



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **PLANNING AGENDA**

**Tuesday, 26 November 2013**

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

6:00 pm

**Members of the Committee**

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

**Councillors:** 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

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[democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) or 01604 837722

# PLANNING COMMITTEE

## AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 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](mailto:democraticservices@northampton.gov.uk) (if no acknowledgement is received please telephone)

### When Do I Speak At The Meeting

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

### How Long Can I Speak For?

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

### Other Important Notes

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

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE  
on Tuesday, 26 November 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**  
None
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**  
None
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**  
None
- 10. ITEMS FOR DETERMINATION**
  - (A) N/2013/0925 - 88 CHURCHILL AVENUE, NORTHAMPTON: CHANGE OF USE FROM C2 (RESIDENTIAL CARE HOME) TO C3 (28 RESIDENTIAL FLATS)**  
Report of Head of Planning (copy herewith)
  - (B) N/2013/0970 - 14 TRINITY AVENUE, NORTHAMPTON: REMOVAL OF EXISTING FRONT WALL AND FENCE AND REPLACE WITH RAILINGS AND SLIDING GATES**  
Report of Head of Planning (copy herewith)
  - (C) N/2013/0972 - 9 ROYAL TERRACE, NORTHAMPTON: CHANGE OF USE C3 (DWELLING) TO C4 (HOUSE IN MULTIPLE OCCUPATION)**

Report of Head of Planning (copy herewith)

**(D) N/2013/1048 - SIXFIELDS STADIUM, WALTER TULL WAY,  
NORTHAMPTON: PART DEMOLITION OF THE EAST STAND AND  
ASSOCIATED WORKS**

Report of Head of Planning (copy herewith)

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

# Agenda Item 2

## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 29 October 2013

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

#### 1. APOLOGIES

Apologies for absence were received from Councillors Aziz; Lane; Lynch and Meredith.

#### 2. MINUTES

The minutes of the meeting held on 1<sup>st</sup> October 2013 were **AGREED** and signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

**RESOLVED:** That the under the following items members of the public listed be granted leave to address the Committee.

- 9a; N/2013/0612 and N/2013/0613 Delapre Abbey, London Road – Councillor Glynane
- 10a; N/2013/0170 W Grose site, Kingsthorpe Road - Mrs Andrea Leonard; Mr Tim Cobley and Mr Stephen Bawtree.
- 10b; N/2013/093, 24 York Road - Mr Rod Kilsby
- 10c; N/2013/0944, 148 St Andrews Road - Mr David Croissant

#### 4. DECLARATIONS OF INTEREST/PREDETERMINATION

None

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

None

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

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

The Development Management Team Leader explained the issues around the allowed appeals. Application N/2012/1267 had since been allowed. In this case the Planning Inspectorate had rejected the Authority's view regarding the size of the rooms. In application N/2013/0131 the Planning Inspectorate had rejected the Authority's view regarding the effect on local business, but had not awarded costs. In application N/2013/0181 consent had been granted, but again no costs had been awarded against the Authority. The full details of the appeal decisions are available via the Council website.

## **7. OTHER REPORTS**

### **(A) VARIATION OF S106 AGREEMENT DATED 3RD DECEMBER 2012 PURSUANT TO PLANNING PERMISSION N/2011/0241 - FORMER MILLWAY SCHOOL SITE**

The Principal Planning Officer presented the report of the Head of Planning as set out in the agenda. It was highlighted that the £370,000 contribution to affordable housing would still be made by the developer.

**RESOLVED:** That the Committee agree the variation to the S106 agreement as set out in the report.

### **(B) AMENDMENTS TO STATEMENT OF COMMUNITY INVOLVEMENT**

The Development Management Team Leader presented the report of the Head of Planning as set out in the agenda. Since publication further legal advice had been received and this was outlined in the circulated addendum. The Committee was now asked to note the report and allow the Head of Planning to use her delegated powers to confirm the changes to the Statement of Community Involvement.

**RESOLVED:** The Committee agree to note the report and the intention of the Head of Planning to confirm the changes to the Statement of Community Involvement under her delegated authority.

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

The Development Management Team Leader reported that this item had been withdrawn from the agenda.

## **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**

The Principal Planning Officer presented the report of the Head of Planning, as set out in the agenda.

The circulated addendum explained that Environmental Health had no objections in principle to the proposals, but had requested conditions in regard to cooking odours and noise.

A condition dealing with cooking odours had already been proposed, but as a result of Environmental Health's response the following additional conditions were 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 National Planning Policy Framework.

Councillor Glynane addressed the Committee as the local ward member for Delapre and Briar Hill. He was very happy to support the applications before the Committee and thanked all the Officers for their work in reaching this stage. Councillor Glynane particularly welcomed the plans to reinstate the conservatory as part of the works. He suggested that additional uses be considered, including a potential Wars of the Roses centre.

In response the Principal Planning Officer confirmed that Condition 3 of the application would ensure appropriate windows be fitted to the property, including the conservatory.

Councillors Caswell and Palethorpe both welcomed the applications and believed the Abbey would become a high quality venue and attraction for the town.

**RESOLVED:** That the planning application be approved, subject to the conditions set out in the report and requested by Environmental Health. The listed building consent application be approved in principle, subject to the prior referral to the Secretary of State and the conditions as set out in the report.

## **10. ITEMS FOR DETERMINATION**

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

The Planning Officer presented the report of the Head of Planning, as set out in the agenda. The circulated addendum explained that further information had been received from the Highways Authority, with additional details of the S106 obligations around the any potential traffic impact.

The Chair invited Mrs Andrea Leonard to address the Committee. Mrs Leonard explained that she was a local resident, who lived directly opposite the site. She believed there would be additional traffic generated on an already busy arterial road. Traffic was often gridlocked and the development would only add to the situation. She also added the area was already well served by shopping facilities, including four supermarkets within a mile of the site. There would also be the loss of parking spaces currently used by residents.

The Chair invited Mr Tim Copley to address the Committee. Mr Copley explained he was the manager of Waitrose, Kingsthorpe. He believed Waitrose acted as the anchor to a successful retail centre and potential impact on the local businesses based at the centre had been ignored. The potential for development at the Barrack Road Sorting Office (N/2011/0998) site still existed and the concerns highlighted at 7.9 of the report should be given due consideration. Mr Copley believed that the approving the new store would be contrary to advice contained within the National Planning Policy Framework (NPPF).

The Chair invited Mr Bawtree to address the Committee. Mr Bawtree advised the Committee he was here to represent applicant and developer of the site. He



reminded members that they had received independent advice, set out at 7.7, regarding the Barrack Road site. This proposal was 53% smaller than that at Barrack Road, which the report takes into account. The proposal would have considerably less impact than other proposals and would meet the market needs, with the potential operators not one of those already operating in the area. The developer would spend £150,000 as part of the S106 agreement on road improvements and supported the proposal within the addendum to link the traffic signals in the area.

In response to the issues raised the Planning Officer made further comment. The congestion issues are addressed in the report; the re-sited bus stop would result in the reduction of on street car parking by a stretch of approximately 20m, which is unlikely to be significant; as the Barrack Road development is unlikely to proceed, the impact to other retail developments and centres would be no greater than previously allowed for.

Members of the Committee discussed the application. Members expressed sympathy with the residents regarding the traffic in the area. In light of the S106 alleviating this issue and other issues being addressed within the report members did not believe there were any grounds to refuse the application.

**RESOLVED:** That the application be approved in principle, subject to the prior completion of a Section 106 agreement and the conditions set out in the report.

**(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**

The Development Management Team Leader presented the report of the Head of Planning. The Town Centre Conservation Advisory Committee had commented regarding the change to the front elevation window being timber framed and an additional condition drawn up to read:

(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.

The Chair invited Mr Rod Kilsby, agent for the applicant, to address the Committee. Mr Kilsby explained that the property had been empty for 2½ years and the proposed

change of use was in accordance with NPPF and the Northampton Central Area Action Plan (NCAAP) and would comply with Private Sector Housing requirements as set out at 6.4 of the report.

Following questions from the Committee the Development Management Team Leader confirmed that the room sizes met the Private Sector Housing requirements and other issues such as headroom in bathrooms would be managed by Building Regulations.

**RESOLVED:** That the application be approved, subject to the conditions set out in the report and addendum circulated.

**(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**

The Development Management Team Leader presented the report of the Head of Planning.

The Chair invited Mr David Croissant, the applicant, to address the Committee. Mr Croissant explained that this was a previously a three bedroom residential property and would only house three tenants. He took his responsibilities to tenants and neighbours seriously and believed he had taken a previously uninhabitable property and put it back to good use. None of the current occupiers had vehicles and as a student let it was not normal for his tenants to own a vehicle. The property had bicycle storage and recycling facilities available.

The members discussed the application.

