT: Councillor Flavell (Chair); Councillor Golby (Deputy Chair);
Councillors Aziz, Caswell, I. Choudary, N Choudary, Lane, Lynch,
Mason, Meredith, Oldham and Palethorpe

1. APOLOGIES

None

2. MINUTES

Councillor Oldham pointed out that his comment at Item 7 had been for Ward Councillors to be informed of appeals, but he would be happy if they were informed of all planning decisions taken regarding their wards.

The minutes of the meeting held on Tuesday 3rd September 2013 were **AGREED** and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Mr Seamark be granted leave to address the Committee on item 7b; Update on matters pertaining to Planning Application N/2012/0909 - proposed residential development at land off Lancaster Way, Towcester Road, Northampton.

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, Transportation and Regeneration submitted a List of Current Appeals and Inquiries and elaborated thereon.

The Development Management Team Leader explained that, subsequent to the appeal lists distribution, application N/2013/0181, (46 Berry Lane, Northampton,) had been allowed. The Planning Inspector had however not awarded costs against the planning authority.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) NORTHAMPTON NORTH SUE, LAND OFF A43 KETTERING ROAD

The Head of Planning submitted a report in respect of the proposed Northampton North Sustainable Urban Extension (SUE). The development was to the north of the Northampton Borough boundary, east of the A43. While a small part of the site lay within Northampton Borough, the vast majority of the site was within Daventry District Council's (DDC) administrative area. As such the Committee was advised that the matter was to be referred to Full Council for their decision, with a recommendation to devolve the matter as a whole to DDC. The report before the Committee was for information only and a further report regarding the matter would be required for Full Council.

Councillor Lane questioned the local member's ability to make effective comment on any proposal and any future votes on the matter if it was dealt with solely by DDC.

Councillor Meredith believed this was a very contentious application, impacting on several wards. He could foresee various issues being raised, including traffic management and school places in the local area.

Several members of the Committee expressed disappointment at the quality of the site plan contained within the report and reproduced at the meeting, expressing a desire for a better quality plan to be produced for Full Council.

The Head of Planning highlighted that this proposal was to meet Northampton's future housing need as part of the Joint Core Strategy. If the matter was devolved to DDC then Northampton Borough would be treated as a statutory consultee. DDC would receive the fees for the application and therefore be responsible for consulting all residents, including those within Northampton's boundary. Consultation on all issues included in the S106 Agreement would take place. The report today was for information and Full Council would receive a further report from the Chief Executive regarding the matter of devolving the whole planning application to DDC.

The Legal Advisor to the Committee confirmed that members would have the opportunity to vote on this matter at Full Council.

RESOLVED: That the report be noted.

(B) UPDATE ON MATTERS PERTAINING TO PLANNING APPLICATION N/2012/0909 - PROPOSED RESIDENTIAL DEVELOPMENT AT LAND OFF LANCASTER WAY, TOWCESTER ROAD

The Head of Planning presented a report updating application N/2012/0909. The Committee had previously resolved to approve the application in principle, subject to a S106 Agreement and subject to re-screening to ascertain whether an Environmental Impact Assessment is required at the meeting held on 2 July 2013.

At that meeting and in correspondence the applicant had stated that all affected landowners had been notified as required by law. However it had emerged

subsequently that this was not the case. To rectify this the applicant had placed an advert in the local press advising all unknown owners of the application and asking them to comment. This consultation period had now closed with no further comments received and the Committee was asked to note the report of the actions taken.

Mr Seamark, addressing the Committee, suggested that by their previous actions the developer had invalidated their own application. He suggested that the Planning Authority should insist that the process be started afresh and that the issue of whether the applicant had acted illegally should be considered. He believed this would best serve the requirements for an open and transparent process.

RESOLVED: That the report be noted.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

10. ITEMS FOR DETERMINATION

- (A) N/2013/0832 - REPLACEMENT OF ROOF COVERINGS ON A LIKE-FOR-LIKE BASIS, MASONRY/BRICK REPAIRS, NEW ROOF ACCESS HATCHES, ENHANCED ROOF ACCESS ARRANGEMENTS AND OVERHAUL/REPLACEMENT OF RAINWATER GOODS AND DEMOLITION OF SECOND FLOOR BATHROOM, DELAPRE ABBEY, LONDON ROAD**

The Head of Planning submitted a report in respect of Item No. N/2013/0832 and elaborated thereon.

Councillors Caswell and I.Choudary both welcomed the work as important and long overdue.

RESOLVED: That the application be **APPROVED IN PRINCIPAL**, subject to prior referral to the Secretary of State and the conditions outlined in the report.

- (B) N/2012/0835 - APPLICATION FOR A CHANGE OF USE TO INCREASE THE RESIDENTIAL MOORINGS AT MARINA BY 12 PLUS ERECTION OF GARAGE UNIT, NORTHAMPTON MARINA, VICTORIA PROMENADE**

The Head of Planning submitted a report in respect of Item No. N/2012/0835 and elaborated thereon.

The Committee received and considered the addendum with additional comments from; Graham Freeman, National Alliance of Boat Surveyors and Examiners; the Environment Agency and Northampton Fire and Rescue Service.

RESOLVED: That the application be **APPROVED**, subject to the conditions outlined in the report.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

The meeting concluded at 6:45 pm

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



List of Appeals and Determinations – 29th October 2013

Written Reps Procedure			
Application	Del/PC	Description	Decision
N/2012/1267 APP/V2825/A/13/2197666	DEL	Change of use to house of multiple occupation for up to 8 people (Sui Generis) – Retrospective at 1 Manfield Road	AWAITED
N/2013/0131 APP/V3825/A/13/2198834	PC	Redevelopment of site to provide a convenience store (class A1) including ancillary parking and service area at Ashtree Service Station, 237-245 Main Road, Duston	ALLOWED
N/2013/0181 APP/V2825/D/13/2200499	DEL	Single storey rear extension, hipped roof converted to gable and erection to rear dormer at 46 Berry Lane	ALLOWED
N/2013/0184 APP/V2825/A/13/2201880	PC	Change of use of dwelling into 6no. bed HIMO. Re-submission of planning permission N/2012/0762 at 26 Cloutsham Street	AWAITED
N/2013/0226 APP/V2825/H/13/2200032	DEL	Non illuminated display boards (8 at 5m x 4m) at first floor and infill panel together with mural at ground floor at The White Horse Public House, 25A Harborough Road	AWAITED
N/2013/0297 APP/V2825/A/13/2200829	PC	Erection of single-storey dwelling including detached garage (as amended by revised plans and additional information received 21/05/2013) at land rear of 25 Penfold Lane	AWAITED
N/2013/0479 APP/V2825/A/13/2202065	DEL	Erection of 2no. one Bed apartments with associated parking at 102 Eastern Avenue North.	AWAITED
N/2013/0607 APP/V2825/A/13/2205274	DEL	Erection of terraced dwelling at 14 Semilong Road	AWAITED
Public Inquiry			
		None	
Hearing			
		None	

The Address for Planning Appeals is: Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.	Appeal decisions can be viewed at - www.planningportal.gov.uk
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed	Author and Contact Officer Mrs Rita Bovey, Development Management Team Leader Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



PLANNING COMMITTEE: 29th October 2013

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: Deed of Variation to S106 agreement pursuant to planning permission N/2011/0241 to allow the “on site equity share contribution” to be used off site for the provision of affordable housing, former Millway Primary School site, Millway, Duston

1. RECOMMENDATION

1.1 That the Committee agree to the variation of the S106 agreement as set out in this report.

2. BACKGROUND

2.1 An application for the erection of 52 dwellings on this site was considered by the Planning Committee on 7th February 2012. At that time it was proposed by the developers that only 23% affordable housing would be provided on the site, due to concerns over the viability of the scheme. The report to Committee recognised that there may be viability issues and recommended that the decision on the final level of affordable housing to be required on the site should be delegated to the Head of Planning, following a full consideration of the viability of the scheme and negotiations with the developers. This recommendation was accepted by the Planning Committee and the application was approved in principle.

2.2 After negotiations with the developers, a further report was presented to the Planning Committee on 4th September 2012. This recommended that in addition to the 23% affordable housing previously proposed, a further 11 units would be provided on a shared equity basis, with the Council taking a 20% stake in each of these 11 units, which would be paid for by a financial contribution from the developer. The occupiers of these units would then have to find only 80% of the cost of the properties, funded by a mortgage, making them more affordable. This would then bring the total level of affordable housing on the site to the equivalent of 44%.

- 2.3 In order to provide these units on the site it was necessary to include clauses within the Section 106 agreement requiring the developer to pay a financial contribution, referred to as the “on site Equity Share Unit Contribution” and for the Council to agree to enter into a further agreement, the “Equity Share Agreement” with the developer. This revised recommendation was approved in principle by the Planning Committee and a Section 106 agreement including these clauses was signed by the developers and the permission issued on 3rd December 2012.
- 2.4 Since that time negotiations have been ongoing between the developer and the Council’s nominated affordable housing provider on the implementation of the equity share scheme.
- 2.5 Whilst these negotiations were underway, changes to the housing market and Government legislation were also occurring. The most significant of these has been the introduction by the Government of the “Help to Buy” scheme. The terms of this scheme are more attractive to purchasers than the Council’s equity share initiative, the result of which is that this scheme is not being taken up by lenders.
- 2.6 The effect of this change and the legal complexity of drafting the Equity Share Agreement are that the scheme as originally envisaged has been overtaken by events and would appear to be effectively unworkable.

3. PROPOSED VARIATION

- 3.1 The proposed variation to the agreement is that the developers would still make the previously proposed payment of £370,000, and that this would be made at the same trigger points as before.
- 3.2 However, rather than being reinvested into the shared equity scheme on this site, this payment would be used to provide affordable housing on other sites, which would be in addition to the 35% level required on those sites.
- 3.3 The sites would initially be either constructed by Westleigh, the developer in this case, either on sites they have acquired or which are referred to them by the Borough Council. However, if the money is not used on such sites over the first five years this would effectively become an off-site contribution to be used by the Council to purchase affordable housing elsewhere in the Borough.
- 3.4 The housing would be at tenures to be agreed between Westleigh, Northampton Borough Council and the Registered Provider and would include affordable rented and shared ownership properties.

4. CONCLUSION

- 4.1 It is considered that the previously proposed scheme of on-site shared equity has effectively been overtaken by events in the form of the introduction of the Government scheme as discussed above and that the proposed alternative of the same level of funding being applied to other sites represents an effective way of providing an acceptable level of affordable housing in respect of this development site.

5. LEGAL IMPLICATIONS

- 5.1 As set out in the report.

6. SUMMARY AND LINKS TO CORPORATE PLAN

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



PLANNING COMMITTEE: 29th October 2013

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: Amendments to Statement of Community Involvement

1. RECOMMENDATION

1.1 That the Committee agree to a minor amendment to the approved Statement of Community Involvement (SCI) as set out in this report.

2. BACKGROUND

2.1 The Council's Statement of Community Involvement (SCI) was adopted in 2006, following submission to the Secretary of State. The SCI sets out how the Council will consult and involve communities and other stakeholders in the planning process and how it expects planning applicants for major planning applications to do so prior to the submission of their applications.

2.2 Since the publication of the SCI, a number of major legislative and policy changes have occurred, necessitating a full review of the document.