**RESOLVED:** That the application be approved, subject to the conditions set out in the report.

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

The meeting concluded at 7:07 pm

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



**List of Appeals and Determinations – 26<sup>th</sup> November 2013**

<b>Written Reps Procedure</b>			
<b>Application</b>	<b>Del/PC</b>	<b>Description</b>	<b>Decision</b>
<b>N/2012/1267</b> 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	<b>ALLOWED</b>
<b>N/2013/0184</b> 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	<b>ALLOWED</b>
<b>N/2013/0226</b> 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	<b>AWAITED</b>
<b>N/2013/0297</b> 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	<b>AWAITED</b>
<b>N/2013/0371</b> APP/V2825/A/13/2207930	DEL	Replacement of front windows to UPVC sash windows at 4 Kingsley Road	<b>AWAITED</b>
<b>N/2013/0479</b> APP/V2825/A/13/2202065	DEL	Erection of 2no. one Bed apartments with associated parking at 102 Eastern Avenue North.	<b>AWAITED</b>
<b>N/2013/0607</b> APP/V2825/A/13/2205274	DEL	Erection of terraced dwelling at 14 Semilong Road	<b>AWAITED</b>
<b>Public Inquiry</b>			
		None	
<b>Hearing</b>			
		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 - <a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a>
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed	Author and Contact Officer Mrs Rita Bovey, Development Management Team Leader Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



**PLANNING COMMITTEE:** 26<sup>th</sup> November 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0925:** Change of use from residential care home (Use Class C2) into 28no. residential flats (Use class C3) and provision of on-site car parking spaces at former Lakeview House Old Persons Home, 88 Churchill Avenue

**WARD:** Eastfield

**APPLICANT:** Mr Ahmed Fouda  
**AGENT:** Sustain Renewable LTD

**REFERRED BY:** Councillor M Hallam  
**REASON:** Concerns over parking

**DEPARTURE:** NO

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 APPROVAL IN PRINCIPLE** subject to the following:

- (1) Finalising of a S106 agreement to secure the provision of 35% affordable housing on site and the Council's monitoring fee; and
- (2) Planning conditions below and for the following reason:

The proposal is for a residential development within an existing residential area and is therefore acceptable in principle, the development would have no adverse impact on the character of the area, the amenities of adjoining occupiers or the highway network and the alterations proposed would not impact on the street scene, The proposal therefore complies with Policy H1 of the Submitted West Northamptonshire Joint Core Strategy, Policies E19, E20, E40, H6 and H32 of the Northampton Local Plan and the National Planning Policy Framework.

- 1.2 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 her discretion) on account of the necessary mitigation measures not being 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.
- 1.3 It is also recommended that, because of the particulars of the scheme, delegated authority be given to the Head of Planning to accept an equivalent financial contribution in lieu of on-site provision of affordable housing, should this prove necessary due to the particular circumstances of the proposal.

## **2. THE PROPOSAL**

- 2.1 Change of use of existing former residential care home (Use Class C2) to 28 residential flats (Use Class C3), including the provision of 27 parking spaces.

## **3. SITE DESCRIPTION**

- 3.1 The site comprises a two storey residential care home located approximately 3 miles from the town centre. The care home is no longer in use, having closed as it no longer complies with the current care home standards.
- 3.2 The site falls within a predominantly residential area with local shops located to the south and residential properties to the east, west and north of the site.

## **4. PLANNING HISTORY**

- 4.1 The development of the estate, including the care home, was originally approved in 1965, with details approved in 1966 and 1967.
- 4.2 An application for the change of use of the premises to a hostel (Sui Generis Use) was submitted in April 2013 and subsequently withdrawn.

## **5. PLANNING POLICY**

### **5.1 Development Plan**

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

5.2 **National Policies:**

National Planning Policy Framework – Part 6: Delivering a wide choice of high quality homes.

5.3 **Submitted West Northamptonshire Joint Core Strategy**

Policy H1 – Housing density and mix and type of dwellings.

5.4 **Northampton Local Plan**

E19 – Implementing Development

E20 – New Development

E40 – Crime Prevention

H6 – Housing Development within Primarily Residential Areas

H32 – Affordable Housing

5.5 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **Police Crime Prevention Design Adviser** – Comments refer to the need for perimeter fencing, the location and illumination of car parking and the need for CCTV and access control.

6.2 **Environmental Health** – No observations

6.3 **Highway Authority** – After reviewing the revised plan, the Local Highway Authority have no objection to make on the development as proposed, subject to planning conditions securing pedestrian visibility splays of 2.4m x 2.4m and a vehicular visibility splay of 2.4m x 43m.

6.4 **Arboricultural Officer** - The majority of trees that require removal to facilitate the car park areas are of low quality and can be removed. Recommended conditions regarding tree protection and landscaping.

6.5 **Councillor Mike Hallam** - this is the second application in less than six months for this site and both applications have caused much concern amongst the local people. In terms of traffic movements, the proposed site of the flats is just off of an extremely busy section of the Kettering Road and does not have the capacity for a further increase in the number of vehicles using the road. Car parking is also something that is extremely challenging particularly when most households have more than one vehicle; wish to strongly object to this application and would urge the Planning Committee to reject it.

6.6 **Lakeview Residents Association** – Concerned about the proposed car parking arrangements, and the likely disturbance caused by the residents of the flats in their day to day activities. There is a strong

belief that young single tenants will not be integrated into the present community and this could cause difficulties with noise and anti-social behaviour. We have worked hard to reassure our elderly and disabled residents that the estate is safe and friendly and reasonably clear of litter, but the expectation is that the present plans for Lakeview House will cause much distress and fear.

6.7 **Michael Ellis MP** – This application was preceded in April by another application from the same developer to convert Lakeview House into hostel accommodation. I was strongly opposed to that application before it was withdrawn and I believe the new application remains highly inappropriate for the Eastfield area of Northampton. This is a quiet area mainly of sheltered accommodation, the provision of 28 flats would change the area quite considerably because these flats are designed for young, single tenants who will be moving into an area composed predominantly of elderly residents. I also remain concerned about the probability of noise nuisance and disturbance due to the frequency of entering and exiting the building and the possibility of an increase in litter. The development would increase the volume of traffic, the 27 parking spaces would be an extremely large increase in the number of vehicles using Churchill Avenue. The 27 parking spaces is one short of the logical provision of 28, meaning there is a surplus of cars to park on the street. Churchill Avenue is already used as a rat run and I support my constituents view that increased traffic in the area will greatly increase pre-existing residents and homeowners. I am also concerned that the planned parking spaces would mean that a number of mature trees would have to be felled.

6.8 Representations received from 57 neighbouring properties, raising the following points in summary:

- Increased traffic.
- Insufficient parking.
- Entrance to car park not safe as this is an extremely busy road / dangerous junction.
- Will lead to parking on dangerous road.
- Increased traffic will be dangerous for existing residents.
- Parking to the rear will require removal of street lighting.
- Area not suitable for the proposed use (Sheltered housing / elderly people)
- Some flats do not have bathrooms, indicating multi-occupancy (*Officer note - in fact all flats have private bathrooms*).
- No different from the previous application for a hostel.

- Concerns over who will occupy the flats.
- Already enough flats in the area.
- Overdevelopment of the site – too many flats proposed.
- Concerns over antisocial behaviour / noise and disturbance from residents.
- Concern that young single tenants will not be integrated into the community.
- Building should be used for elderly people / over 55s.
- Concerns over safety of children / elderly people walking past the site.
- Mature trees will have to be felled, could they have a preservation order placed on them?
- Removal of trees / green space will affect appearance and remove sound barrier.
- Other properties owned by the landlord are in a poor condition.
- Loss of parking availability will affect shops.

## 7. APPRAISAL

- 7.1 The issues to consider are the acceptability of the use in principle, the impact on the the character of the area, highway and pedestrian safety and the amenities of adjoining and nearby residents including the impact on the street scene of the physical changes proposed.

### **Principle of development**

- 7.2 The application is for a change of use from a care home (Use Class C2) to a general residential use (Use Class C3). In policy terms, the building is within a Primarily Residential Area and therefore a residential use of the site is considered acceptable, provided the tests set out in Policy H6 are met. These relate to the scale and density of development, compliance with highway standards and avoiding the loss of significant features.

### **Scale of Development**

- 7.3 In terms of the scale and density of development, the proposal is for 28 flats, 2 of which would have two bedrooms, 20 would have one bedroom and six would be studio flats. These would be created by the conversion of the former care home, which previously consisted of 45 individual bedrooms. The conversion would entail the use of two, three



or four of these rooms to create each flat. It is considered that the conversion as proposed represents a logical re-use of the existing building at an appropriate scale and density and would not represent an overdevelopment of the site.

- 7.4 The surrounding area predominantly features housing (including sheltered accommodation); however, the area also features a number of flats. As a result of this, it is considered that the proposed flat development would not be out of keeping with the prevailing character.
- 7.5 In terms of the wider street scene impact, the proposal would necessitate the removal of trees to allow for the parking area to be provided. It is considered that these trees are not good specimens, as confirmed by the Arboricultural Officer, and that replacement landscaping can be provided satisfactorily under a landscaping scheme as required by condition. A further condition requires the trees which are to be retained to be protected during the works and subsequent use of the parking area.
- 7.6 The application is for 28 flats, which results in an affordable housing requirement of 9 units. The mix of units between 1 and 2 bed and studio flats will be determined as part of the Section 106 agreement. Whilst on-site provision of affordable housing is preferable, it may be difficult to secure an affordable housing provider due to the particular configuration of the building. In these circumstances an off-site contribution equivalent to the value of 9 units may be a more appropriate obligation.

### **Parking**

- 7.7 The provision of 27 parking spaces, although one less than the number of flats proposed, complies with the adopted Supplementary Planning Guidance on parking which sets maximum, rather than minimum, standards for car parking.
- 7.8 The proposed car parking layout incorporating four separate areas of parking is considered preferable to the alternative which would have been to convert the whole of the enclosed garden area to parking, which would have left no private amenity space for future residents of the flats. This layout means that in practical terms only 27 spaces can be accommodated.
- 7.9 The site is in close proximity to local amenities in the form of shops, with the area also being well served by buses into the town centre. The proposal includes also 17 cycle spaces and a condition requiring the retention of these is proposed. The site can therefore be viewed in planning terms as a sustainable location, in which future residents can take advantages of means of transport other than the private car and also access services locally.