2.3 The full review of the SCI is currently underway to include all new legislation and guidance and to ensure that it is user friendly and fit for purpose. Appropriate consultation will be undertaken on the revised document and will be submitted to the Planning Committee for consideration in early 2014.

2.4 Examination by the Secretary of State on any preparation and alterations to SCI is no longer required and can be dealt with by the Council.

2.5 In the interim period, it is proposed to amend a single paragraph of the SCI in order to minimise postal costs involved in non-essential correspondence. This relates to the removal of the requirement to acknowledge comments received by third parties letters as a result of

planning consultation, and to clarify the position and process on comments made via social media.

- 2.6 Paragraph 3.14 of the SCI currently describes how people may comment upon a planning application:

“3.14 Comments on a planning application should be made in writing or by email within the timescale indicated. Respondents will be encouraged to submit comments by e-mail where they have this facility. All representations (whether for or against the development) will be taken into account when the decision is taken. Anonymous letters will not however be considered. All letters that comment on applications will be acknowledged.”

3. PROPOSED AMENDMENTS

- 3.1 It is proposed to amend the current paragraph 3.14 to read:

“Comments on planning applications should be made preferably by using the online form available on the Council website at www.northampton.gov.uk or by email, to planning@northampton.gov.uk, and must include the respondent's name and address.

Comments may also be submitted by letter, posted to: Planning Department., Northampton Borough Council, The Guildhall, St. Giles Square, Northampton, NN1 1DE. Please note however that letters will not be acknowledged by return. If you wish to receive an acknowledgement of receipt of your comments, please provide a valid email address or a stamped, self-addressed envelope.

All comments must be submitted within the 21 day consultation period indicated.

All comments made in respect of a planning application will

- be placed on the application file to enable the case officer to have regard to the comments when determining the application*
- become background papers (as defined in the Access to Information Act 1985) and accordingly will be available for public inspection and will be published on the Council's website, including names and addresses (signatures, e-mail addresses and telephone numbers will be redacted)*

The following will not be accepted

- comments made anonymously; all submissions must include the respondent's name and address*
- public comments on social media sites; all comments for consideration must be submitted directly to the Planning Department, using the methods described above*

Updates on the progress of an application will be supplied directly by email where a valid email address is received, and made available via the Council website.”

4. CONCLUSION

- 4.1 This is a minor change ahead of a full review and will enable the Planning Team to save substantial postal and printing costs where large numbers of comments are received in letter format daily. It will also explain clearly the range of options open to the public in submitting their comments, in particular via e-mail.

5. LEGAL IMPLICATIONS

- 5.1 Legal advice was sought as to whether consultation should be carried out on this proposed amendment. Legal Services confirmed on 10 October 2013 that this is not material to the main aim of the Statement and is minor in nature; therefore Legal Services agree that it is not necessary to have consultation with members of the public on making such amendments.

6. SUMMARY AND LINKS TO CORPORATE PLAN

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



PLANNING COMMITTEE: 29th October 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2008/1036 Demolition of existing buildings and erection of 23 flats with associated access and car parking, land at Balmoral Road

WARD: Trinity

APPLICANT: Babington Properties
AGENT: Shoosmiths

REFERRED BY: Head of Planning
REASON: To confirm previous Committee decision

DEPARTURE: Yes

1. RECOMMENDATION

1.1 That the planning application is **FINALLY DISPOSED OF** under the provisions of The Town and Country Planning (Development Management Procedure) (England) Order 2010.

2. THE PROPOSAL

2.1 An application for full planning permission was submitted to the Council in September 2008 to demolish the existing buildings and erect 23 flats arranged within two blocks. 23 car parking spaces would be provided that would be accessed from Balmoral Road.

3. SITE DESCRIPTION

3.1 The site is in an allocated business area. The surrounding area primarily comprises residential accommodation. The application site is in close proximity to the widely used Kingsthorpe Road.

4. RELEVANT PLANNING HISTORY

4.1 99/0074 – Demolition of existing and erection of 36no residential flats – outline application – Undetermined
N/2004/1112 – Erection of 20no. flats – Approved
N/2007/1045 – Erection of 36no. flats and associated parking, cycle

and bin stores – Allowed on Appeal
N/2008/0261 – Demolition of existing buildings and erection of 22no. flats with associated access and parking – Withdrawn

4.2 This application (N/2008/1036) was reported to the Planning Committee on the 17th December 2008. Members resolved to approve the application subject to the completion of a Section 106 Agreement securing on site affordable housing and a payment for education provision. A draft Section 106 Agreement has been produced; however, there has been little progress in the completion of this document.

4.3 A report was considered by the Planning Committee at the meeting held on the 5th March 2013, where members resolved to Finally Dispose a number of applications, including this particular application. Unfortunately, the published minutes from that meeting erroneously did not include this particular application. The purpose of this report is therefore to request that members confirm their decision to dispose of this application.

5. APPRAISAL

5.1 The Development Management Procedure Order (Part 7, Article 36, Paragraph 13) allows for Local Authorities to Finally Dispose applications for which the statutory period for determination has elapsed and the subsequent period for appealing against non-determination has passed. The age of the application is such that there would need to be a thorough reassessment of the proposal prior to determination, which could include requiring additional information to be submitted.

5.2 An option available to the Council would be to refuse the application. However, 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.

6. CONCLUSION

6.1 It is considered by officers that this application is 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 confirm that the application be Finally Disposed Of.

7. BACKGROUND PAPERS

7.1 N/2008/1036

8. LEGAL IMPLICATIONS

8.1 None.

9. SUMMARY AND LINKS TO CORPORATE PLAN

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



PLANNING COMMITTEE: 29th October 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/0612: Planning Application for repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House including construction of kitchen building, rebuilding conservatory; installation of windows and doors; demolition of second floor courtyard WC; change of use of building to include functions/events (Class D2); conferences, guided tours, visitor and heritage centre and ancillary retail (Class D1); offices (Class B1); café and restaurant (Class A3) and holiday lets. Repair and refurbishment of 19th Century Stables including new brick building façade to north elevation; new openings with doors and shutters; new frameless glazed screen and access ramp; demolition of steel barn and lean-to; change of use of building to business studio/workshops (Class B1)

N/2013/0613: Listed Building Consent Application for repair and refurbishment of Delapre Abbey, 18th Century Stable and Coach House including construction of kitchen building, rebuilding conservatory; installation of internal lifts; demolition of second floor courtyard WC; access improvements and installation of windows and doors. Repair and refurbishment of 19th Century Stables including new brick building façade to north elevation; new openings with doors and shutters; new frameless glazed screen and access ramp; demolition of steel barn and lean-to

WARD: Delapre & Briar Hill

APPLICANT: Northampton Borough Council
AGENT: Purcell

REFERRED BY: Head of Planning
REASON: Borough Council Applications

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 Planning Application N/2013/0612:

APPROVAL subject to the conditions attached in Paragraph 9.2 and for the following reason:

The proposal has no adverse impact on the character, appearance or historical significance of the listed building and Delapre Park Conservation Area and will ensure its long term survival and removal from the Heritage at Risk Register. The proposed uses are considered acceptable and would not cause undue impact on residential and general amenity and highway safety. The proposal thereby accords with Policies E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

1.2 Listed Building Consent Application N/2013/0613:

APPROVAL IN PRINCIPLE subject to prior referral to the Secretary of State, and conditions attached in Paragraph 9.2 for the following reason:

The proposal has no adverse impact on the character, appearance or historical significance of the listed building and Delapre Conservation Area and will ensure its long term survival and removal from the Heritage at Risk Register. The proposal thereby accords with Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The planning and the listed building consent applications proposed the following:

- Installation of glazed panel to central opening of Coach House building.
- New conservatory on site of previous conservatory.

- New kitchen building on site of former cottage, together with access corridor.
- Internal works including installation of 4 lifts and continuation of staircase to basement level.
- General repair and refurbishment including Installation of replacement windows and doors.
- Demolition of second floor courtyard WC (this was also included in the previous application (N/2013/0832) which is now with the Secretary of State).
- Repair and refurbishment of 19th Century Stables including new brick building façade to north elevation; new openings with doors and shutters; new frameless glazed screen and access ramp; demolition of steel barn and lean-to.
- Change of use of main building, 18th Century Stables, billiard room and new conservatory and kitchen to include functions / events, conferences, guided tours, visitor and heritage centre and ancillary retail; offices; café and restaurant and holiday lets.
- Change of use of 19th Century stables to business studio / workshops.

3. SITE DESCRIPTION

- 3.1 Delapre Abbey is a Grade II* Listed Building dating from 1145 and forms part of a complex of buildings some of which are also listed Grade II. The property is approached by a tree lined drive and sits within a parkland setting located approximately 1 mile from the town centre. The building is within the Registered Battlefield (Battle of Northampton 1460) and the designated Delapre Park Conservation Area. The building is included on the English Heritage 'At Risk' register.
- 3.2 Following a successful Stage 2 bid for Heritage Lottery Funding Delapre Abbey has received a grant of £3.6 million which will enable key parts of the building to be brought back into effective use, securing the building's future.

4. PLANNING HISTORY

- 4.1 The most significant planning applications for the Abbey site are two separate applications for a change of use to a conference centre and to a hotel which were approved in 1988. These consents have now lapsed.
- 4.2 An application in 2010 enabled the temporary use until 2015 of the stable block as a tea rooms.

- 4.3 In 2010 an application was approved for the temporary use until 2015 of the walled garden for the erection of marquees, to be used for weddings and other functions. This allows for 12 events annually.
- 4.4 A listed building consent application for works to the roof was approved in principle at the last meeting of the Planning Committee on 1st October 2013, subject to the prior referral to the Secretary of State.

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.

5.2 National Policies - National Planning Policy Framework (NPPF)

The NPPF states at paragraph 17 that Planning should “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”.

At paragraph 126 the NPPF goes on to say that “in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation”.

5.3 Northampton Local Plan

Policy E20 “New Development” states that the design of any new building or extension should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and that development should be designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

Policy E26 “Conservation Areas” states that development must preserve or enhance the character and appearance of the area, and not include the demolition of any building which makes a significant contribution to the character or appearance of the area.

5.4 West Northamptonshire Joint Core Strategy (JCS)

Policy BN5 “The Historic Environment” of the submitted JCS sets out that heritage assets will be conserved and enhanced and that where heritage assets are at risk they will be appropriately conserved and managed.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 **English Heritage** - We recommend that the Secretary of State should approve the Listed Building Consent for these works, and that Northampton Borough Council should approve the Planning Application for these works, in order to safeguard the survival of the Grade II* listed Delapre Abbey and its ancillary buildings, and to put them on a path that ensures the ultimate removal of Delapre Abbey from the Heritage at Risk Register. We recommend that a Condition should be attached regarding the details of windows and doors on the new conservatory, to be agreed in consultation with English Heritage. We recommend that appropriate Conditions should be attached to safeguard archaeology, as detailed, and in consultation with the County Council archaeological adviser.

6.2 **NBC Conservation** – No objection; there are significant levels of repair works to all historic buildings around the complex. These are considered essential to preserve the historic fabric and to enable the new use for the site. A schedule or list of all works is included within the application and is cross referenced to room locations, but further details including method statements, samples of materials and a more comprehensive schedule of works may be required for some aspects. In particular details of new windows, doors, glazed screens and insulation will be required. This can all be dealt with by condition if required.

- Alterations to the principal building are considered proportionate and will allow the historic integrity of the building to remain intact whilst providing a new sustainable use for the buildings. The proposal to repair and restore the billiard room and to use it as café facilities is welcomed. This will find a new future for an unused building at risk. The proposals are principally for the repair and restoration of the existing fabric with the provision of new windows / doors etc where required.

- There are no objections in principle to the proposed new conservatory building. The proposed details of the central door is a little cluttered and a simpler design, more in-keeping with the flanking windows would enhance the appearance of the building.

- There is a proposed new building to house the catering facilities for the complex located to the rear of the new conservatory. This will clearly have an impact on the setting of the grade II* listed building. The structure has, however, been sensitively located to the rear of the proposed conservatory. The change in ground levels in this location ensure that the building is tucked behind the conservatory and will not be visible from the sensitive south elevation of the complex. The building will be on the site of previous domestic accommodation. Its impact on the setting of the principal building as a whole will be limited

due to the siting of the existing game larder and Abbey Cottages. The key benefit of the proposal is that it allows for the provision of modern catering facilities without the need to intervene with historic fabric – this is seen to outweigh the limited harm caused to the setting of the listed buildings.

- 6.3 **Twentieth Century Society** – We note that the Grade II listed sculpture by Frank Dobson is located within the grounds of the Abbey, but it is not clear from the supporting documentation of this sculpture will be affected by the proposed works. I would be grateful for clarification on this matter, and for assurance that this work of art and the two 1970s works by Walter Richie in the walled garden entitled “the lady with the kittens” and “The Lovers” are sufficiently protected during the works, and that we are notified of any proposals to relocate or remove them.
- 6.4 **Local Highway Authority** – No observations.
- 6.5 **Police Crime Prevention Design Adviser** – No comments received.
- 6.6 Representations received from neighbouring occupiers at **1 and 3 Gardeners Cottages** raising issues regarding parking, access to and security of these properties, which are within the grounds of the Abbey.

7. APPRAISAL

- 7.1 The main issues to consider are the impact of the proposals on the character, appearance and historic significance of the listed building and the conservation area.
- 7.2 Additionally, in respect of the planning application it is necessary to consider the impact of the proposed uses on adjoining occupiers and on the setting of the historic park and the wider area.

Alterations and additions to the buildings

- 7.3 The proposal includes several significant interventions / alterations to the buildings, most significant of these is the introduction of a replacement conservatory into the gap left by the removal of the previous conservatory, and the building of a commercial kitchen with access link.
- 7.4 It is necessary to fill the gap left by the previous conservatory, in order to present the building in a complete form. The new addition will also provide restaurant facilities which are necessary to ensure a viable future for the Abbey buildings.
- 7.5 The proposed commercial kitchen would follow the footprint and design of a cottage which was historically in this location, but which has been demolished, prior to the buildings being listed. It is necessary to provide a commercial kitchen for catering for functions and the other alternatives would have been either new build in a previously

undeveloped part of the site, or conversion of a part of the existing historic interior, both of which would have been more damaging than this location. The current location is considered to be the least sensitive location for this facility and minimises the harm to the integrity of the building.

- 7.6 Also proposed is the introduction of a glazed panel in the central doorway of the coach house. This is an amendment from the previously proposed glazing to all three doorways and is now felt to be the minimum intervention necessary to allow this building to be used.
- 7.7 The original submission proposed a glazed link between the coach house and the adjacent stable block. This has now been deleted from the plans due to concerns of officers and English Heritage that this would be detrimental to the character of the walled garden and both buildings.
- 7.8 Internally the most significant alteration is the introduction of lifts to facilitate access for those with disabilities and the continuation of an existing staircase down to basement level. These changes are designed to facilitate full access to the building and it is considered that any harm to the historic integrity is outweighed by this benefit.
- 7.9 The demolition of the first floor bathroom extension, which formed part of the previous listed building consent application (N/2013/0832), has also been included in this application. This is considered to represent an enhancement of the historic character of the building. For completeness it is proposed to again attach the condition regarding remediation of scarring following demolition.
- 7.10 Within the 19th Century stables the alterations would be limited to the removal of more recent alterations and additions to the buildings, and whilst two glazed screens are also proposed it is considered that in general terms these alterations are sympathetic and would improve the appearance of these buildings.
- 7.11 Concerns have been raised by the Twentieth Century Society regarding sculptures in the gardens. These are unaffected by the proposals, however these concerns will be brought to the attention of the applicant.

Changes of use proposed under the planning application

- 7.12 The planning application proposes a number of new uses for the existing building and the proposed new structures. The use of the principal rooms in the South Range, together with the new conservatory and the existing Billiard Room would be to provide for functions and events such as weddings, conferences etc.
- 7.13 First floor rooms in the South Range would be used for commercial lets whilst other rooms would be used for holiday lets. The remainder of the

main buildings would be used as a visitor attraction and interpretation and ancillary rooms, including a shop.

- 7.14 The 19th Century Stables would be used as studio / workshops.
- 7.15 In general terms it is considered that this range of uses would be appropriate for the buildings and would allow them to regain an economic use.
- 7.16 The potential impact of the proposed uses on the adjoining residents and the wider area must also be considered, however.
- 7.17 The use as a conference / wedding venue has the potential to cause disturbance to adjoining residents within the cottages on the site. In this respect it is considered that the impact would be mitigated by the separation between the proposed function rooms in the South Range, which are at the furthest part of the site from these residents, and further still from the siting of the previously approved temporary use for weddings and functions within marquees in the walled garden.
- 7.18 Furthermore, the potential impact of this use must be balanced against the need to find a viable economic use for the building.
- 7.19 The hours of functions would be covered by the need for a licence, and any excessive noise could also be controlled by other legislation. However, if complaints are made this could ultimately result in a requirement for the use to cease, which would damage the economic viability of the buildings. It is, therefore, necessary to control the hours of use and a condition to this effect is proposed.
- 7.20 As part of the commercial kitchen there is a need for fume extraction, and some details of this are included within the application. However, it will be necessary for further details of these to be provided, as with any application for a use of this type, and a condition to this effect is proposed. A further consultation has been undertaken with Environmental Health and the results of this will be reported by means of the Addendum. A bin storage area is indicated on the submitted plans.
- 7.21 The use of some rooms as commercial lets within the building and the workshop use in the 19th century stables in particular would potentially result in some impact on neighbouring residents, however it is not considered that this would be significant, given that the proposed uses would be light industrial workshops and office space, which by definition do not lead to significant noise and disturbance. It is also considered that the daily occupation of parts of the building and site would be very helpful in terms of security as this would provide a presence on the site.
- 7.22 The proposal includes two units of “holiday lets” within the main building. These would form an ancillary use to the overall mixed use of

the building and as such it will not establish a Class C3 residential use. Due to this ancillary nature it is not considered necessary to control this use by conditions. It is not considered that this use would have any significant impact on the area and this would have the benefit of providing some security to the building due to this presence on site overnight.

- 7.23 The use as a visitor attraction would have significant benefits of allowing the public to view and visit the building and to appreciate its history and significance. The gardens are already open to the public and whilst the proposal would potentially increase visitor numbers it is not considered that this would have any undue adverse impact on adjoining residents.
- 7.24 The existing parking area would be remodelled. However 46 spaces would remain, supplemented by event parking for over 250 cars which would provide sufficient parking for the proposed uses. The location of the proposed parking would prevent any undue disturbance to residents on the site.
- 7.25 Delapre Abbey falls within the boundary of the Delapre Park Conservation Area. It is considered that both the improvement and alteration works would enhance the character and appearance of the Conservation Area. The additional use of the Abbey buildings would have a neutral impact on the setting of the Conservation Area in line with the advice contain in the NPPF.
- 7.26 In conclusion, it is not considered that the proposed uses would have any undue detrimental impact on adjoining residents / occupiers or result in any significant adverse impact on the highway network.

8. CONCLUSION

- 8.1 The proposed alterations, extensions and change of use will ensure the future economic viability and long term survival of the buildings and help to ensure their removal from the Buildings at Risk Register. The proposals will not result in any detrimental impact on the character and historic significance of the buildings, and would not adversely affect adjoining residents or impact on the local highway network.

9. CONDITIONS

9.1 Planning Application N/2013/0612:

- (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: 233554 - 100 B, 101 A, 103 C, 104 B, 105 A, 106 A, 107 A, 108, 109, 110 B, 111 A, 112 E, 113 A, 114 A, 115 A, 116 B, 117 B, 118 E, 119 E, 120 D, 121 A, 122 B, 123 C, 124 B, 125 C, 126 C, 127 B, 128 C, 129 B, 130 A, 131 A, 132 A, 133 A, 134 A, 135 A, 150, 151, 152, 153, 154, 155, 160, 170, 171, 172, 173, 201 B, 203 B, 204 G, 205 G, 206 G, 207 E, 208 D, 210 A, 211, 212, 213, 216 B, 218 B, 219 B, 220, 221, 222, 223, 224, 225, 226 A, 22, 230 A, 231 A, 232 B, 233 B, 234 C, 235, 236 B, 255 B, 256 B, 257 B, 258 C, 260 A, 261, 263, 264, 265, 601, 602, 610, 611 A.

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

- (3) All excavations shall be carried out in full accordance with a suitable programme of archaeological work, which shall be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works on site.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF

- (3) Notwithstanding the submitted plans, full details of the fenestration of the proposed conservatory shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage and the fenestration shall thereafter be installed in full accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF.

- (4) Notwithstanding the submitted plans, further details of the materials to be used for new windows, doors, glazed screens and all external facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work. The development shall be carried out using the approved materials.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF.

- (5) The premises shall be open only between the following hours for each of the proposed uses: Café / Restaurant and Holding of Functions / Events – 8am to 10.30pm on all days; Business Studios / Workshops – +9am to 6pm on all days; Visitor and Heritage Centre With Ancillary Retail – 10am to 5.30pm on all days.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy E20 of the Northampton Local Plan.

- (6) A scheme for the collection, treatment and dispersal of cooking smells and fumes shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall have been implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development in accordance with the NPPF.

9.2 Listed Building Consent Application N/2013/0613:

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

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

- (2) Notwithstanding the submitted plans, full details of the fenestration of the proposed conservatory shall be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage and the fenestration shall thereafter be installed in full accordance with the approved details.

Reason: To ensure the protection of the character of the Listed Building in accordance with the National Planning Policy Framework.

- (3) Following the demolition of the first floor bathroom extension, a survey of the building scarring resulting and a strategy for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The repair works to the scarring to the building shall then be carried out in full accordance with the approved remediation strategy.

Reason: To ensure the protection of the character of the Listed Building in accordance with the National Planning Policy Framework.

- (4) Notwithstanding the submitted plans, further details of the materials to be used for new windows, doors, glazed screens and all external facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work. The development shall be carried out using the approved materials.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF.

- (5) Prior to work commencing on Phase 1 of the development (as set out in the submitted Design and Access Statement) a detailed schedule of works to be undertaken in Phase 1 shall be submitted to and be approved in writing by the Local Planning Authority. The schedule of works shall show in detail the timescale, nature, scope, materials,

methodology and approach to those works, including drawings where necessary. The works shall thereafter take place in full accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Buildings in accordance with the advice contained in the NPPF.

- (6) Prior to work commencing in respect of works not falling within Phase 1 of the development (as set out in the submitted Design and Access Statement) a detailed schedule of such works shall be submitted to and be approved in writing by the Local Planning Authority. The schedule of works shall show in detail the timescale, nature, scope, materials, methodology and approach to those works, including drawings where necessary. The works shall thereafter take place in full accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Buildings in accordance with the advice contained in the NPPF.