- 7.10 The impacts of potential car parking resulting from this proposed development also needs to be balanced against the fact that the building could be lawfully used as a care home without any need for planning permission, if brought up to current standards, and this would have no off street parking. It is therefore considered that the potential highway impacts of the proposed development are no greater than could potentially result from the resumption of this existing lawful use.
- 7.11 Following amendments, the number of spaces, parking layout and the access are considered acceptable to the Local Highway Authority, subject to the provision of pedestrian and vehicular visibility splays. There is scope on the site for splays to be provided and a condition requiring these is recommended.

### **Impact on Adjoining Residents**

- 7.12 Whilst the occupation of the building as flats could potentially result in some noise and disturbance, it is considered that a residential use of the premises is acceptable in principle and any noise would not be over and above that normally associated with such a development. No objection to the proposal has been made by Environmental Health.
- 7.13 Representations have been received that have commented upon the similarities between this proposal and a former (withdrawn) proposal for a homeless hostel. Concerns are raised that occupiers of the development may engage in anti-social behaviour. However, all planning applications must be assessed on their own merits and for the reasons set out previously, it is considered that the principle of using this building for flats is acceptable. It would not be possible to use the planning system to restrict the occupation of flats to a specific group of people. Nonetheless, a condition is proposed to prevent the change of use of any of the flats to dwellings in multiple occupation, as this could potentially have a greater impact on the character of the area than the development assessed within this application.
- 7.14 Conditions will require a suitable boundary treatment, to provide security and privacy for residents of the flats by means of defensible space and to secure the cycle store.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed conversion to flats is acceptable in principle and the detailed design and layout of the flats would not result in an overdevelopment of the site and would provide a good standard of accommodation for future occupiers.

## **9. CONDITIONS**

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2011/C003/02, 2011/C003/03 (Location Plan), 2011/C003/03 Rev C (Block Plan), 2011/C003/04, 2011/C003/05, 2011/C003/06, 2011/C003/07, 2011/C003/08, 2011/C003/09.

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

(3) Notwithstanding the submitted plans, full details of the security measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work on site. The security measures shall be provided in full accordance with the approved details prior to the occupation of any of the flats.

Reason: In the interests of security and to provide a satisfactory standard of development, in accordance with Policy E40 of the Northampton Local Plan.

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

Reason: In order to provide adequate security for the future residents of the change of use hereby approved, in accordance with the NPPF.

(5) No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

(7) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no change of use of any of the

individual flats hereby permitted to a use falling within Class C4 (Houses in Multiple Occupation) shall take place unless formally approved in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining occupiers and occupiers of other flats hereby permitted, in accordance with the NPPF.

(8) Notwithstanding the details as submitted, the junctions of the new accesses with the existing highway shall be laid out together with the provision of visibility splays in accordance with details to be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. Development shall be carried out in accordance with the approved details.

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

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

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

(10) The cycle storage area shall be provided prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the National Planning Policy Framework.

(12) Details of tree protection measures for all retained trees shall be provided in line with the guidance in BS5837:2012 Trees in relation to design, demolition and construction. The submitted details shall include a plan showing the location and Root Protection Areas of all retained trees, and construction details of any permanent hard surfaces to be constructed within the Root Protection Areas of any retained trees. This should include a “no-dig” method of construction and incorporate a 3 dimensional cellular confinement. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with NPPF.

## **10. BACKGROUND PAPERS**

10.1 Application file N/2013/0925.

## **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.



Status: **Planning**  
 Date: **12th November 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**

Title  
**88 Churchill Avenue**

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**PLANNING COMMITTEE:** 26<sup>th</sup> November 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0970**                      **Removal of existing front wall and fence and replace with railings and sliding gates at 14 Trinity Avenue**

**WARD:** Trinity

**APPLICANT:** Mr. Raj Miah  
**AGENT:** Lee Randall

**REFERRED BY:** Councillor Nahar Begum  
**REASON:** The scheme would be an improvement in highway safety terms contrary to the advice submitted by the Local Highway Authority

**DEPARTURE:** NO

---

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 **REFUSAL** for the following reason:

1.2 The proposed development would have a detrimental impact on highway safety through the provision of an additional gated access creating an additional and unnecessary point of conflict between emerging vehicles and highway users in non-compliance with the guidance contained within the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposals are for the removal of the existing front boundary wall to the property, which would be replaced with black metal railings and sliding gates, up to 1.8m high. The scheme also includes the provision of an additional dropped kerb to complement the single dropped kerb already in place to the existing access. A licence for this dropped kerb would need to be obtained from the Local Highway Authority. The

proposed works would enable the driveway to operate in a “drive-in, drive-out” format as opposed to the existing arrangements whereby vehicles are required to either reverse in or reverse out due to the space constraints of the site. Sliding gates would be provided to both access / egress points.

### **3. SITE DESCRIPTION**

- 3.1 The site constitutes a large dwelling located within a primarily residential area of the town. It is a terraced property attached to neighbouring dwellings to the south. It has an integral garage and a gated front driveway. There is a brick and timber front boundary wall of 1.5m set along the boundary fronting on to the road. On the opposite side of Trinity Avenue is the Malcolm Arnold Academy.

### **4. PLANNING HISTORY**

- 4.1 *N/2007/523* Three-storey dwelling house together with attached garage (Approved subject to conditions)
- 4.2 *N/2005/1643* New dwelling adjacent to 14 Trinity Avenue (Approved subject to conditions)
- 4.3 *N/2005/1301* Proposed dwelling adjacent together with bungalow and detached garage to rear (Refused)
- 4.4 *N/2003/1558* Construction of a two bedroomed dormer bungalow (Approved subject to conditions)
- 4.5 *69/0103* The change of use of a dwellinghouse to an old peoples home (Approved)

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

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

#### **5.2 National Policies**

National Planning Policy Framework (NPPF)

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

E20 – New Development



## 6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Local Highway Authority:** Objection to the application on the basis that the application does not comply with the Local Highway Authority's policies on multiple accesses and the location of the gate. No dwelling should have more than one vehicular access point from any highway. Such proposals create additional and unnecessary points of conflict between emerging vehicles and other highway users. No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary.
- 6.2 *Further comments (11<sup>th</sup> November 2013):* This site has been reviewed once again. Trinity Avenue is a very busy road, it was noted on-site that cars were parked on either side of the road and were frequently moving in both directions. All other properties on the road operate from one access requiring reversing in / out. There are no recorded accidents on or near to the property within the last three years. The Authority is struggling to see any reasonable justification to relax its policy and standards as stated in its Standing Advice. Any additional point of access will result in the loss of 2-3 on-street car parking spaces. There is also sufficient space on plot to accommodate 3+ cars. In addition, it is difficult to achieve or to have control over vehicular visibility due to parked cars on Trinity Avenue. There are also doubts over the practicality of the swept path / vehicle's turning movement if the proposed access is allowed.
- 6.3 The applicant's major concern as regards the safety of reversing out on to the highway is ruled out given that the Highway Code Rules confirm that any reasonable and competent motorist should reverse into an access such that they may drive out forwards. There is no way of controlling in / out movements at each access resulting in the potential for vehicles reversing on to the highway in two locations. Resistance to multiple accesses has been covered in Standing Advice for a number of years. They have been appeals on this subject that have been successfully defended based upon individual circumstances. Overwhelming evidence would be required to support a relaxation of adopted policy, which has not been put forward. There would be the potential for both proposed vehicular accesses to be used for reversing out on to the highway as there would be no viable control over the accesses. An additional and unnecessary point of conflict would be created and should be resisted; otherwise these will have an adverse or detrimental effect on highway safety.

## 7. APPRAISAL

### *Design & Visual Impact*

- 7.1 In visual terms it is considered that the newly proposed railings and gates would be acceptable in the context of the site's surroundings. The boundary treatment of several properties on the road comprises

black metal railings, most notably serving the grounds of the school located on the opposing side of Trinity Avenue. In addition, the proposed full height of 1.8m would be appropriate from a visual and character perspective. The proposed installations would include ornate detailing in the interests of providing visual interest – the precise specification of the gates and railings could be secured via planning condition.

#### *Highway Safety*

- 7.2 The applicant has described in correspondence (dated 23<sup>rd</sup> and 28<sup>th</sup> October 2013) that the application is motivated by a desire to improve highway safety at the site. The front driveway affords insufficient space for a turning circle to be achieved – the applicant has stated that this causes highway safety concerns as it necessitates a reversing manoeuvre to be made to leave the driveway. There is a Secondary School entrance located on the opposing side of Trinity Avenue, which the applicant has stated leads to a high volume of pedestrian movements along this particular stretch of Trinity Avenue. It is their opinion that being able to leave the property in forward gear would improve the site in terms of highway and pedestrian safety.
- 7.3 The Local Highway Authority (LHA) have submitted both initial objections and a further detailed response setting out the full reasons for these objections, which centred upon the provision of multiple access points to a single dwelling and associated new gates positioned within 5.5m of the highway boundary. Such provisions do not accord with the requirements of the LHA's Standing Advice (April 2013). This Standing Advice, although not formally part of the Development Plan, has been formally adopted by the LHA as a statutory consultee on planning applications and is a material consideration which carries considerable weight when considering applications requiring alterations or additional accesses to the public highway.
- 7.4 The LHA have confirmed from a visit to the site that Trinity Avenue is a busy road with cars parked on its either side with frequent car movements being observed in both directions. It is also noted that all other residential properties on Trinity Avenue operate from a single access necessitating reversing manoeuvres either from or out on to the highway. Accident data retrieved by the LHA indicates that there have been no recorded accidents on or near the application site within the last three years, which would indicate that reversing manoeuvres are being undertaken without undue difficulties.
- 7.5 Importantly, as the LHA have stated, there would be no way of controlling in / out movements should a further access point be permitted. This is notwithstanding the drive-thru arrangement indicated upon the proposed site plan. Such an arrangement would be neither controllable nor enforceable. The proposed layout could quite conceivably result in both accesses being used for reversing out on to

the highway – leading to additional potential conflict between emerging vehicles and highway users.