10. BACKGROUND PAPERS

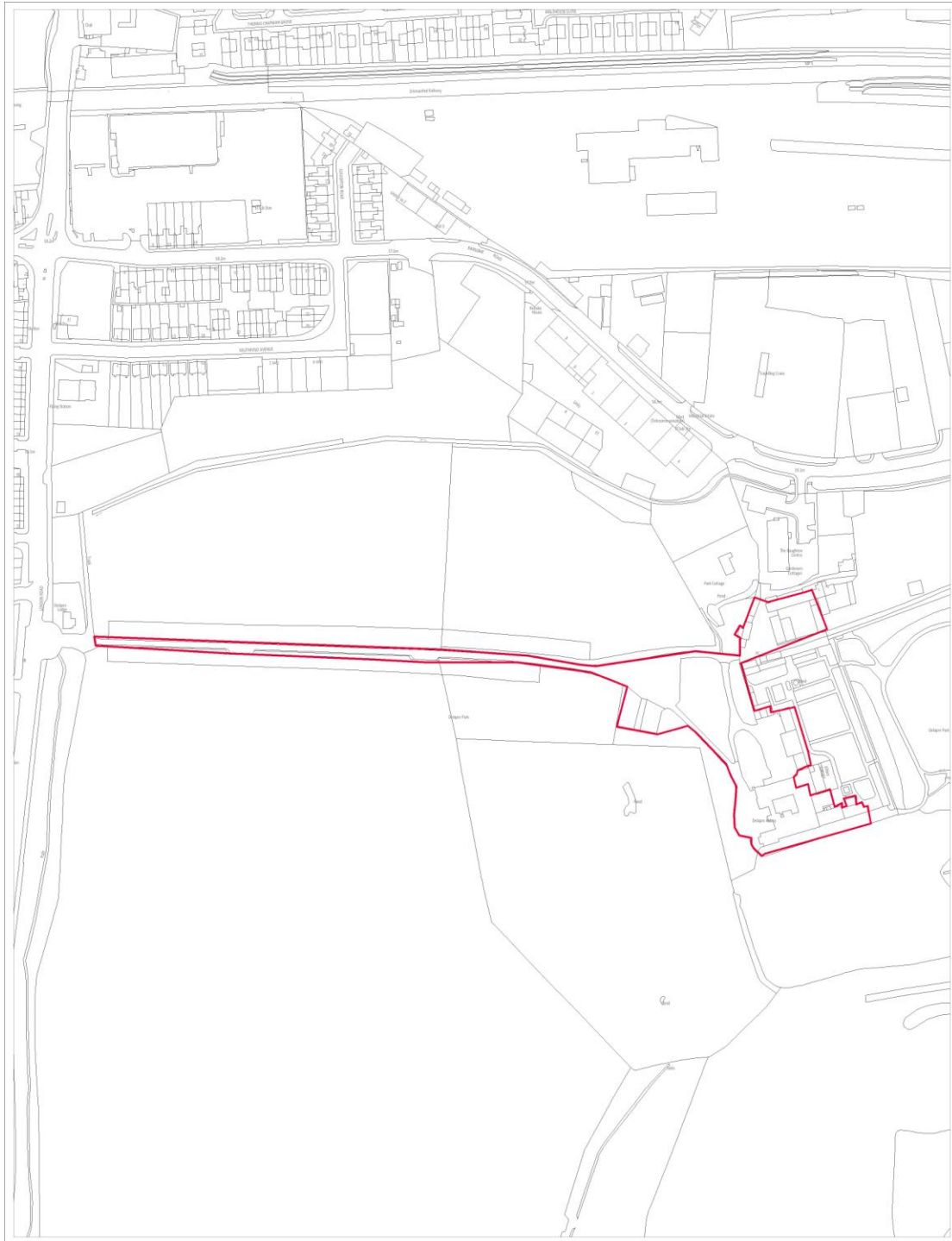
- 10.1 Application files N/2012/0612 and N/2012/0613.

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: **14th October 2013**
Scale: **1:3000**
Dept: **Planning**
Project: **Committee**

Title

Delapre Abbey, London Road

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Addendum to Agenda Items Tuesday 29th October 2013

7. OTHER REPORTS

7a

Deed of Variation to S106 agreement pursuant to Planning Permission N/2011/0241 to allow the “on site equity share contribution” to be used off site for the provision of affordable housing, former Millway Middle School Site, Millway, Duston

None.

7b

Amendments to Statement of Community Involvement

Additional Legal Advice received by the Head of Planning that this matter would be best decided by the Head of Planning through use of the delegated powers as set out in paragraph 11.3 of the Council’s Constitution to agree this minor change to the SCI on the basis that this is action appropriate for the Head of Planning necessary to protect, maintain, and fulfil the interests, rights and duties of the Council following advice from the Borough Solicitor.

The Committee is therefore recommended to **note** the report and the intention of the Head of Planning to confirm the changes to the SCI.

7c

Recommended final disposal of application N/2008/1036

Withdrawn from the agenda.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9a

N/2013/0612

Planning Application for repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House including construction of kitchen building, rebuilding conservatory; installation of windows and doors; demolition of second floor courtyard WC; change of use of building to include functions/events (Class D2); conferences, guided tours, visitor and heritage centre and ancillary retail (Class D1); offices (Class B1); café and restaurant (Class A3) and holiday lets. Repair and refurbishment of 19th Century Stables including new brick building façade to north elevation; new openings with doors and shutters; new frameless glazed screen and access ramp; demolition of steel barn and lean-to; change of use of building to business studio/workshops (Class B1) at Delapre Abbey, London Road

N/2013/0613

Listed Building Consent Application for repair and refurbishment of Delapre Abbey, 18th Century Stable and Coach House including construction of kitchen building, rebuilding conservatory; installation of internal lift; demolition of second floor courtyard WC; access improvements and installation of windows and doors. Repair and refurbishment of 19th Century Stables including new brick building façade to north elevation; new openings with doors and shutters; new

frameless glazed screen and access ramp; demolition of steel barn and lean-to at Delapre Abbey, London Road

Environmental Health on application **N/2013/0612** - no objections in principle to the proposals but requesting conditions covering cooking odours and noise.

A condition dealing with cooking odours is already proposed, as a result of this response the following **additional conditions** are recommended :

(7) Before the development hereby permitted commences a scheme shall be agreed with the Local Planning Authority that specifies the internal and external sources of noise on the site and the provisions to be made for their control. The schemes shall be implemented prior to the development coming into use and the applicant shall demonstrate that the schemes agreed have achieved their design criteria.

(8) The practice of “bottling out” shall not take place between the hours of 23:00 and 08:00 (*Note: Bottling out is the tipping of empty bottles or cans into refuse bins*).

(9) Deliveries to or collection from the premises shall not take place before 08:00 or after 20:00 on any day.

Reason for all additional conditions: To protect the amenities of nearby occupants in accordance with the NPPF.

10. ITEMS FOR DETERMINATION

10a

N/2013/0170

Application for a new foodstore with ancillary office accommodation; petrol filling station; on-line delivery service, service area and recycling centre; new signalled highway access junction; highways infrastructure and utilities; car parking spaces and landscaping scheme on site at W Grose Garage, Kingsthorpe Road

Additional correspondence from the **Highway Authority** providing additional details on the proposed Section 106 obligation, which has been calculated on the basis of the additional traffic generated by the proposed development. The Highway Authority has an on-going programme for the delivery of improvements between the Cock Hotel junction and Regent Square. The proposed payment would be used to facilitate part of this programme, for instance alterations to junction and signal configurations. The Highway Authority has considered the cumulative impacts of the proposed signalised junction with existing traffic signals. The key to reducing delays and queuing within this area will be through the linking of signals. This level of detail will be covered through separate highways legislation (utilising a Section 278 Agreement) in the event that the proposed development gains planning permission.

10b

N/2013/0931

Change of use from offices (Use Class B1) into house in multiple occupation for 7 tenants (Sui Generis Use) including alteration to window in front elevation at 24 York Road

Town Centre Conservation Area Advisory Committee – object to the proposal on the grounds that they would lead to over intensive use of the building particularly with small bedrooms on the 1st floor, leading to poor amenities for residents and be detrimental to the character of the Conservation Area; the proposed change of the ground floor windows would not match the neighbouring properties and should be timber framed.

Paragraph 6.1 of the report – “23 York Road” should read “Owner of 23 York Road”.

Additional Condition:

(5) Notwithstanding the submitted details, full details of the proposed replacement windows shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to safeguard the character of the conservation area in accordance with NPPF.

10c

N/2013/0944

Change of use from residential dwelling (Use Class C3) to house in multiple occupancy for 3 tenants (Use Class C4) (Retrospective) at 148 St Andrews Road

None.



PLANNING COMMITTEE: 29th October 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/0170: Application for a new foodstore with ancillary office accommodation; petrol filling station; on-line delivery service; service area and recycling centre; new signalled highway access junction; highways infrastructure and utilities; car parking spaces and landscaping on site at former W. Grose Garage, Kingsthorpe Road

WARD: Semilong

APPLICANT: Mulberry Property Developments Ltd
AGENT: Pegasus Group

REFERRED BY: Head of Planning
REASON: Major retail development, requiring a Section 106 Legal Agreement

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to conditions, would not pose a detrimental impact upon the viability and vitality of the proposed hierarchy of allocated centres, visual and neighbour amenity or highway safety. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework and Local Plan Policies E19, E20, E40 and T12.

1.2 The prior completion of a Section 106 Legal Agreement to secure:

- i) A financial payment to fund highways improvements at the junction between Kingsthorpe Road and Mill Lane adjacent to the Cock Hotel; and/or the Kingsthorpe Road corridor to Regents Square;
- ii) A payment to fund the maintenance of new bus shelters; and
- iii) The Council's monitoring fee.

1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Northampton Local Plan Policy E19 and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to erect a new supermarket. The store would have a floor space of 4,518 square metres, of which 2,993 square metres would be used for the display and sale of goods. 80% of the sales area would be utilised for the display and sale of convenience goods, with 20% being used for the sale of comparison goods. The remainder of the building would be used for ancillary activities such as storage and office accommodation. The building would have a maximum height of approximately 9.2m, although the store's entrance (situated on the eastern elevation) would be approximately 9.8m in height.

2.2 The proposal includes a petrol filling station, which would be served by a kiosk, with a floor space of 84 square metres. The canopy over the petrol filling station would have a sloping appearance and would be 9m at its highest point. The filling station would be located to the east of the store, directly adjacent to Kingsthorpe Road and would replace the existing on site facility.

2.3 The development includes the provision of 278 car parking spaces, which includes 14 spaces for use by customers with disabilities and 12 spaces for the use of customers with children. The car park would be accessed from Kingsthorpe Road, with a signalised junction being constructed to serve this new access. Deliveries would be made by a separate access running from Studland Road (to the south west of the site).

2.4 The proposed development includes a dispatch area for internet orders to the rear of the store and a collection area within the car park.

3. SITE DESCRIPTION

3.1 The site has a number of buildings that were associated with the sale and repair of cars. This use ceased earlier in 2013, with the majority of

buildings being demolished during the spring of this year. The site has currently been secured by a number of wooden hoardings. A petrol filling station remains operational.

- 3.2 The surrounding land uses include various dwellings to the east and west (in Kingsthorpe Road and Studland Road) and commercial activity to the west. Retail developments are located to the south of the site and a school and parkland to the north. The application site is located approximately 400m south of the Kingsthorpe Centre, which contains two supermarkets (Waitrose and Asda) and is approximately 1,300m north of the town centre. The site is also 1,000m north of the former Barrack Road Sorting Office, for which planning permission has been granted for a supermarket.
- 3.3 The site is directly adjacent to Kingsthorpe Road, which serves as one of the main routes into the town centre. The site is approximately 360m south of the Cock Hotel Junction.
- 3.4 The site and those areas to the west are allocated in the Northampton Local Plan as being an existing business area. The remainder of immediate vicinity is either unallocated or allocated for residential use.

4. RELEVANT PLANNING HISTORY

- 4.1 N/2013/0197 – Prior notification of demolition – Approved and implemented.

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.

National Planning Policy Framework (NPPF)

- 5.2 The NPPF (paragraph 21) states that town centres should be the heart of communities and that there should be an appropriate level of retailing in the centre in order to meet the needs of the locality. Paragraph 24 of the NPPF requires that the consideration of applications for town centre uses (which includes retailing) should include a sequential assessment, covering available town centre and edge of centre sites.
- 5.3 Separate to the outcomes of the sequential assessment, the NPPF (in paragraph 26) requires that any retail development with an area in excess of 2,500 square metres should be accommodated by an impact assessment. This should include the impact of the proposal on existing, committed and planned in centre investment and the impact of a proposal on town centre vitality and viability, including local consumer

choice and trade in the town centre and wider area, up to five years from the time the application is made.

- 5.4 Paragraph 27 requires that town centre uses that do not pass the sequential assessment or would be likely to have a significant adverse impact upon centre viability and vitality should be refused.
- 5.5 In addition to the assessment of the above matters, the NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant developments on sites that are sustainable.
- 5.6 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layout are required, that minimise conflicts between pedestrians, cyclists and traffic.
- 5.7 The Government has recently published draft guidance to support the implementation of the NPPF. Whilst this has yet to be formally adopted, it is a material consideration. In particular, this guidance states that the purpose of the sequential assessment is to establish whether there are sequentially more preferable sites for town centre uses and requires that such developments are tested through the application of an impact assessment.

West Northamptonshire Joint Core Strategy (JCS)

- 5.8 Policy S2 of the submitted JCS identifies Northampton as performing the role of a regional town centre and allocates Kingsthorpe and Weston Favell as being district centres. The same policy also allocates Far Cotton, Kettering Road, St James and Wellingborough Road as being local centres. The policy also requires that the viability and vitality of these centres should be maintained.
- 5.9 Policy S9 of the JCS reiterates the sequential approach in the location of retail developments and requires that an impact assessment is carried out for developments with a floor space in excess of 1,000 square metres.

Northampton Central Area Action Plan (CAAP)

- 5.10 The application site is not situated in the Central Area; however, Policy 12 of the CAAP identifies a primary shopping area and for this to become the prime focus for retailing in Northampton. Policy 11 states that developments for town centre uses (such as retailing) should be subject to an impact assessment when the quantum of development is in excess of 1,000 square metres. Policy 14 of the CAAP also requires that an additional 40,700 net square metres of comparison retailing and

3,000 net square metres of convenience retailing be provided in the Central Area during the plan period up to 2026.

Northampton Local Plan

- 5.11 By reason of its age, the majority of the policies in the Local Plan pertaining to retail provision have not been saved. Nonetheless, Appendix 15 provides a schedule of 66 recognised shopping centres (outside of the town centre) but does not distinguish between any of these in terms of scale or hierarchy. This list of centres is relevant to the sequential assessment of the proposed development.
- 5.12 Policy B14 seeks the retention of allocated business sites for employment purposes (Use Classes B1, B2 and B8) unless it can be demonstrated that the proposed redevelopment would generate significant employment and community benefits.
- 5.13 Of additional note, Policy E19 requires that new developments offer sufficient mitigation against its impacts; Policy E20 states that new buildings should be of an appropriate design; Policy E40 requires that new developments pay sufficient regard to minimising crime and anti-social behaviour; and Policy T12 necessitates that new developments have sufficient manoeuvring space for commercial vehicles.

6. REPRESENTATIONS/CONSULTATIONS

- 6.1 **Anglian Water** – Request a condition relating to the submission of a drainage strategy.
- 6.2 **Construction Futures** – No request of any form of Section 106 obligation.
- 6.3 **Environment Agency** – No objections in principle, but request conditions relating to the investigation of contamination, drainage and a strategy for the installation of fuel tanks.
- 6.4 **Environmental Health (NBC)** – The provision of a Travel Plan would address any concerns regarding the potential impacts upon air quality. A limitation over delivery times is necessary. A condition requiring an investigation into the sources of noise is recommended.
- 6.5 **Development Management (NCC)** – Request a condition relating to the provision of fire hydrants and a Section 106 payment towards the Fire Service.
- 6.6 **Highway Authority (NCC)** – The highways impacts of the proposed development could be mitigated through a Section 106 Agreement to fund highway improvements. It is requested that additional bus shelters and finance for their on-going maintenance is secured. The proposed access is acceptable, but a condition is recommended that would require additional technical information to be provided.

- 6.7 **Urban Designer (NBC)** – The building design has been amended to improve the quality of design and to make the building more locally relevant. Information pertaining to materials and surface treatments needs to be agreed, but can be secured by condition.
- 6.8 A letter of support from **A. Bell & Co.** – The proposal is sensitive to the location, the proposed landscaping and position of the store would provide an open and attractive view from Kingsthorpe Road.
- 6.9 Letters of objection from **28 Balmoral Road; 10 Branksome Avenue; 151 Clarence Avenue; 26 and 40 Kingsthorpe Grove; and 33, 47, 49, 55, 63 and 63a Queens Park Parade.** Comments can be summarised as:
- There is no need for another supermarket in this location.
 - The area already experiences heavy traffic and congestion.
 - Increased traffic would generate extra pollution.
 - Extra traffic would adversely affect pedestrian and cyclist safety.
 - Noise would be generated from the development.
 - Light pollution would increase.
 - Additional screening could be provided to the filling station.
 - The filling station would be noisy and intrusive.
 - The proposed development would create noise within a residential area.
- 6.19 Letters of objection from **The Co-Operative Group; Sainsbury's Supermarkets Ltd and Waitrose Ltd.** Comments can be summarised as:
- The Barrack Road Sorting Office approval could be implemented.
 - The submitted retail assessment does not provide a robust justification for permitting the development as it relies upon data applicable to a wide area reflecting the scope of the West Northants Retail Capacity Study.
 - The proposed development would direct trade away from the Kingsthorpe Centre, which would reduce linked trips and lead to a significant adverse impact upon this centre. The majority of trade generated by the proposed store is likely to be redirected from existing facilities within Kingsthorpe or the town centre.
 - The sequential assessment should be extended to include the town centre.
 - The fact that there is no named operator indicates that the proposed development is no better placed than the Barrack Road Sorting Office to meet retail need and would create uncertainty.
 - The proposal is not in accordance with the NPPF paragraphs 26 and 27.

7. APPRAISAL

Principle of the development

- 7.1 In assessing retail proposals, regard should be paid to the NPPF as this provides the criteria against which such proposals should be assessed. The NPPF requires applicants for out of centre retail development to submit an impact assessment covering the following:
- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
 - The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.
- 7.2 In addition, applicants are required to undertake a sequential assessment of alternative sites either in, or on the edge of established centres. Where an application fails to satisfy the sequential test, or would have a significant adverse impact on one or more of the factors referred to above, the NPPF states that it should be refused.
- 7.3 It is accepted that there is a policy need to increase the level of convenience goods retailing in Northampton; however, it should be recognised that some of the planned growth in retail provision has already been accounted for through the granting of previous permissions, some of which have been implemented. Of particular relevance to this proposal is the fact that a planning permission exists to convert the former Barrack Road Sorting Office into a supermarket with a net sales area of 5,218 square metres (reference N/2011/0998). This is a significantly larger than the store that is the subject of this application. The applicant for application N/2011/0998 was the Royal Mail and at the time of approval (November 2012), there was no named retail occupier for the development.
- 7.4 Whilst this permission is still capable of being implemented, the Council needs to formulate a view on the likelihood of this occurring. By reason of the close proximity of this location to the current application site, it is likely that there would be a reasonable level of overlap in catchment areas. It is also likely that the Sorting Office proposal would attract a larger amount of trade and from a wider area by reason of its bigger floor space.
- 7.5 The applicant has detailed approaches made to the five main operators of large supermarkets (Tesco, Sainsbury, Morrisons, Asda and Waitrose) with regards to occupying the Sorting Office site. These are the retailers that would be most likely to occupy a predominantly convenience goods store of the size permitted. The responses received can be summarised as being that the Sorting Office is too big to meet current trends in retail provision; that the layout of the building is inefficient; the construction costs would be too high; the car parking layout and use of travelator is unattractive to customers; there would be low sales relative to the trade area; the delivery access and area is

constrained; there is limited scope for an internet delivery area; and that the highway access is restricted. It is therefore contended that the Sorting Office approval is unviable and therefore unlikely to come forward in the life of the planning permission.

- 7.6 The applicant has also assessed the trading models of eight supermarket chains (including those listed above) and it would appear that the current direction of these companies has been to move away from the provision of large stores of the proportions of the Barrack Road approval.
- 7.7 As with all major retail applications of this type, the Council has engaged an independent specialist planning consultant to provide advice. The applicant's submissions have been assessed and it is considered that due to the various constraints of the site combined with the current trends in retailing, there is only a slim chance that the Sorting Office planning permission would be implemented.
- 7.8 Due to the relative proximity of the two sites, each store would serve a comparable catchment area. On the basis that the Sorting Office store does not proceed, it is reasonable to conclude the some of the retail capacity that would have been taken up by that store (the Sorting Office) would now be accounted for by the development proposed in this application. As a consequence of this, the proposed store would not draw any more trade away from the existing hierarchy of centres. On this basis, it is likely that the proposed store would not unduly jeopardise the viability and vitality of Northampton's hierarchy of centres. In undertaking this assessment, consideration has been given to the impact upon the Kingsthorpe Centre; however, it is likely that the trade diversion from this centre to the proposed store would be no greater than the situation previously deemed acceptable with regards to the Sorting Office site. However, at the time of preparing this report, there is no named occupier for the proposed development. If the new store were to be occupied by one of the retailers currently present within the Kingsthorpe Centre the proposal would have a significant detrimental impact upon the viability and vitality of this centre. This is therefore a risk in the event that the application is approved; however, with reference to the NPPF and local policies, it is considered that these concerns are not sufficient to warrant refusal of the application.
- 7.9 The assessment of the applicant's impact assessment has raised a number of questions regarding the level of trade that would be directed to the proposed development from the town centre and Kingsthorpe. Whilst these concerns should be noted, the probability that the proposed store is unlikely to be implemented in tandem with the extant Sorting Office approval means that these concerns can be given relatively little weight. The reasoning for this is that the Sorting Office approval established an acceptable level of trade diversion away from the town centre and Kingsthorpe. By reason of this proposal being of a smaller scale, it is likely that the trade diversion attributable to the proposed store would not be any greater. As a consequence of this, it

can be concluded that the development is acceptable in terms of the likely level of impact on existing centres within the context of the NPPF.