- 7.6 In terms of on-street car parking, it is estimated that two to three spaces would be lost as a result of providing an additional dropped kerb. This loss would be in the context of a well-used street where ample demand for on-street car parking can be observed. Additional pressure would therefore be placed upon on-street car parking supply, which would be expected to have the added adverse effect of limiting the vehicular visibility available from the site's access points due to the position of parked cars.
- 7.7 The applicant has suggested in correspondence that a safety improvement, in the context of visibility, would be provided through the installation of see-through railings in place of the current solid brick wall. It is considered that the provision of railings would have a limited positive effect in this context given that the current wall is merely low-level (approximately 0.7m in height) with piers and see-through screening above. Further, the existing access is relatively wide for a single access (approximately 5.5m) and has afforded a railed gate. In any event, the negative safety impacts of providing a further vehicular access point would far outweigh the limited safety benefits in a visibility context provided by installing continuous railings to the frontage.
- 7.8 It is considered that the provision of newly gated access points would clearly contravene the LHA Standing Advice already referred to. A 5.5m distance should be achieved from the back of the highway to ensure that vehicles can pull away from the public highway in the event that entrance to the site is impeded by closed gates. It is noted that the site is presently gated, but this should not act as a justification for the provision of a further gated access point that would further encourage conflict between stationary and moving vehicles to the detriment of highway safety.
- 7.9 In summary, it is considered that the proposals would have a detrimental effect on highway safety through the provision of multiple gated access points. This arrangement would encourage conflict between emerging vehicles, stationary vehicles and highway users (including pedestrians). The present access arrangements are typical of properties on Trinity Avenue and inadequate justification has been provided by the applicant to allow non-compliance with the guidance contained within the LHA's Standing Advice. The scheme is therefore in clear non-compliance with the guidance contained within the NPPF (paragraph 35), which states that developments should be designed and located to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

## **8. CONCLUSION**

- 8.1 The proposed development would have a detrimental impact on highway safety through the provision of an additional gated access

creating an additional and unnecessary point of conflict between emerging vehicles and highway users in non-compliance with the guidance contained within the NPPF.

**10. BACKGROUND PAPERS**

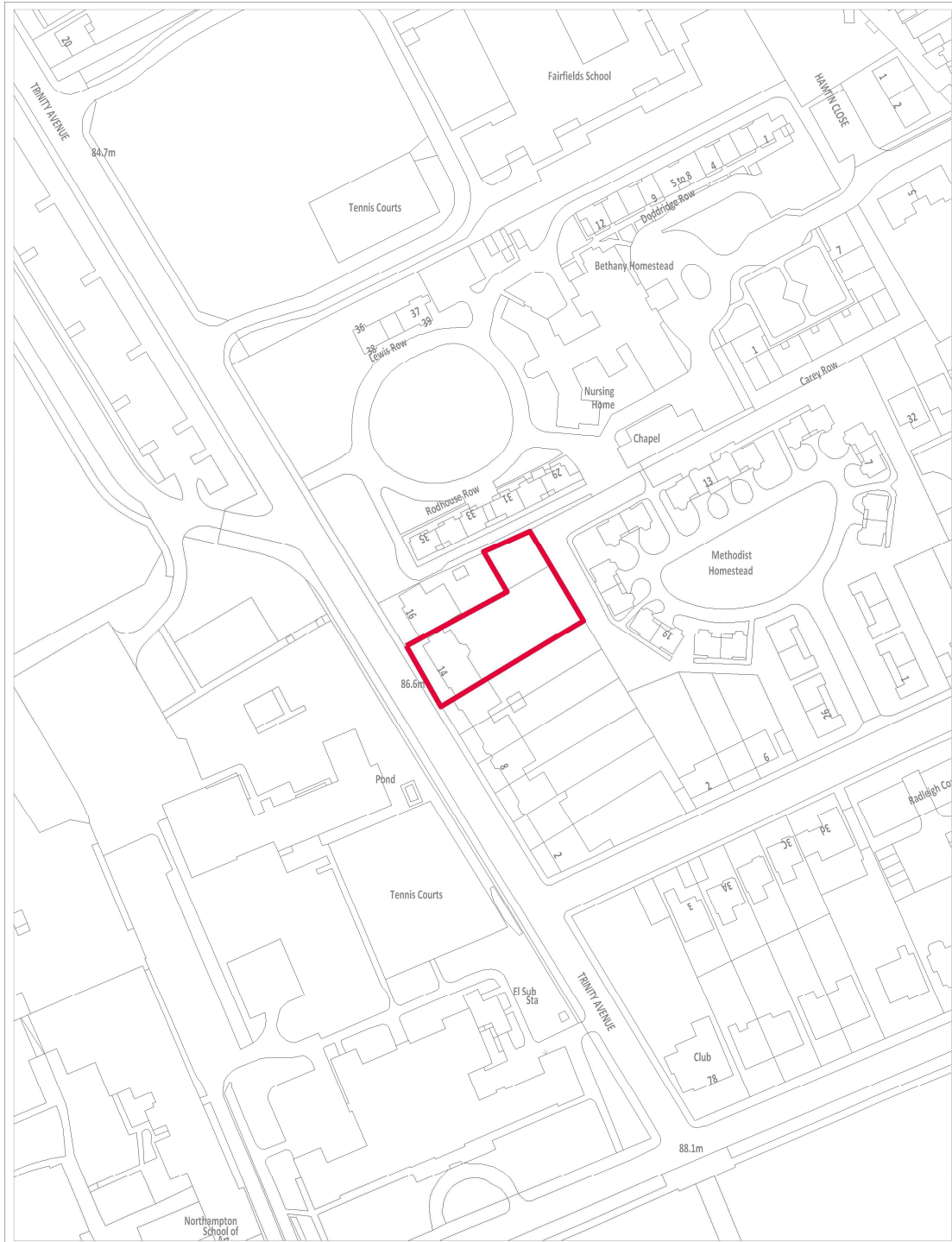
10.1 N/2013/0970

**11. LEGAL IMPLICATIONS**

11.1 None for the Council as Local Planning Authority.

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

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



**Planing**  
 Date: 12th November 2013  
 Scale: 1:1250  
 Dept: **Planing**  
 Project: **Committee**

**Title**  
**14 Trinity Avenue**

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**PLANNING COMMITTEE:** 26<sup>th</sup> November 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0972:** Change of use from dwelling (Use Class C3) into house in multiple occupation for 6no. residents (Use Class C4) at 9 Royal Terrace

**WARD:** Semilong

**APPLICANT:** Mr Stephen Pole  
**AGENT:** None

**REFERRED BY:** Councillor Les Marriott  
**REASON:** Preponderance of Houses of Multiple Occupancy in the area, cause damage to social fabric and community cohesion

**DEPARTURE:** NO

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

- 1.1 **APPROVAL** subject to conditions below and for the following reason:
- 1.2 The proposal would not have an undue detrimental impact on the character of the locality or on residential amenity of the area and would not give rise to highway safety problems. The proposal is therefore compliant with the National Planning Policy Framework and Policies E20 and E26 of the Northampton Local Plan.

### **2. THE PROPOSAL**

- 2.1 Change of use of dwelling to House in Multiple Occupation for 6 residents.

### **3. SITE DESCRIPTION**

- 3.1 Three storey 6 bedroom terraced dwellinghouse, within an area of similar properties, some of which are in use as hotels / guest houses

and houses in multiple occupation. The wider area consists of commercial uses to the rear and along St Georges Road, from which the rear access and parking area for this property is accessed.

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

- 4.1 The use of the ground floor as a clinic was approved in 1988 but it this was never implemented. An application for a change of use from a house to a guest house was subsequently approved in 1991. In 2001 the use of the top floor as bed and breakfast rooms, with the remainder of the building to be used as a dwellinghouse, was approved. These rooms were to remain ancillary and therefore the lawful use is as a 6 bedroom dwellinghouse, which the applicant has confirmed is the current 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 the saved policies of the Northampton Local Plan and the Central Area Action Plan.

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

National Planning Policy Framework (NPPF)

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

H30 – Multi Occupation within a Single

##### **5.4 Central Area Action Plan**

Policy 16 – Central Area Living

##### **5.5 Supplementary Planning Guidance**

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

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

- 6.1 **Police Crime Prevention Design Adviser** – Suggests internal security measures for the safety of residents.
- 6.2 **Environmental Health** – do not have any objection in principle to the development, would recommend conditions for noise relevant to HMOs.

- 6.3 **Private Sector Housing** – Confirm the property as proposed would be suitable for up to six residents, and would require a mandatory HMO licence.
- 6.4 **Councillor Les Marriott** – As with substantial areas/streets in the Semilong area, Royal Terrace already has a preponderance of properties that fall in the category of Houses of Multiple Occupancy. It is long overdue for the authority's planning community to look to reverse the constant "dumping" of Houses of Multiple Occupancy in the Semilong area. For a good number of years now these types of properties have caused immense damage to the social fabric, and community cohesion of this inner city area.
- 6.5 **Semilong Community Forum** – Semilong is already the most densely populated neighbourhood in Northampton and as such is already over-developed. It also has the highest density of multi-occupation housing in the town and suffers from the subsequent strain on services and resources that these high occupancy levels present. There are properties in the area that are in multiple occupation without consent and are thus not known to the Council. Previous applications have been refused with and without objections being raised by the Highways Department, there is a need for a more uniform approach to planning applications in this area.

## 7. APPRAISAL

- 7.1 The main issues to consider are the acceptability of the use in principle, the impact on the character of the streetscene and the wider area, on the amenities of adjoining and nearby occupiers and in respect of parking and highway issues.

### **Principle of Development / Policy Issues**

- 7.2 The site is within the boundary of the Central Area Action Plan, however this has no policies for the proposed use as a House in Multiple Occupation.
- 7.3 Policy H30 of the Local Plan therefore remains applicable, this sets out the criteria for the approval of the use of a residential unit by persons not living together as a family, stating that the property must be of sufficient size, that this would not result in an overconcentration of such uses, and that the use would not create a substantial demand for on street parking.
- 7.4 Policy H31 sets out those streets on which permission will not normally be granted for further changes of use to a House in Multiple Occupation, this does not include Royal Terrace.



### **Size of Property**

- 7.5 The property has six bedrooms as well as three large ground floor rooms. Under the proposals one of the ground floor rooms would be converted to a bedroom but one of the second floor bedrooms would be converted to a bathroom. Therefore there would be no increase in the number of bedrooms and it is considered, therefore, that the property is of a sufficient size to accommodate the proposed use. The permission would be limited by condition to six occupants, which is less than the number of people who could potentially occupy the property as existing. Comments from Private Sector Housing confirm the property would be suitable for up to six residents.
- 7.6 Data collected shows that there are 3 other HMOs within Royal Terrace. It is not considered that the character of this street would be substantially affected by this additional use, which as discussed above would result in a lower occupancy than could potentially result from the existing use.

### **Parking**

- 7.7 A parking area is available to the rear of the property. The applicant has stated that this provides 6 parking spaces, however, this could only be achieved by tandem parking. As the property fronts onto Barrack Road, any additional parking would not be displaced onto this road due to parking restrictions. Potentially parking may take place within the rear access road, leading to the rear parking area. It is not considered that this would have significant impact on neighbouring occupiers as the rear parking area is an existing one. The site is, in any event, close to local shops and amenities and served by bus stops, and is also within walking distance of the town centre. It therefore represents a sustainable location, where the future occupants may not have cars and could take advantage of public transport links and facilities locally and in the town centre.

### **Impact on adjoining occupiers**

- 7.8 The neighbouring properties are a mixture of single dwellings, hotels and houses in multiple occupation. The proposed use would be for six residents only, and on this basis it is considered that the impact would be similar than what would result from the continued occupation of the property as a single dwelling, which could accommodate a large family.
- 7.9 Comments from Environmental Health refer to the potential for noise from the use and request conditions including details of power showers etc. The use of such equipment could equally take place if the property was to remain as a single house and it is not considered reasonable to apply conditions of this nature to the proposed use.

## **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 six 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 H30 of the Northampton Local Plan.

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.

5. Full details of the laying out of the parking area shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby approved. The parking area shall thereafter be maintained as approved and the car parking spaces be made available for tenants and visitors at all times and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with National Planning Policy Framework.

6. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Existing Floor Plans, Provisional Floor Plans.

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

## **10. BACKGROUND PAPERS**

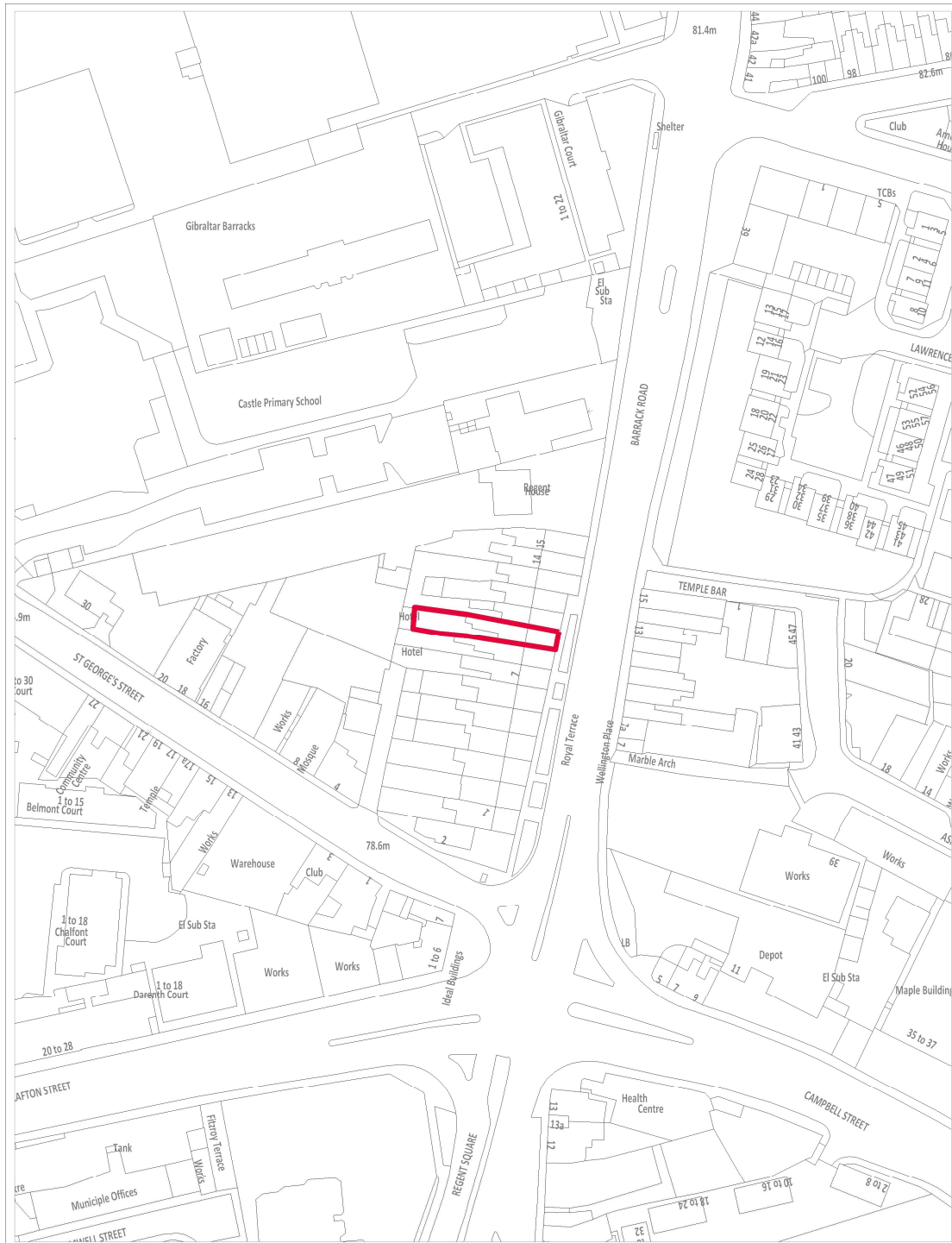
- 10.1 Application file N/2013/0972.

## **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.



**Area:** Planning  
**Date:** 12th November 2013  
**Scale:** 1:1250  
**Obj:** Planning  
**Project:** Committee

**Title**  
**9 Royal Terrace**

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**PLANNING COMMITTEE:** 26<sup>th</sup> November 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2013/1048** Part demolition and extension of the East stand to provide addition of new seating terrace to increase seating capacity, new conference and/or banqueting hall with ancillary accommodation to include kitchen, service area and toilets, gymnasium and service core, office space, parking for 44 cars hard and soft landscaping area and provision of new access road at Northampton Football Club, Walter Tull Way, Northampton.

**WARD:** St. James

**APPLICANT:** David Cardoza Northampton Town Football Club, Sixfields Stadium

**AGENT:** Jovan Ciric RMCJ Design

**REFERRED BY:** Head of Planning  
**REASON:** Site within NBC Ownership

**DEPARTURE:** NO

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## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions as set out below and the issues being raised in the report being satisfactorily addressed, (a verbal update will be provided at the meeting) and for the following reason:

1.2 The proposed development would not pose a significant detrimental impact on the amenities of the surrounding occupiers and businesses by reason of visual and general amenity, transportation or the loss of the athletics track or sporting pitch, for which adequate compensatory measures are being made. The proposal would therefore accord with the National Planning Policy Framework and saved policies E19 and E20 of the Northampton Local Plan.

## 2. THE PROPOSAL

2.1 Applicants propose to carry out a number of significant alterations to the existing Northampton Football Ground. These include the following key elements:

- Demolition of part of the existing east stand and remodelling and extension works to provide additional seating. This would increase the seating capacity from 7,653 to 10,000;
- A new conference suite with a banqueting hall with ancillary accommodation to include kitchen, service area and toilets;
- A gymnasium and service core, office space, food kiosks;
- Parking area for 44 cars;
- Provision of a new access road off Edgar Mobbs Way and
- Landscaping area to include North and South piazza.