- 7.10 By reason of its floor space (in excess of 1,000 square metres), the development needs to be subject to a sequential assessment. As set out in paragraphs 5.9 and 5.11, an allocated hierarchy of centres exists ranging from the town centre, to large district centres and smaller local centres.
- 7.11 Policy 14 of the CAAP identifies two town centre sites (Abington Street East and College Street/the Drapery), as being suitable for retail development. However, the plan period for bringing these sites forward for redevelopment is 2021-2026. As a consequence of this, they can be discounted from the sequential assessment due to a lack of availability.
- 7.12 An extended Grosvenor Centre could potentially serve as venue for such a store; however, it is understood that such an extension would be primarily orientated upon the sale on comparison goods (as opposed to the convenience goods emphasis in this proposal). The scale of this extension is such that it is unlikely that an enlarged Grosvenor Centre would be constructed and ready to accommodate a development of the type proposed in the application within the timescales set out in the NPPF. As a consequence of this and with reference to the requirements of Paragraph 26 of the NPPF, the Grosvenor Centre can be discounted from the sequential assessment.
- 7.13 The former Chronicle and Echo has been marketed and the site is allocated in the CAAP as an edge of centre site; however, the site area is approximately half of this application site and the proposed development could not be realistically accommodated on that site. Furthermore, CAAP Policy 23 identifies the site (and its immediate environs) as being suitable for a mixed use development, including 'small scale retailing'. The proposed development would therefore fail to comply with this policy by reason of its scale and the fact that it is not a mixed use development.
- 7.14 The St James bus depot is located in a district centre and is the process of being sold for non-retail uses and has been withdrawn from the market. This site is therefore not available. In any event, it would not be able to accommodate this scale of development.
- 7.15 Whilst the Kingsthorpe and Weston Favell district centres, Far Cotton, Kettering Road and Wellingborough local centres are sequentially more preferably locations, the lack of available sites means that they can be discounted in sequential terms. It should be noted that the applicant has considered six alternative sites in and adjacent to the Kingsthorpe Centre; however, these have not proved to be suitable alternative options for a variety of factors, including insufficient size, lack of availability and potential significant policy conflicts.

- 7.16 It is considered that due to their small size and/or lack of suitable sites, the remainder of the local centres as allocated in Appendix 15 of the Local Plan can be discounted.
- 7.17 For the foregoing reasons and in summary, it is considered that as the sequentially more preferable sites have been considered and discounted and given the limited likely level of impact on existing centre, the application is acceptable within the context of paragraph 27 of the NPPF.
- 7.18 In order to ensure the viability and viability of other centres, conditions are recommended to control the proportion of the building that can be used for the sale of convenience and comparable goods and preventing the store from being subdivided.
- 7.19 An element of retailing is likely to take place from the filling station kiosk; however, its limited size (84 square metres) means that any retailing is likely to be of an ancillary nature and it is unlikely to form a shopping destination in its own right.
- 7.20 It is accepted that the proposed development would result in the development of the site for non-business uses (i.e. those that fall in Use Classes B1, B2 and B8). Local Plan Policy B14 permits such a departure in instances when significant employment and community benefits would be generated. The submitted documentation details that 150 employment opportunities would be generated in the proposed development. The proposal would create some community benefits in terms of increased consumer choice and redeveloping a disused site. Furthermore, it should be recognised that the previous use of the site (comprising a composite of car sales, car repairs and fuel sales) did not fall in Classes B1, B2 or B8. As a consequence, the proposed development is acceptable in the context of Policy B14.

Design and appearance

- 7.21 The application site is of significant prominence due to its close relationship with Kingsthorpe Road, which serves as one of the main routes into the town centre. The design of the building has been amended during the application process in order to better reflect this context. In particular, the entrance has been increased in size in order to add legibility to the front elevation. The materials of this structure have also been revised so that the entrance canopy would be faced with Northamptonshire stone. This design approach would assist in adding local distinctiveness to the building. A variety of materials have been proposed for the main body of the building, which broadly comprise the use of a brick plinth, timber cladding and powder coated curtain walling. This approach ensures that the massing of the proposed building is broken up and has a positive impact upon visual amenity.

- 7.22 The canopy of the filling station would feature an unusual shape, which would serve to add interest to the streetscene. Furthermore, the depth of this canopy is relatively shallow, which ensures that the outlook of the neighbouring properties is not unduly impacted upon. The kiosk associated with the filling station has also been redesigned so that it would be constructed with a Northamptonshire stone facing. The benefit of this is that it would strengthen the relationship between the filling station and the store, whilst also enhancing the streetscene. As there is already a filling station on site, situated a comparable distance away from the site's boundaries, it is considered that the new filling station would not pose any greater neighbour impacts than the existing situation.
- 7.23 The front boundary of the site would also feature a wall constructed from local stone. This would strengthen the relationship between the application site and the school and park to the north, which features comparable boundary treatments.
- 7.24 By reason of the proposed store being set back from the eastern boundary of the site, there would be no undue detrimental impact upon the occupiers of the residential properties in Kingsthorpe Road. It is accepted that a filling station would be constructed adjacent to the western boundary of the site; however, given that there is already a comparable development on site, it is unlikely that this new development would pose any unduly greater impact upon amenity than the existing situation.
- 7.25 Due to the separation distances between the site and the residential properties to the west (approximately 35m), there would not be a significant impact upon residential amenity arising from the development in terms of light, outlook and privacy. It is noted that the store would be serviced from Studland Road, which could generate some noise. In order to mitigate this, it is recommended that a condition be attached to any approval limiting the hours in which deliveries can be made.
- 7.26 The proposed store is located in close proximity to the school situated to the north; however, due to the differences in site levels, combined with the arrangement of buildings within the school, there would be no undue impact upon the amenity of that site.
- 7.27 The proposed car parking would be readily visible from the street and benefits from a reasonable level of natural surveillance. In order to secure a satisfactory standard of development and to ensure compliance with the requirements of Local Plan Policy E40, it is recommended that approval of this application be subject to conditions requiring the submission of lighting details and CCTV.
- 7.28 For the foregoing reasons and combined with the fact that the proposed development would assist in the reuse of a prominent vacant site, the proposal would have an acceptable design and a neutral

impact upon the amenities of surrounding properties. The proposal is therefore compliant with the requirements of the NPPF and the Northampton Local Plan.

Highways impacts

- 7.29 The proposed development would contain 278 parking spaces, which is considered sufficient to serve the development without leading to on street parking in the surrounding streets. The proposed development has been revised during the application process to include improved pedestrian linkages to the store.
- 7.30 A signalised junction would be provided in Kingsthorpe Road, which would ensure adequate and safe access for customer vehicles. A condition is recommended that would require the full details of the technical specification of this junction to be approved by the Council prior to works taking place.
- 7.31 It is noted that Kingsthorpe Road features a significant amount of traffic, which is likely to be increased if the proposed development proceeds. The Highway Authority has raised concerns regarding the potential capacity of corridor between Regent Square and the Cock Hotel Junction; however, it is considered that these impacts could be successfully mitigated through the developer entering into a Section 106 Agreement to assist provision of planned upgrades to the highway network. These works are designed to reduce congestion and improve journey times. Therefore, on balance, the proposed development would have a neutral impact upon highway capacity.
- 7.32 In order to facilitate sustainable means of travel the proposed development would incorporate the provision of secure cycle storage in an area that benefits from natural surveillance. The development would also result in the provision in new bus shelters on Kingsthorpe Road. Funding for the on-going maintenance of these shelters would be secured through the Section 106 Agreement. A condition is recommended that would secure the submission of a Travel Plan to encourage more sustainable means of travel by patrons and staff. This would also assist in mitigating any air quality impacts arising from the development.
- 7.33 The service area to the rear of the site is of a sufficient size to allow large delivery vehicles to turn without needing to enter or leave in Studland Road in a reverse gear. This would ensure that this access to the site is safe for road users and pedestrians.

Neighbour impacts

- 7.34 In order to ensure that the occupiers of the neighbouring residential properties are not unduly impacted by the proposed development, conditions limiting delivery times will be imposed. A condition is required for details of noise levels (including those arising from chiller

units) to be submitted for approval. The Applicant has requested that the store to have unrestricted opening times, which is consistent with current retail trends. Although it is accepted that there are residential properties in relatively close proximity to the proposed store, as the site is adjacent to a busy principal road, unrestricted opening hours are considered acceptable.

- 7.35 A further condition is imposed on the details of the proposed external lighting to be submitted. This would ensure that the development does not create disturbance for those living in close proximity to the site.

Other considerations

- 7.36 In order to secure a satisfactory standard of development, conditions are recommended that would cover the investigation of contamination and ensure that a suitable drainage system is installed to prevent pollution.
- 7.37 Representations have been received from Northamptonshire County Council Development Management requesting a Section 106 payment towards the provision of the Fire and Rescue Service; however, given the limited planning policy support for this, it is considered that the request does not comply with the statutory tests as prescribed in the Community Infrastructure Levy regulations.

7 CONCLUSION

- 8.1 It is considered that the proposed development would not draw a significant amount of trade away from the established hierarchy of retail centres within Northampton; in addition, despite being in an out of centre location there are no available alternative sequentially more preferable sites. The design of the proposed building is considered appropriate for this prominently located site and would not cause an undue detrimental impact upon the occupiers of neighbouring properties. The highway impacts could be satisfactorily mitigated. It is considered that the proposed development is acceptable subject to the necessary planning obligations and conditions.

9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the attached schedule of plans.
Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. The net sales area of the retail store shall be limited to a maximum of 2,993 square metres. Of this floor space, no more than 2,394 square metres shall be used for the display and sale of convenience goods and no more than 599 square metres shall be used for the display and sale of comparison goods.
Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.
4. The retail store hereby permitted shall not be sub-divided to form more than one retail unit.
Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.
5. Prior to the commencement of development a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved CEMP, which shall include:
- The control of noise and dust during the development process;
 - Traffic management and signage during construction;
 - Enclosure of phase or sub-phase development sites;
 - Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
 - Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
 - The safe means of access of construction traffic to the site;
 - Routing agreement for construction traffic; and
 - Hours of operation of building works
- Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework.
6. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.
7. Details and/or samples of the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings hereby permitted and retained thereafter.
Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

8. Notwithstanding the details submitted, full details of the surface treatments to the car park, access roads and pedestrian routes shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development hereby permitted being first bought into use and retained thereafter.
Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.
9. 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 buildings 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 nearby occupants from noise and vibration amenity in accordance with the advice contained in the National Planning Policy Framework.
10. Notwithstanding the information submitted, full details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the store hereby permitted and retained thereafter.
Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policies E20 and E40.
11. Notwithstanding the details submitted, full details of CCTV covering the application site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development hereby permitted being first bought into use and retained thereafter.
Reason: In the interests of securing a satisfactory standard of development in line with the requirements of Policy E40 of the Northampton Local Plan.
12. Notwithstanding the details submitted, full details of the position and specification of the proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.
Reason: In the interests of the amenities of neighbouring properties in accordance with the requirements of the National Planning Policy Framework.
13. Prior to the first occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two

months of the first occupation of the development hereby permitted and retained thereafter.