### Ground Floor Level:

- Increased seating provision rearranged in banks labelled A To J
- Entrance Lobby & Hall
- Reception Area
- Four vertical escape routes
- Two lifts
- Four turnstiles
- Two service cores
- Gym
- Multipurpose Rooms
- WC Facilities
- Delivery Bay

2.2 The submitted plans indicate that the proposed stand would be divided between two concourses - Concourse North and Concourse South the following layout would be as follows:

2.3 Spectators entrance/exit points would be provided, along the length of the building served by four turnstiles with exit doors at each of the four points, in addition there would further entrance/exit points along the short side of the building. On match days this would be used for emergency exit purposes. On non-match days and special occasions these would be used as entrance and exit point to access the wider concourse area. Adjacent to entrance points are four staircases, leading up to the upper on course level, and access points leading onto the pitch side. Refreshment kiosks would be provided.

2.4 The east stand is proposed to be clad in metal cladding panels, whilst the banqueting/conference centre will be clad in translucent material, the base of the building would be constructed using smooth faced concrete block. Adjacent to entrance points are two staircases, leading up to the upper concourse level, and one access point leading onto the pitch side.

2.5 The existing internal road network would be revised to create a full perimeter road that will loop around the stadium. Additional car parking is proposed to the east of the expanded stand on the perimeter road, with some disabled parking which will be placed in the undercroft area. Access into the stadium will be via piazzas north and south of the stand into an undercroft concourse which will provide access to the main entrance to the stand.

Total proposed floor area at ground floor level is 2,491m<sup>2</sup>.

#### First Floor Level:

2.6 The key uses include would include a Banqueting/ Conference room with seating catering for up to a maximum of 512 people (1,125 sq.m), the function room have options to be divided into three separate rooms. There would also be a kitchen, with auxiliary spaces to include service and storage areas.

2.7 Other ancillary uses include refreshment kiosks, reception, offices and wc facilities.

2.8 The Total proposed floor area at first floor level is 2,980m<sup>2</sup>.

#### Second Floor Level:

2.10 The key uses would include:

- Director's Box
- Director's Lounge
- 10 Corporate Boxes

2.11 The existing building footprint equates to 665m<sup>2</sup>. The proposed layout seeks to increase the footprint of the building by 1,826m<sup>2</sup>, (21%), to 2,491m<sup>2</sup>.

2.12 A car parking area for 44 cars of which 7 spaces are designed to cater for people with disabilities would be provided. Separate areas would be retained for landscaping and creation of two piazzas at either end of the east stand.

2.13 Scale of the building will increase to the height of 15.5m at pitch side and decrease towards east to 12.0m and 8.95m at the banqueting/conference boundary with the proposed circular road.

2.14 In terms of appearance the applicant proposes to construct the building frame for the addition to the east stand with a steel structure with supporting infill panels.

2.15 The following documents accompany the application:

- Design & Access Statement
- Planning Statement
- Interim Transportation Assessment

### **3. SITE DESCRIPTION**

3.1 The site is an existing football stadium located at Sixfields approximately 2 ½ miles from the town centre and is set in a hollow, stepped down on a lower level

south of an existing leisure /retail complex, adjacent to an athletics running track to the east. Edgar Mobbs Way forms the southern edge of the stadium. From the south the site is relatively well-screened by vegetation on key routes approaching the area. The site lies at the junction of Walter Tull Way and Edgar Mobbs Way. The site is 1.76 hectares in area.

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

89/1458. Proposed sports & Leisure development to include hotels, stadium, cinema, petrol filling station, water sports facilities & servicing functions. Approved 07-03-1990.

93/0695 Erection of multiscreen cinema, public house, fast food drive thru, pizza restaurant with associated car parks & access roads. Approved 10-11-1993.

#### **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 Northampton Local Plan 1997 and the submitted West Northamptonshire Joint Core Strategy – Options and Issues.

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

National Planning Policy Framework (NPPF)

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

E19 – Implementing Development  
E20 – New Development  
E40 - Crime

##### **5.4 West Northamptonshire Joint Core Strategy – Submission & Proposed Changes**

##### **5.5 Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

##### **5.6 Other Policy Documents**

Northampton Playing Field Strategy April 2011

#### **6. CONSULTATIONS**

**Environment Agency** – No objections subject to conditions relating to surface water drainage and foundation design.



**NBC Environmental Services** – No objections subject to conditions relating to contamination.

**NCC Highway Authority** – Advise that an Interim Transportation Assessment has been submitted and is under consideration. Additional information has been requested. Further comments received will be reported separately.

**Sport England** – Advise that the application should not be determined until they have been given the opportunity to consider additional information, there is a holding objection. Should the Council be minded to grant planning permission for the development without resolution to the issues, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011, the application should be referred to the National Planning Casework Unit. In accordance with Circular 02/09, Sport England is objecting on the following grounds:

- (i) that the proposed development would result in a deficiency in the provision of playing fields in the area of the local authority concerned;
- (ii) that where the proposed development involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which would be lost.

**Highway Agency** – No objections.

**Northamptonshire Police Crime Prevention Design Adviser Police** has no formal objection to the principle of redevelopment at Sixfields stadium subject to conditions including a traffic management plan.

**Anglian Water** – No objections discharge of trade effluent attached as informative.

## 7. REPRESENTATIONS

7.1 Statutory press and site notices displayed and nearby occupiers notified.

7.2 A single letter of representation has been received from the occupier of 29 Edison Drive who is primarily concerned with the impact of car parking around Sixfields, particularly on match days with Coventry City Football Club home games when the surrounding residential streets are littered with parked vehicles. Clarification of the use of car park 4 is sought. The applicant has pointed out this is an overspill car park and only utilised when required.

## 8. APPRAISAL

8.1 The key issues in connection with this application relate to the impact on sporting facilities, transportation related matters and on the visual amenities of the locality.

### ***Impact on Athletics Track and Playing Fields***

8.2 The proposal would result in an extent of development that would occupy part of the existing athletics track, effectively this will render this facility redundant. The proposal would also result in the loss of a football pitch which is identified as the club's training ground and located within the centre of the athletics track. This pitch is

currently being utilised in particular by Northampton Town Ladies and by the athletics club as part of their facility.

8.3 Sport England has considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The playing policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches.

8.4 The development does encroach onto land that is being used as a playing pitch and athletic track. The policy position of Sport England is that they would as a general rule, oppose the granting of planning permission for any development which would lead to the loss, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field, unless in the judgement of Sport England one of the five special circumstances outlined below apply:

*E1 – A carefully quantified and documented assessment of current and future needs has been demonstrated that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport.*

*E2 – The proposed development is ancillary to the principal use as a playing field.*

*E3 – The proposed development only affects land incapable of forming a playing pitch.*

*E4 – The playing field which would be lost as a result of the proposed development would be replaced by an equivalent or better facility, in a suitable location and better management arrangements, prior to the commencement of the development.*

*E5 – The proposed is for an indoor or outdoor facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field.*

8.5 Sport England did initially raise a concern that the proposed development would result in a deficiency in the provision of a playing pitch/athletics track and that the alternative provision or replacement currently did not appear to match that which would be lost.

8.6 The key implications arising from this proposal for sporting facilities can be summarised as follows:

- The expansion of the Sixfields Stadium, increasing the total seating capacity and other ancillary features.
- The impacts on the Sixfields Stadium Athletics Track and athletics facilities as a whole.
- The impacts of the loss of the playing field, in particular the grass pitch in the centre of the Athletics track.

8.7 In response to Sport England observations a meeting was arranged with the applicant and a senior representative from Sport England. Sport England reiterated that they would not wish to object to the principle of an expansion of the football stadium as this would be considered ancillary to the main purpose of the stadium as a location for sporting activities. Sport England noted that the applicants are in

negotiations for a replacement athletics track and associated athletics facilities at Moulton College. It has been accepted that the relocation is supported by the Athletics Club and England Athletics. UK Athletics has recognised a need to expand the facilities at Northampton Football Club. The UK Athletics strategy has identified a need for an indoor training facility to be developed in Northampton and for the track at Sixfields to be relocated.

8.8 With regard to the identified need for the athletics track at Sixfields to be relocated, Sport England support the principle of a relocation to Moulton College and the synergy this would bring with regard to sports facilities at the College and the use of the College for sports related study both for the college and the links with Northampton University. Sport England have recognised and accepted this position, further details are to be provided by the applicant.

8.9 With regard to the Moulton College site as a suitable site for the replacement, Northamptonshire Sport the County Sport Partnership has advised:

'With its extensive recent investment in sports facilities and an ever-growing number of students on sports-related course, Moulton College makes good sense as a new home for the track and the club.'

8.10 Sport England has recognised that the timing of the replacement athletic track would not be achieved before the existing track is lost and were advised by the applicant that a temporary solution could be provided. Both the applicant and the Rugby and Northampton Athletics Club have supplied further written details outlining the case on the temporary arrangements, so that Sport England is satisfied.

8.11 Turning to the issue of the loss of the football pitch, the Borough Council's Playing Pitch Strategy 2011 has considered the adequacy of provision within Northampton for sporting uses. This identifies that there are a total of 177 pitches available for community teams playing football. The Borough Council provides 92 of these which accounts for 52% of the community use provision. In summary there are 88 adult pitches, 55 junior football uses and 34 mini soccer pitches for community use. The conclusions of the strategy show that there is no shortfall of adult football pitches across the Borough. Therefore adequate alternative provision can be provided.

8.12 As was highlighted earlier above, a meeting was held with Sport England that will lead to their holding objection being withdrawn. The Borough Council has submitted further written evidence that there would be no deficiency in playing pitch provision. Rugby and Northampton Athletics Club have submitted a letter to Sport England supporting the proposed move. 8.13 The Borough Council have confirmed in writing to Sport England that the relocation of appropriate facilities is a pre – requisite of the Borough Councils support for the proposed development. The Sport England representative has indicated that based on the updated information being received, Sport England would withdraw its holding objection. All the correspondence outlined above has been supplied to Sport England.

### ***Transportation***

8.14 The NPPF seeks to achieve a balance of land uses and encourage multiple benefits from the use of land and also actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and in essence states the aim of planning policies should be to encourage people to minimise journey lengths for employment, shopping, leisure, education and other activities. There is a

need for planning authorities to be sensitive to existing circumstances and support appropriate development and economic growth. The NPPF goes on to state that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

8.15 Following discussions with the Highway Authority, the applicant has submitted an interim Transport Assessment. This information includes references to traffic surveys of the local junctions on a Weekday, Saturday and Sunday in neutral months, with and without a football game on, to see what the difference would be to calculate the additional football related traffic and in essence the Highway Authority sought to secure:

A future year assessment of the development for 2026;

Agree the traffic generation of the trips generated by the non-football uses proposed on the site, using TRICS data;

Agree the distribution of traffic for the proposed uses;

Assessment of car parking numbers required;

Accident analysis for the agreed study area;

Assessment of existing sustainable transport choices; and

Identified a need for a Travel Plan needs to be produced.

8.16 The Transportation Assessment has been considered by the Highway Authority on the following basis ‘that the proposed development includes the part demolition of the existing East Stand to provide a new, larger stand with additional seating (in order to increase the total seating capacity at the stadium from 7,653 to 10,000). The new stand would also include a new multi-functional space, designed to act as a conference centre and/or banqueting hall with seating capacity for up to 512 people (with ancillary uses including a kitchen and service area). It will also include a 256sqm gross floor area gymnasium for the football club to use, and some ancillary office use’. The conclusion of the Transport Assessment is that the site is accessible by a range of sustainable travel modes and is a sustainable location (including walking, cycling, bus and train). There is a requirement to assess whether the local highway network could accommodate the additional vehicle trips associate with the proposed development. Preliminary advice is that the development would have a negligible impact on the local highway network, and existing public parking facilities would be able to satisfactorily accommodate the proposal. An up-date on this will be provided at the Committee meeting.

8.17 The proposed new access road linking the existing road at the back of North Stand terminating at Edgar Mobbs way would eliminate the need for an existing turning circle, behind the North Stand, and enhance the traffic flow to and from the site. New car parking is in addition to already substantial car parking provisions available to the Northampton Town Football Club at match days. Traffic management, which is in place, will be modified to encompass the new additions, link road and 44 car parking spaces.

8.18 It is recognised that the availability of car parking does have a major influence on the means of transport people choose for their journeys. There would be an increase of 44 spaces on the site. Objections have been raised to the impact on car

parking that would arise from the proposed development. The Highway Authority has raised no objection to the principle of the development subject to further accurate information being submitted. Further additional comments will be reported at the meeting.

8.19 Applicant has stated they have an existing Green Travel Plan, which has not been submitted as part of this application. Nevertheless this document would need to be updated and an appropriate condition to secure these details is recommended. This would continue to ensure that alternative measures to the private car are available for employees. In order to reduce the number of single occupancy car journeys, the key measures could include: the appointment of a travel coordinator; provision of an information pack giving details of public transport; limiting service deliveries including refuse collection to a minimum; promote car sharing, cycle / motor cycle usage and work with the travel officers at the County Council.

### ***Impact on Character, Design and Appearance***

8.20 The NPPF seeks to ensure that developers provide attractive, usable, durable and adaptable places to live based on achieving and promoting sustainable goals and promotes high quality inclusive design in the layout of new development in terms of the quality of an area based on a sustainability approach. Proposals are required to have regard to the existing character of the locality urban grain, scale, massing, and materials of its surroundings and seek to make efficient use of land.

8.21 The existing stadium is a structure that is very functional in design, constructed in 1994 with a basic block work material and industrial profile steel sheeting. The most visible elements are the four stands. The scale of the complex relative to other typical football stadium can be described as modest. The proposal is primarily intended to extend the east stand to increase overall stadium seating capacity from 7,653 to 10,000 and includes provision for conference and banqueting facilities, corporate hospitality, ancillary facilities and a gym. This would result in an increase in the bulk and scale of the stand on an enlarged footprint. This will feature the suspension of conferencing and banqueting facilities on a first floor above a concourse area and gym. The maximum height will increase from 7.2m to 15.5m to provide the additional seating capacity and accommodate the facilities on offer.

8.22 The applicant has provided assurances to work with your officers to produce a high quality scheme. The design of the proposed development is intended to primarily improve facilities at the stadium and the current appearance of the stadium. The height of the proposal would respect the general heights of the roofs of the existing stadium. The proposed development would create a strong building line and visual presence. Despite the open and quite bleak context, the stadium is not prominent due to the difference in levels which affords views across and into the Stadium from Sixfield's surroundings. The proposal has also been designed so that it takes the opportunity to maximise active frontages. Whilst a proportion of articulation has been provided, details of all external surfacing materials and all boundary treatment would be controlled by planning conditions to improve the character and quality of the area. The proposal has the potential to 'set the tone' for further improvements to the stadium and for redevelopment in the wider locality. Whilst the quality of material relates to function rather than aesthetics, it provides some visual continuity between the existing stadium and an expanded east stand that would have a prominent and different form. Details of some materials, described in the Design and Access Statement are considered to be general and lack specific detail in terms of the size, texture and appearance. The submitted visuals suggest that the development would create a structure with more visual interest relative to the

existing structures. Achieving this objective will be heavily dependent on the quality of materials used and other treatments to surfaces and the edges of the site. Whilst the scope of this proposal does not extend across the whole complex, opportunities for some landscaping around the proposed east stand should be considered with the objective of setting a positive precedent for further development across the wider area. Presently the stadium and the Sixfields area generally has an exposed and bleak feel due to level changes and lack of landscaping. Therefore appropriate hard and soft landscaping would be needed to be provided through a planning condition.

8.23 The proposal has been designed to cater for the needs of people with disabilities with level access from the public realm. There are two lifts proposed within the East Stand serving all levels, with direct and step free access to the seating terrace, corporate boxes and banqueting/conference facilities. All escape stairs are designed to incorporate safe refuge areas for wheelchair users.

### ***Secured by Design***

8.24 The NPPF states planning authorities should plan positively for the provision and use of shared space and community facilities and planning decisions in turn, should aim to achieve places which promote opportunities for safe and accessible environments where crime and disorder, and the fear of crime, do not undermine.

8.25 The Police Crime Prevention Adviser has been proactively involved in the pre-application discussions and negotiations for this planning application and the advice given has been accepted by the applicant to improve security measures as Sixfields stadium is classed as a 'crowded place', and advice has also been sought on the proposals from the Counter Terrorism Security Adviser. Design changes have been made to reflect the guidance. The new undercroft walkway would be covered by an extension to the existing CCTV system and pinch points are avoided to reduce opportunities for pick pocketing. Walls would be curved to eliminate places to hide. The Police Liaison Officer for the stadium requested that a new traffic management plan should be submitted for consideration in view of the new traffic circulation around the stadium as a result of this development. An appropriate condition is recommended.

### ***Flood Risk Assessment***

8.26 The NPPF and the associated technical guidance require that all risks of flooding to and from the site are identified and their implications assessed. They encourage development to be located in areas of low flood risk and stress the importance of preventing increases in flooding risk off site to the wider catchment area. The Environment Agency has considered the information submitted by the applicant and raise no objections subject to conditions. Anglian Water has confirmed that the surface water strategy / flood risk statement is acceptable and informative is included.

### ***Impact on the Economy***

8.27 The site is within the designated Enterprise Zone new jobs are expected to be created. The Sixfields Local Development Order (LDO) is being prepared which would set key parameters to facilitate the development of sites in addition to the use by Northampton Football Club, in July 2013 Coventry City Football Club agreed a three year deal to play home games at the stadium. The influx of additional visitors into the town would also have a positive benefit on the local economy and would reinforce the cultural offer of the town.

## ***Contamination, Noise and Odour***

8.28 Environmental Health Officers have advised that there are no prevailing factors to prevent the development of the site. Conditions are recommended to assist to deal with potential contamination matters.

## **9.0 CONCLUSION**

9.1 In summary, the principle of the development is considered acceptable in policy terms. Overall the proposed expansion of the east stand is potentially a positive start for the wider regeneration of the Sixfields area. It is important that the expansion creates a development that starts to raise the image of the stadium and the area, as this is a key 'shop window' of Northampton. The proposal would bring significant benefits to the community and lead to local employment opportunities. The scheme accords with policies in the submitted West Northamptonshire Joint Core Strategy, saved policies within the Northampton Local Plan and the NPPF. The proposed development is considered acceptable and should be permitted subject to conditions and the withdrawal of Sport England holding objection and confirmation that the Highway Authority is content with the information submitted in support of the application.

## **10. CONDITIONS**

1 The development hereby permitted shall begin no later than 3 years from the date of this permission; the developer shall notify the Local Planning Authority in writing within three weeks of the following date:

- a) The date of commencement of the development hereby permitted; and
- b) The date when the development hereby permitted is bought into use.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of Planning and Compulsory Purchase Act 2004 and enable to compliance with other conditions of this planning permission.

2. The development shall be carried out in accordance with the following approved plans: 1013 02; 1013 03; 1013 04; 1013 05; 1013 06; 1013 07; 1013 08; 1013 09; 1013 10; 1013 11; 1013 12; 1013 13; 1013 14; 1013 15; and plans 1013 17 to 1013 24 consecutively.