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

14. No development shall take place until a surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

The scheme shall also include:

- Evidence of Anglian Water maximum surface water discharge rate and location
- Full detailed surface water based calculations to ensure adequate surface water drainage facilities based on Anglian Water maximum discharge rate for all events up to and including 0.5% (1 in 200) plus climate change.
- An assessment of overland flood flows.
- Details of the programme for implementation of the surface water drainage system.
- Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

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

15. No development shall take place until a scheme that includes the following components shall be submitted to and approved in writing by the Local Planning Authority:

- A) A preliminary risk assessment which has identified:
- all previous uses.
 - potential contaminants associated with those uses.
 - a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- B) A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- C) The results of the site investigation and detailed risk assessment referred to in (B) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- D) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (C) are complete and identifying any

requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure the protection of controlled waters in accordance with the National Planning Policy Framework.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
Reason: To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner in accordance with the requirements of the National Planning Framework.

17. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason: To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration. Soakaways should not be located in areas of potential contamination. This is to ensure accordance with the requirements of the National Planning Policy Framework.

18. Prior to the commencement of development, a scheme to install the underground tank(s) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation; the tank(s); tank surrounds; associated pipework; and monitoring systems. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the development hereby permitted and retained thereafter.
Reason: To ensure the protection of controlled waters in accordance with the National Planning Policy Framework.

19. No development shall take place until further details of the site access to Kingsthorpe Road has been submitted to and approved in writing by the Local Planning Authority. The further details shall provide particulars of the new pedestrian crossings, signalised junction; improvement works on Kingsthorpe Road, details of the bus stops and shelters, and details of the retaining structures and Gabions. The development shall be carried out in accordance with the approved details in accordance with a programme of implementation that is subject to the written approval of the Local Planning Authority.

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

20. Prior to the first occupation of the development hereby permitted, the following works shall be fully implemented.
- Footway connections with Kingsthorpe Road and Studland Road in accordance with drawing ref 16833-SK1003D.
 - The car park circulating aisles, the car parking spaces and parking spaces for those with disabilities and parent and child priority,
 - The store service access off Studland Road in accordance with drawing ref 16833-SK1003D.

All vehicle parking spaces, access roads, circulation space and footways shall be retained for their designated use throughout the life of the development.

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

21. Notwithstanding the details submitted, full details of the reinstatement of vehicular crossovers to footway shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, fully implemented prior to the development hereby permitted being first brought into use and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

22. Notwithstanding the details submitted, full details of trolley bays shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

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

23. The anti-ram raid bollards as shown on drawing 16833_SK400B shall be fully implemented prior to the first use of the development hereby permitted.

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

24. All deliveries to the development hereby permitted shall be made between the hours of 7am and 11pm only.

Reason: In the interests of the amenities of the occupiers of surrounding properties in accordance with the National Planning Policy Framework.

25. All planting, seeding or turfing comprised in the approved details of landscaping as show on drawings 4819/ASP2a Rev. A; 4819/ASP2b

Rev.A; and 4819/ASP2c Rev. A shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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.

Informative notes:

Convenience Goods are defined as goods that include foods, pet food, drinks, cleaning products, toiletries, newspapers and magazines and non-durable household goods.

Comparison Goods are defined as goods that include, but shall not be limited to, clothing, shoes and other footwear, DIY products, furniture and furnishings, carpets and other floor coverings, household textiles, major household appliances (whether electrical or not), small electric household appliances, tools and other miscellaneous accessories, glassware, tableware, household utensils, non-prescription medical goods and other pharmaceutical products, therapeutic appliances and equipment, perfumes, bicycles, recording media, games, toys, hobbies and craft materials, tools and equipment, musical instruments, plants and flowers, pets and pet related products, books and stationary, greetings cards, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches and clocks, petrol, tobacco and tobacco products and financial services.

10. BACKGROUND PAPERS

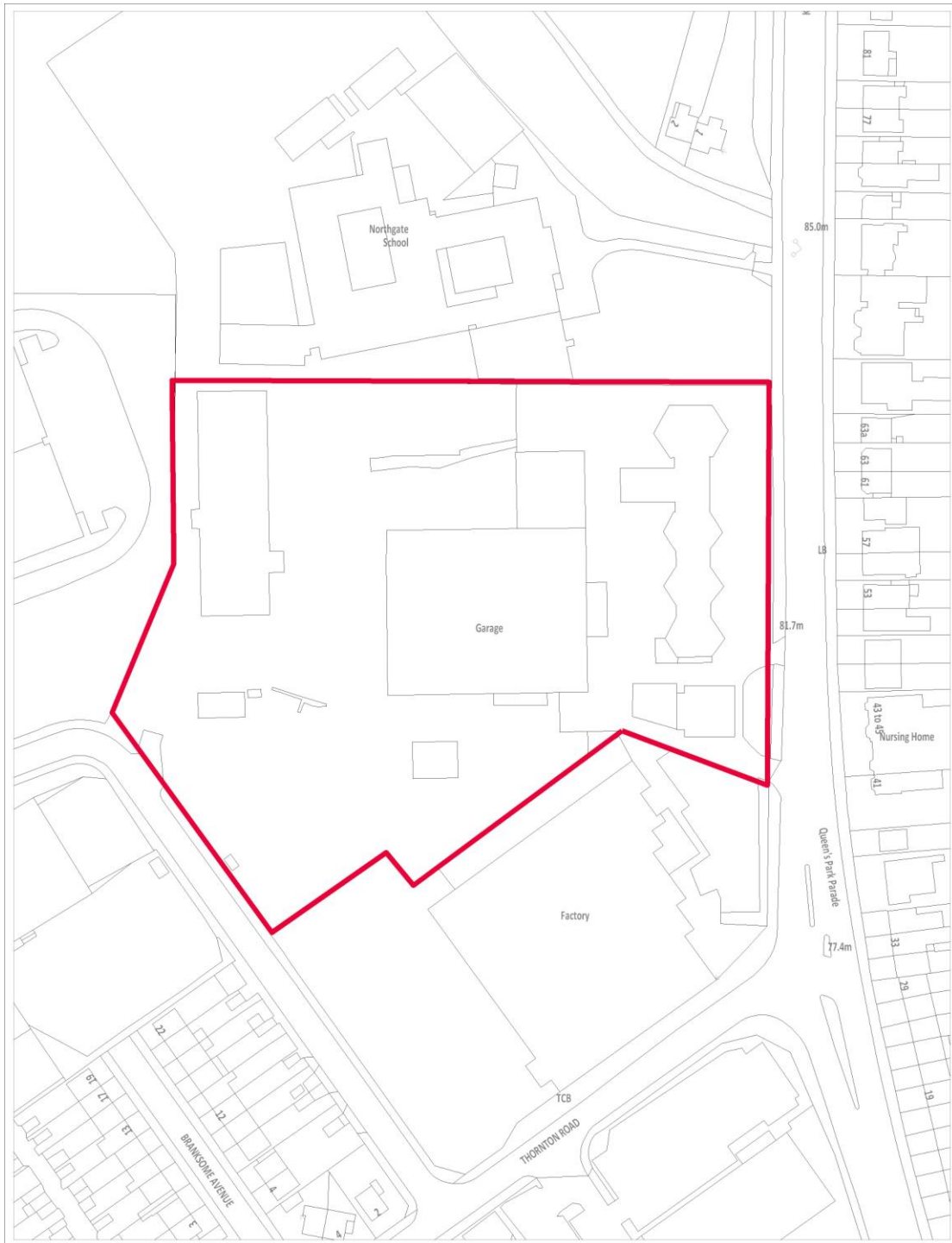
10.1 N/2013/0170

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: **14th October 2013**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Committee**

Title

W Gross Ltd site, Kingsthorpe Road

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PLANNING COMMITTEE: 29th October 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/0931 **Change of use from offices (use class B1) to house in multiple occupation for 7 tenants (sui generis use) including alteration to window in front elevation at 24 York Road**

WARD: **Castle**

APPLICANT: **Mr Gary Bees**
AGENT: **Rod Kilsby Partnership**

REFERRED BY: **Councillor Danielle Stone**
REASON: **Over-development**

DEPARTURE: **No**

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The principle of residential use is considered acceptable in a sustainable location and would assist in the repopulation of the Central Area which outweighs the loss of an office building. The proposal would not have an undue detrimental impact on the character of the locality or residential amenity and would not give rise to highway safety problems. The proposal is therefore compliant with the guidance contained within the National Planning Policy Framework and Policies 1 and 15 of the Central Area Action Plan.

2. THE PROPOSAL

2.1 Planning permission is sought for a change of use of an existing office building (use class B1) to 7 bedroom house in multiple occupation (Sui Generis use). The application provides a total of 7 bedrooms, with communal kitchen, lounge and diner. The proposal spans all 4 floors

of the building and also includes minor alterations to the front window at ground floor.

3. SITE DESCRIPTION

3.1 The site consists of a 4 storey terraced building on the western side of York Road sandwiched between residential flats on one side and offices on the other. The site is located close to the northern boundary of the St Giles Conservation Area and within a Safeguarded Employment Zone in the CAAP. The building has been vacant since April 2011.

3.2 The site does not have any off road parking.

4. PLANNING HISTORY

4.1 The site obtained planning permission in 1977 for its existing office use.

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 Northampton Local Plan (1997) and the Central Area Action Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Central Area Action Plan

Policy 1 - Promoting Design Excellence
Policy 15 - Office and Business Uses

5.3 Supplementary Planning Guidance

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

6. CONSULTATIONS/ REPRESENTATIONS

Representations received are summarised as follows:

6.1 **Sheinman Opticians 106-110 Abington Street and 23 York Road** – object to the application, noise and concern on calibre of tenants resulting in detrimental impact on character of the area. Impact on existing properties on York Road.

- 6.2 **NCC Highways** - Raised concerns given that any application will require at least 2 car parking spaces per 5 residents therefore this application needs 3 to 4 spaces.
- 6.3 **Councillor Danielle Stone** – overdevelopment of the site
- 6.4 **NBC Private Sector Housing** – the application complies with requirements.
- 6.5 **NBC Built Conservation** – no objection.
- 6.6 **NBC Public Protection** – the development would need to be accompanied by an exposure assessment for air quality in order to determine if it is suitable for occupation as residential accommodation.

7. APPRAISAL

Policy context

- 7.1 The site is located within a Safeguarded Employment Area in the CCAP where policy seeks to promote office uses unless it can be demonstrated that the loss of employment floor space will be outweighed by meeting strategic objectives. Policy 1 of the CAAP relates specifically to promoting good design.
- 7.2 The National Planning Policy Framework (NPPF) does not offer specific guidance to Local Planning Authorities (LPAs) in respect of applications for the change of use from offices to a house in multiple occupation. It does however urge LPAs to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (paragraph 50). Paragraphs 56 and 57 of the NPPF also encourage good design.

Principle of development

- 7.3 Whilst the site is safeguarded in the CAAP for office uses, one of the strategic objectives in the CAAP also encourages the repopulation of the Central Area. The site has been vacant since April 2011, the applicant has confirmed via the letting agent that the site has been marketed unsuccessfully for office uses during the last two and a half years, the lack of on-site parking making it less attractive for office tenants. The proposed use would bring a vacant unit back into active use in a sustainable location in the town centre and in line with the objective in the CAAP. It should be noted that recent changes to regulations would allow the vacant offices to be converted to residential use (class C3) without permission, although the owner would have to give a Prior Notification of their intention to change the use.

Parking

- 7.4 The Highway Authority raised concerns regarding the lack of parking provision. However, the site is located within the town centre which is accessible to a range of transport modes. The applicant has confirmed their intention to provide cycle storage as part of the application. Notwithstanding the lack of on-site parking facility to serve the development, it would not be reasonable to refuse the application on lack of parking ground as public parking is readily available in the vicinity.

Impact on amenity of neighbours and residential amenity

- 7.5 The property is large enough to accommodate the proposed 7 occupants. All habitable rooms would be large enough and offer sufficient outlook and light for future occupiers. It is considered that the effect on neighbours' living conditions in terms of noise and privacy would be acceptable bearing in mind the previous use as offices which could have more than 7 employees. The property has a large rear garden area which is accessible to all future occupiers via the kitchen. The applicant confirms that they will provide adequate refuse storage to the rear of the site as indicated on the plans. It is not considered that the proposal is an over-development of the site.

Over concentration of uses

- 7.6 From recent data collected, it is evident that there are other HIMO's on the same road. However these represent a small proportion of the properties (there are over 50 properties along York Road, out of which combined with Planning, Private Sector Housing and Council Tax records indicate that 7 are in HIMO use). It is not considered that the character of this street would be substantially affected bearing in mind there is a mix of other commercial uses on York Road.

Impact on appearance and character of the St Giles Conservation Area

- 7.7 The only operational development associated with the proposed change of use includes alterations to a front window of the property at street level. Given that there would not be any significant external changes to the building the impact on the conservation area would be limited.

Air Quality

- 7.8 The site is located within an Area Quality Management Area. Environmental Health has raised concerns in terms of future occupiers being exposed to unacceptable air pollution from traffic on York Road. However, given that the building has been historically used for residential purposes and there are a significant number of residential properties along York Road, refusal on these grounds would be unreasonable.

8. CONCLUSION

- 8.1 The proposed change of use would be acceptable and would not result in significant impact to highway safety or residential amenity and is in line with Development Plan Policy.

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 premises shall be used as a house in multiple occupation for a maximum of seven residents only.

Reason: To ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants and nearby residents in accordance with Policy 1 of the CAAP.

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

Reason: To ensure provision of adequate facilities and sustainable travel to accord with the National Planning Policy Framework.

4. Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, provided prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity to accord with National Planning Policy Framework.

10. BACKGROUND PAPERS

- 10.1 N/2013/0931

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: 14th October 2013
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
24 York Road

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PLANNING COMMITTEE: 29th October 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/0944 **Change of use from residential dwelling (use class C3) to house in multiple occupation for 3 tenants (use class C4) at 148 St Andrews Road (Retrospective)**

WARD: **Semilong**

APPLICANT: **Mr David Croissant**
AGENT: **N/A**

REFERRED BY: **Councillor Les Marriott**
REASON: **Parking and over concentration in area**

DEPARTURE: **No**

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal would not have an undue detrimental impact on the character of the locality or on the residential amenity of the area and would not give rise to highway safety problems. The proposal is therefore compliant with the guidance contained within the National Planning Policy Framework and with Policies H6 and H30 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 Planning permission is sought for a change of use of a dwelling house to 3 persons HIMO. Permission is required as the site falls within an Article 4 Direction Area which removes permitted development rights for changes of use to small HIMOs (between 3 and 6 persons) The use has been implemented already without the benefit of planning permission.

3. SITE DESCRIPTION

- 3.1 The site consists of a 2 storey terraced dwelling on St Andrews Road located on a street with similar properties. Parking is provided on street to the front and there is a long garden to the rear of the property.

4. PLANNING HISTORY

- 4.1 None recent.

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 Northampton Local Plan (1997).

5.2 National Policies

National Planning Policy Framework (NPPF).

5.3 Northampton Local Plan

Policy H6 - Residential development in Primarily Residential Areas
Policy H30 - Houses in Multiple Occupation

5.4 Supplementary Planning Guidance

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

6. CONSULTATIONS/ REPRESENTATIONS

Representations received are summarised as follows:

- 6.1 **Semilong Community Forum** – objection; Semilong is already the most densely populated neighbourhood in Northampton and has the highest density of multi-occupation housing in the town and suffers from the strain of services and resources. There are properties in the area that are in multiple occupation without consent and not known to the Council. Previous applications have been refused with and without objections being raised by the Highway Department; there is a need for a more uniformed approach to planning applications for this area.
- 6.2 **Councillor Les Marriott** - has referred the application to Committee on grounds of inadequate and safe parking for existing residents and the proposal would exacerbate this problem; support the views expressed by Semilong Community Forum.

- 6.3 **NCC Highway** – no observation.
- 6.4 **NBC Public Protection** – no observation.

7. **APPRAISAL**

Policy context

- 7.1 The National Planning Policy Framework (NPPF) does not offer specific guidance to Local Planning Authorities (LPAs) in respect of applications for a change of use from a dwelling to a house in multiple occupation. It does however urge LPAs to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (paragraph 50).
- 7.2 Saved Policy H30 of the Local Plan states that permission for such a use should be granted as long as the property is of sufficient size, it would not result in an over-concentration of similar uses that would be detrimental to the amenities of neighbouring residents in the locality, and should not create a substantial demand for on-street parking in areas experiencing local difficulties in this respect. The specific requirements of Policy H30 shall be considered individually within the following sections of this appraisal.

Size of property

- 7.3 The submitted plans clearly show that the property provides 3no. separate bedrooms, one on the ground floor and two on the first floor (total of 3 residents). In addition, a shared kitchen and lounge/dining room are provided at ground floor level. The property also benefits from a long rear garden. It is considered that the property is of sufficient size to accommodate the use. All of the proposed bedrooms appear to be appropriately proportioned whilst a communal living area is provided. The property is able to accommodate 3 people in a satisfactory manner.

Over-concentration of use and impact on amenity of neighbours

- 7.4 From recent data collected, it is evident that there are other HIMO's on the same street. However these represent a small proportion of the properties in the street (there are over 200 properties out of which combined with Planning, Private Sector Housing and Council Tax records indicate that 15 are in existing HIMO use). It is not considered that the proposal represents an over-concentration of such use and impact on the character of this area to an unacceptable degree.
- 7.5 The application premises with 3no. occupants do not represent substantial intensification as compared with previous use as a family home. Any potential disturbance and increased in activities are unlikely to be significant. It is considered that given the number of occupants and size of the property that it is not an over-development of

the site. All habitable rooms are currently served by adequate outlook from existing windows providing occupiers with acceptable residential amenity.

Parking

- 7.6 The application site has no off-street parking like the majority of the houses in the street. On-street parking is available in St Andrews Road and the surrounding streets. Visits to the site by officers indicated that there is spare capacity and the area would not appear to be experiencing notable difficulty in terms of accommodating demand for on-street car parking. It is acknowledged that demand for on-street parking would be higher in the evenings. However, it is not considered that the level of parking required for three tenants would be that much more than a family house.

8. CONCLUSION

- 8.1 The proposal does not have an undue detrimental impact on the character of the locality or on the residential amenity of the area and would not give rise to highway safety problems. The proposal is therefore compliant with the guidance contained within the National Planning Policy Framework and with Policies H6, H30 of the Northampton Local Plan.

9. CONDITIONS

1. Within 2 months of the date of this permission decision, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority provided within 1 month of the date of their approval and retained thereafter.

Reason: To ensure provision of adequate facilities and sustainable travel to accord with the National Planning Policy Framework.

2. Within 2 months of the date of this decision, details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, provided within 1 month of the date of their approval and retained thereafter.

Reason: In the interests of amenity to accord with Policy H30 of the Northampton Local Plan.

3. The use hereby approved shall accommodate no more than 3 persons at any one time

Reason: In the interests of amenity to accord with Policy H30 of the Northampton Local Plan.

10. BACKGROUND PAPERS

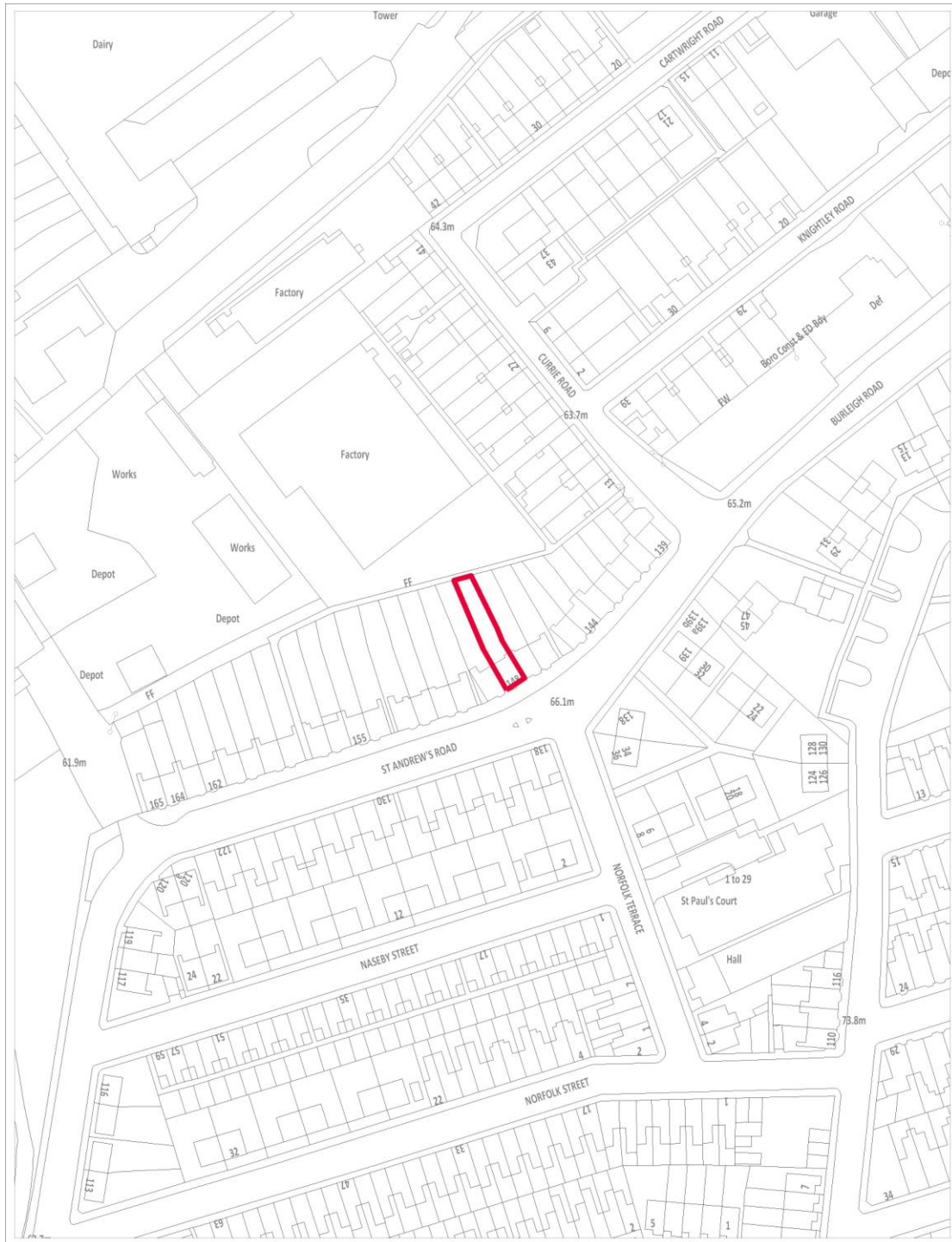
10.1 N/2013/0944

11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



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