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

3. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
  - a) A site Waste Management Plan;
  - b) A Traffic Management Plan incorporating the routing construction traffic and details of heavy vehicle movement patterns (including earliest and latest times and suspension of trips during local peak traffic times along Weedon Rd.
  - c) Measures to minimise and control noise, vibration, dust and fumes during

- site preparation works and construction, including vehicle reversing alarms;
- d) Details of siting of all vehicles of site operatives and visitors;
  - e) Details of the design, appearance, erection and maintenance of security hoardings to include informative displays;
  - f) The location, extent and duration of any temporary stockpiling areas;
  - g) Measures to prevent mud being deposited on the surrounding highway;
  - h) A programme of implementation for items (a) – (g).
4. No construction operations shall take place outside the hours of 08:00 to 19:00 Mondays to Fridays or 09:00 to 15:00 on Saturdays. No such operations shall take place at any time on Sundays or Bank / Public Holidays.

Reasons 3 & 4: To protect the amenity of neighbours and in accordance with objectives of the National Planning Policy Framework.

5. Within four months of the date of commencement of the development hereby permitted, a landscape and aftercare scheme detailing both hard and soft landscaping works and 5 year aftercare shall be submitted in writing for the written approval of the Local Planning Authority.
- The scheme shall include the following;
- a) Landscaping of the boundaries to the site, including a detailed design of the layout of the semi – public squares and pedestrian circulation area.
  - b) Fully annotated planting plans, showing locations of individually planted semi mature trees, shrubs, hedges and areas of grass. Within ornamental planting area plans should be sufficiently detailed to show the locations of different single groups in relation to one another, and the location of any individual to one another, and the location of any individual specimen shrubs. Other information shall include planting schedules noting species, plant sizes and proposed numbers/densities, method of cultivation and details of the proposed planting implementation programme;
  - c) Surfacing materials for the semi–public space, paths and servicing area;
  - d) The types, heights and design of all fencing / boundary treatment/bollards/planters;
  - e) Details of the siting and design of all street furniture including and cycle stands;
  - f) The 5 year aftercare for landscape management and maintenance, which among other things shall provide for replacement trees and shrubs of the same species and size as that originally planted to be planted for any tree / scrub which, within 5 years from its date of planting, is removed, uprooted or is destroyed or dies or becomes in the opinion of the Local Planning Authority, seriously damaged or defective.
6. The landscaping and aftercare scheme approved in connection with Condition 5(b) above shall be carried out in the first planting and seeding seasons following the commencement of the use of the remodelled and extended stadium or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years as required by condition 5(f).

Reasons 5 & 6: To ensure a high quality of external environment and biodiversity in accordance with saved Policy E20 of the Northampton Local Plan and in accordance with the objectives of the National Planning Policy



Framework.

7. Within two months of the date of commencement to the commencement of the development hereby approved, samples of all materials to be used in the construction of the external surfacing (including window frames, doors, roof structure and glazing of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Sample panels of the proposed materials (walling) (roofing) (brickwork) at least one metre square (showing where appropriate the proposed coursing, method of pointing and colour of mortar/render) shall be erected on the site for consideration and subsequently approval in writing by the Local Planning Authority. The panels shall be retained on site until the completion of the works. The development shall be implemented in accordance with the approved details.
8. Within six months of the development hereby permitted commencing, a detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate and details of the lighting fittings including colour, watts and period of illumination. All lighting works shall be implemented in accordance with the approved details and thereafter maintained / retained.  
Reasons 7 & 8: To ensure a high quality of external environment in accordance with saved Policy E20 of the Northampton Local Plan and in accordance with the objectives of the National Planning Policy Framework.
9. No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority.
10. Any site investigation found to be required under Condition 9 shall be carried out prior to any development taking place and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority.
11. All remedial works found to be required under Contaminated Land Condition 10 above shall be fully implemented, prior to any development taking place and in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion.
12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 10 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Contaminated Land Condition 11, which is subject to the approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject

to the approval in writing by the Local Planning Authority in accordance with the Contaminated Land Conditions.

Reasons; 10, 11 & 12: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety in accordance with objectives of the National Planning Policy Framework.

- 13 Prior to the development hereby permitted being brought into use a green Travel Plan shall be implemented setting out proposals for to promote travel by sustainable modes in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority and furthermore details of a a revised traffic management plan shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full and shall thereafter be maintained / retained.

Reason; To promote sustainable Travel and secure the satisfactory development of the site, provide security and protect road and pedestrian users and accord with the objectives of the National Planning Policy Framework.

14. Within five months of the development hereby permitted commencing, full details of facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development hereby permitted being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the objectives of the National Planning Policy Framework.

- 15 Within five months of the commencement of the development hereby permitted full details of the proposed boundary treatment/public realm works of the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include plans showing the locations of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of proposed new boundary treatments/materials including railings.

To ensure a high quality of external environment in accordance with saved Policy E20 of the Northampton Local Plan and in accordance with objectives of the National Planning Policy Framework.

16. 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: Drainage design should be consistent with the drainage system currently in place for the existing development. It should be ensured that no new drainage designs for the proposed increase the potential for contaminant migration (e.g. soakaways should not be located in contaminated ground).

17. Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to controlled waters from mobilising contamination or creating preferential pathways for contamination to migrate. Thus, it should be demonstrated that any proposed piling would not result in contamination of groundwater.

### **Informative**

1. An application to discharge trade effluent should be obtained from Anglian Water.

## **10. BACKGROUND PAPERS**

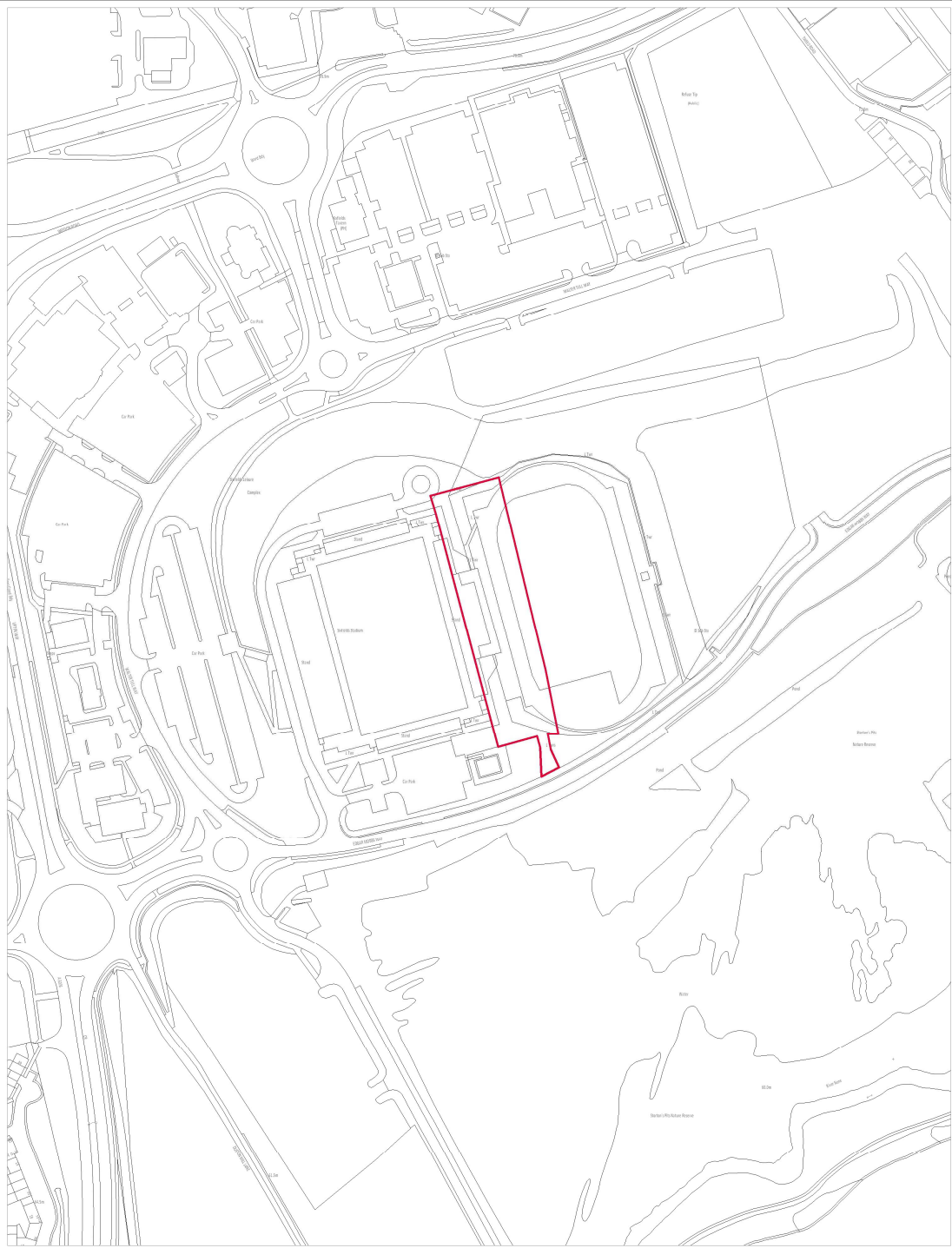
- 10.1 NIL.

## **11. LEGAL IMPLICATIONS**

The Chief Finance Officer is in separate direct negotiations with the applicants to finance the development.

## **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.



Issue: **Planning**  
Date: **14th November 2013**  
Scale: **NTS**  
Dept: **Planning**  
Project: **Committee**

**Title**  
**Sixfields Stadium**

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